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**THE MAKING OF THE TRAFFICKING VICTIMS PROTECTION ACT
OF 2000: VIEWED THROUGH THE LENS
OF THE ADVOCACY COALITION FRAMEWORK**

A dissertation submitted in partial fulfillment of the requirements for the degree of
Doctor of Philosophy at Virginia Commonwealth University.

by

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Abstract

THE MAKING OF THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000: VIEWED THROUGH THE LENS OF THE ADVOCACY COALITION FRAMEWORK

By Nicole K. Footen, Ph.D., MSW

**A dissertation submitted in partial fulfillment of the requirements for the degree of
Doctor of Philosophy at Virginia Commonwealth University.**

Virginia Commonwealth University, 2007

**Major Director: Judith Bradford, Ph.D.
Associate Professor of Epidemiology and Community Health,
School of Medicine (Public Health)
Director, Community Health Research Initiative
L. Douglas Wilder School of Government and Political Affairs**

The U.S. Trafficking Victims Protection Act of 2000 (TVPA) was the first piece of legislation designed to combat human trafficking on all fronts, both domestically and internationally, and was upheld as a model worldwide. Although human trafficking as an issue seemed to appear out of nowhere onto the congressional agenda and a number of heated debates ensued during the making of the TVPA, the legislation passed quickly by an unlikely coalition of players. The purpose of this dissertation research was to gain insight into the forces which led to the making of the TVPA through the lens of the Advocacy Coalition Framework (ACF) model of the policy making process.

The ACF's focus on belief systems in order to increase one's understanding of the policy making process makes it an interesting model to use to examine policy making in arenas dominated by issues that involve deeply held beliefs. The human trafficking

policy subsystem is one such arena, in which beliefs and attitudes regarding sexual behavior, prostitution, morality, sexual deviancy, immigrants and immigration policy, feminist issues, and public health concerns come into play. In addition, human trafficking, widely acknowledged as a public evil, is a valence issue. This dissertation research also serves as a case to examine how the ACF “holds up” as a model used to examine valence issues.

This study was a dual-method study in which in-depth interviews of twenty-one key policy players involved in the making of the legislation and a content analysis of congressional hearings related to human trafficking during the 1995-2000 time period were used as methodologies.

Findings reveal that advocacy coalitions did exist within the human trafficking policy subsystem and that the primary coalition responsible for the focus on human trafficking as a legislative issue was a left/right coalition made up of radical feminists, conservative Christians, and human rights organization representatives, which was built from a pre-existing coalition. With the support of my research findings, I pose the question: was the TVPA created to protect victims of human trafficking or was the issue of human trafficking used to push a greater moral agenda including abolishing prostitution worldwide?

CHAPTER 1 INTRODUCTION TO DISSERTATION STUDY

Introduction to Study

Scholars of public policy and political science have increasingly given their attention to the study of the policy making process. Paul Sabatier and Hank Jenkins-Smith's theory, which is making a major contribution to the understanding of the policy process, is the advocacy coalition framework (ACF). The ACF's focus on "belief systems" in order to increase one's understanding of the policy making process makes it an enticing model to use to examine policy making and policy change in arenas dominated by issues that involve deeply held beliefs. The human trafficking policy subsystem (a policy subsystem includes groups of people who interact regularly to influence policy in a particular domain). The human trafficking policy subsystem is one such arena, in which beliefs and attitudes regarding sexual behavior, prostitution, morality, sense of self, sexual deviancy, immigrants and immigration policy, feminist issues, and public health concerns come into play.

Starting in the 1990s, and continuing today, an enormous eruption of conferences, debates, protocols, media attention, and development of various forms of legislation has taken place on a worldwide scale, aimed at the eradication of human trafficking. The first piece of legislation considered to comprehensively address human trafficking issues was the United States' Trafficking Victims Protection Act of 2000 (TVPA). Other governments were encouraged by the U.S. to adopt similar legislation. Although a number of heated debates ensued during the making of the TVPA, it passed relatively quickly by a seemingly unlikely coalition of players.

The purpose of this dissertation study is to gain insight into the TVPA through an ACF lens. This study is a case study of the making of the Trafficking Victims Protection Act and an examination of the forces that acted to influence it as seen through the advocacy coalition framework.

Organization of Dissertation

This dissertation includes six chapters. Chapter One presents the study and lays out the justification for this research and also presents the study purpose and research question. Chapter Two provides a substantial historical background of human trafficking, which is necessary in order for the reader to gain an understanding of the current human trafficking policy subsystem. Chapter Three is a review of the literature beginning with significant theories of the policy making process, the development of theoretical frameworks to study distinct stages of the policy making process, a detailed discussion of the ACF as a theoretical model, and a review of current research applying the ACF.

Chapter Four presents the study's hypotheses, provides an overview of the overall research methodologies (in-depth interviews and content analysis of congressional hearings) used in the study, provides a detailed outline of the interview methodology and presents the interview findings. Chapter Five outlines the content analysis methodology used in the study and presents the findings from the content analysis and the overall results. Chapter Six presents limitations of the study, the conclusion to the study, and offers suggestions for further research.

Background and Problem

Human trafficking, considered to be a modern form of slavery, has increasingly received attention over the last decade from non-governmental organizations (NGOs), world governments including the United States government, and the media. The United States defines human trafficking as “all acts involved in the recruitment, abduction, transport, harboring, transfer, sale or receipt of persons; within national or across international borders; through force, coercion, fraud or deception; to place persons in situations of slavery or slavery-like conditions, forced labor or services, such as forced prostitution or sexual services, domestic servitude, bonded sweatshop labor or other debt bondage” (Pub. Law 106-386). In 2000, the United States government passed the Trafficking Victims Protection Act (TVPA), which is Division A of a larger bipartisan crime bill, the Victims of Trafficking and Violence Protection Act of 2000 (VTVPA). The purpose of the TVPA is “to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers and through protection and assistance to victims of trafficking” (Pub. Law 106-386).

Upon its passage, the TVPA was considered to be a landmark piece of legislation, but since its passage relatively few victims of trafficking have received benefits, and the trafficking problem has supposedly not been curbed in the U.S. As of fiscal year 2005, 1,000 victims of trafficking have received the benefits (cash assistance, medical care, food stamps, housing, etc) available to them under TVPA since the legislation’s enactment in 2000 (Assessment of U.S. Activities to Combat Trafficking in Persons,

2004). In fiscal year 2003, 151 victims of trafficking received certification, allowing them to receive the services available to them under the TVPA (Assessment of U.S. Activities to Combat Trafficking in Persons, 2004). In addition, since the legislation's enactment, only 450 victims of trafficking have accessed immigration benefits. Specifically, as of June 30, 2003, the Department of Homeland Security had granted 370 continued presence requests and received 453 T nonimmigrant status applications, 172 of which have resulted in T nonimmigrant status grants, 13 of which were denied, and the remaining 238 of which were pending (Assessment of U.S. Activities to Combat Trafficking in Persons, 2003). Considering that at least an estimated 58,000 people have been trafficked into the U.S. since the legislation's enactment in 2000, these numbers are exceedingly low. It is clear that the legislation is not having a significant impact on the targeted population.

One method of gaining insight into why the legislation has not had the impact that might have been expected by outside observers is to understand the motivations of the key players who were involved in the passage of the legislation. Perhaps the stated purpose of the legislation does not reflect the motivations of the actors involved in its making. In the case of the Trafficking Victims Protection Act, an examination of the belief systems of the participants in the human trafficking policy arena will assist in gaining an understanding of the motivations behind its development.

The Advocacy Coalition Framework (ACF) is an innovative framework that can be used as a model to explore belief systems in a policy arena is the ACF. The ACF allows us to think of agency officials, academic researchers, and journalists as potential

members of advocacy coalitions that engage in “some nontrivial degree of coordinated activity in pursuit of their common policy objectives” (Sabatier & Jenkins-Smith, 1997, p. 127).

Study Purpose

The purpose of this research is to gain insight into the TVPA through an ACF lens. As discussed above, the TVPA is considered to be the first piece of comprehensive legislation designed to combat human trafficking on all fronts, both domestically and internationally. Using the ACF to examine the coalition identities of the key players and their positions as expressed through interviews and congressional hearings, will contribute towards an understanding of the motivations behind the TVPA. In addition, the use of the ACF allows for an examination of the “goodness of fit” of the model applied to the human trafficking policy subsystem, a subsystem that is unlike other policy subsystems that have been previously examined using it. Human trafficking is a valence issue. A valence issue is a public evil that is, for the most part, acknowledged as such and an issue in which policy players tend to be in general agreement. All players believe that human trafficking is wrong. Little research has been done on how theories of the policy making process, such as the ACF, “hold up” in valence issues.

Introduction to Framework

The Advocacy Coalition Framework (ACF) will be used to guide the collection and analysis of data and also to guide the discussion based on the findings. The ACF was developed by Paul Sabatier with Hank Jenkins-Smith (1987, 1988) as an alternative to the

stages heuristic (a heuristic provides direction in order to solve a problem) to developing theories of policy processes (Jenkins-Smith & Sabatier, 1994). The ACF was also used to provide a lens to study intense conflicts over policy issues (Weible and Sabatier, 2005).

There are four basic premises in the ACF: 1) at least a decade time perspective is required to understand the process of policy change, 2) a focus on the policy subsystem is the most useful way to think about policy change, 3) policy subsystems must include an intergovernmental dimension, and 4) public policies or programs can be conceptualized as belief systems (Jenkins-Smith & Sabatier, 1994). A policy subsystem is composed of interest groups, agency officials, and legislators who are concerned with a policy problem or issue and who regularly seek to influence public policy in that domain.

Sabatier and Jenkins-Smith (1999) mention that

several people have wondered whether the ACF applies to policy domains—such as abortion, gun control, human rights, gay rights, school prayer and gender politics—in which technical issues are completely dominated by normative and identity concerns. [Sabatier and Jenkins-Smith's] perception is that it should work very well. These subsystems seem to be characterized by well-defined coalitions driven by belief-driven conflict. (pp. 151-152)

The Human Trafficking Policy Subsystem as a Case

The human trafficking policy subsystem provides a suitable case to study advocacy coalitions in subsystems dominated by normative and identity concerns for several reasons: 1) the long history (starting from the progressive era) of human trafficking and/or prostitution policy coalitions that are clearly based on belief systems, 2) the recent history of rapidly developing trafficking policy within the last decade, 3) the fierce

debates that occurred during the making of the TVPA, and 4) the lack of scholarly research on human trafficking policy development.

The human trafficking policy subsystem is especially fascinating to use to test the ACF, because the ACF assumes that in deeply divided coalitions, in which strong, deep beliefs are present, little coordination between coalitions will take place. In the test case, deeply divided coalitions with little coordination between the coalitions should show in the research findings, based on the ACF's assumptions. However, the TVPA was passed fairly quickly. Furthermore, there seems to have been (based on formative research) a significant amount of coordination among coalitions with different belief systems in order to pass a version of the TVPA in which various competing groups would be satisfied.

This study applies the ACF to the contemporary human trafficking policy domain, a domain in which the ACF has not yet been applied, and will identify the competing and dominating advocacy coalition(s) within the human trafficking policy subsystem before and during the development of the TVPA of 2000. The formation and domination of coalitions within the human trafficking subsystem should demonstrate which coalition or coalitions had the most influence in the final outcome of the TVPA, thus giving insight into this piece of legislation. This is important considering the multiple points of debate during the making of the legislation that focused on the following: 1) the eligibility requirements to receive protection as a victim of trafficking; 2) the special visa status and eventual eligibility for permanent residency of trafficking victims; 3) the social benefits that might be given to a victim of trafficking; 4) the gaining of the cooperation of foreign

governments to eradicate trafficking, 5) the question over the appropriateness of sanctions to encourage foreign countries to comply with the guidelines of the U.S. government; and 6) the definition of a victim of trafficking.

The analysis will also provide insight into the recent TVPA implementation efforts and strategies (the focus on law enforcement training, for example). Furthermore, the analysis may help to explain why an alternative definition of “trafficking victim” was used in the State Department’s model law, which is the definition used in the UN Protocol, not the definition used in the TVPA (discussed in Chapter Two).

Another reason that the TVPA is an interesting case to use to test the ACF is because Sabatier and Jenkins-Smith are both academics in the environmental policy arena. Hence, the majority of the studies utilizing the ACF have been done on various environmental policy subsystems. Sabatier & Jenkins-Smith (1993, p. 231-232) outline research aspects that are most in need of additional empirical work by scholars of the policy process. One question that they outline as needing to be addressed by scholars is “[d]o subsystem dynamics tend to vary by policy type (Ripley and Franklin, 1982; Meier, 1987)?”. Studies which examine advocacy coalition formation in unexamined policy subsystems will provide useful answers to this question.

No studies have been completed on human rights policy subsystems, in which policy beliefs are strong. These policy core beliefs are the “fundamental glue of coalitions because they represent basic normative and empirical commitments within the domain of specialization of policy elites” (Sabatier & Jenkins-Smith, 1999, p. 122).

Weible and Sabatier (2005, p. 181) find that within a policy subsystem “stakeholders compete over whose policy objectives are translated into governmental policy”. They also note that “the ACF predicts that, in contentious policy issues, a policy subsystem will have two or more advocacy coalitions whose composition will remain stable over time because of the pressures for in-group loyalty and out-group distrust” (Weible and Sabatier, 2005, p. 181).

The ACF also predicts that as conflict increases and groups become more polarized, interactions across coalitions will diminish substantially (Weible and Sabatier, 2005). “The ACF predicts that actors would prefer to seek advice/information from sources within their advocacy coalition” and that “actors prefer and predominately coordinate and seek advice/information from other actors of similar policy core beliefs within their advocacy coalition” (Weible and Sabatier, 2005, p. 181). However, it is my assumption that in the case of the human trafficking policy subsystem, within several years, comprehensive human trafficking legislation passed, despite that strong competing coalitions most likely existed.

Evidence of one tightly bound and seemingly powerful coalition within the human trafficking policy subsystem was described by McKelvey (2004):

[it's] impressive stuff, but human-rights activists, program officers, and health-care educators who work to help trafficking victims describe a dark side to the ‘abolitionist’ [abolitionists are those that wish to abolish legalized prostitution on a worldwide scale] movement. The movement’s most prominent figures include right-wing policy makers, a Jewish ‘moral entrepreneur,’ and evangelical leaders, whom critics call overzealous and moralistic. Together, the ‘abolitionists’ have formed a potent political force (‘it’s the most powerful coalition for human rights in America today—perhaps in the world—all under the radar screen of the press,’ says one of its adherents) known for steamrolling opponents into stifling

dissenting voices. Some say they're even snuffing out organizations that don't adhere to a party line regarding prostitution . . . The Muscle guy in the "Abolishionist" movement is Michael Horowitz, 66. A Jewish kid from the Bronx who went to City College and then to Yale Law School, Horowitz served as general counsel for the Office of Management and Budget under Ronald Reagan, and is now a senior fellow at the Hudson Institute in Washington. Referred to by author Allen Hertzke as a "moral entrepreneur" in Hertzke's newly published book, *Freeing God's Children*, Horowitz is the one, activists and program officers say, who calls the shots. The other leading figures are Charles Colson, a former Nixon counsel and an influential evangelical leader; Donna Hughes, the University of Rhode Island professor whose congressional testimony helped lay the groundwork for the August 2004 change in federal contracts and who writes articles on the subject for the *National Review*; Laura Lederer, a former anti-pornography crusader; and Lisa Thompson, a trafficking specialist with the Salvation Army. 'Horowitz is the Charlie to their Angels,' says an administration official. (p. 3)

Research Question

The research question that will guide this study is the following: what advocacy coalitions existed in the human trafficking policy subsystem between 1995-2000 and what are the beliefs that differentiate the coalitions? A five year time period will be examined. This research question will be answered through in-depth interviews of key policy players active in the human trafficking policy subsystem and a content analysis of congressional hearings, using the ACF as a guide. A detailed discussion regarding the research design is included in Chapters Four and Five of the dissertation.

CHAPTER 2 HISTORICAL BACKGROUND

Introduction

The following overview of the history of the human trafficking debate and the detailed narrative on the Trafficking Victims Protection Act (TVPA) is provided in order to put the debate into a historical context and to allow for a broader and deeper understanding of the history behind the development of the TVPA. This historical understanding is necessary in order to examine the current human trafficking policy subsystem through the use of the Advocacy Coalition Framework.

Background

Human trafficking, considered to be a modern form of slavery, has increasingly received attention over the last decade from non-governmental organizations (NGOs), world governments including the United States government, and the media. In 2000, the United States government passed the TVPA, which is Division A of a larger bipartisan crime bill, the Victims of Trafficking and Violence Protection Act of 2000 (VTVPA). The purpose of the TVPA is “to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers and through protection and assistance to victims of trafficking” (Pub. Law 106-386). The United States defines human trafficking in the TVPA legislation as “all acts involved in the recruitment, abduction, transport, harboring, transfer, sale or receipt of persons;

within national or across international borders; through force, coercion, fraud or deception; to place persons in situations of slavery or slavery-like conditions, forced labor or services, such as forced prostitution or sexual services, domestic servitude, bonded sweatshop labor or other debt bondage” (Pub. Law 106-386). Although human trafficking includes both labor trafficking and sex trafficking, the majority of attention given to trafficking in the U.S. and in other countries has been on sex trafficking.

Researchers suggest that a number of factors promote sex trafficking in the U.S. including globalization of capital and information technology (Santos, 1999; Hughes, 1999), gender-based social and economic inequality (Raymond & Hughes, 2001), macro-economic policies promoted by international lending organizations which push women out of their countries of origin to seek work (Raymond & Hughes, 2001), and expansion of transnational sex industries. Despite the recent attention given to human trafficking as a contemporary human rights problem, the concept of human trafficking, or “white slavery”, as it was called in the past, is not new in the U.S. or in other western nations.

Early Laws Addressing Human Trafficking, White Slavery, and Prostitution

Organized movements against “white slavery” were popular in the United States and in some western European countries during the progressive era, a time of economic, political, and social reform that spans from 1893 to 1917. The progressive era was stimulated by a number of societal changes and social problems that were caused by industrialization. During the progressive era, “the specter of White Slavery became an image used to depict commercial sex as a form of slavery where women were ‘trafficked’ against their will into the trade by third parties, typically foreign men, such as pimps”

(Wahab, 2002, p.3). As Wahab (2002, p. 3) notes, “the fear of White Slavery was based not on a large number of documented cases, but rather, was fueled by fears of cultural contamination (due to immigration), moral pollution, social anxieties about changing gender roles, sex, class and race relations at the turn of the century”. Although “white slavery” received a large amount of attention, interviews of 6,309 prostitutes conducted during the progressive era revealed that only approximately 7.5% of the respondents listed “white slavery” or extreme coercion as a reason why they were involved in prostitution (Pivar, 2002, p. 84).

Interestingly, descriptions of “white slavery” during the progressive era are strikingly similar to accounts of modern day human trafficking. O. Edward Janney (1911) (in Pivar 2002) described “white slavery” during the progressive era as follows:

the human chattels of these traffickers are practically slaves, for the girls and women are lured, deceived through affection, or in some instances forced into prostitution, and are held in bondage by subtle but compelling means. Whether the victim is confined behind closed doors, or is allowed to go out under close watch, or kept in submission by fear of personal violence, she is, under any of these conditions, a *slave*—one forced to do her master’s bidding and obliged to give him the money she receives. (p. 84)

For purposes of comparison, the following description was included in a recent government report addressing trafficking (Miko & Park, 2002):

traffickers acquire their victims in a number of ways. Sometimes women are kidnapped outright in one country and taken forcibly to another. In some cases victims are lured with job offers. Traffickers entice victims to migrate voluntarily with false promises of good paying jobs in foreign countries . . . trafficking victims are often subjected to cruel mental and physical abuse in order to keep them in servitude. (pp.3-4)

The perceived threat of “white slavery” contributed to the development of laws regulating prostitution in 1874, 1881, 1907, and 1910 (Wahab, 2002, p.3). The earliest of these laws prohibited the trafficking of immigrant women into the United States for prostitution. The White Slave Traffic Act, also called the Mann Act of 1910 prohibited the transportation of any girl or woman for immoral purposes or prostitution between countries or across state lines (Wahab, 2002).

Until the passage of the TVPA, the Mann Act was still being used to prosecute recent U.S. sex trafficking cases. Trafficking was not recognized as a specific crime in the U.S. and in other countries before the passage of the TVPA, but instead it was addressed under other related offenses such as kidnapping, illegal confinement, deprivation of liberty, abduction, international prostitution, torture, and transportation of aliens across state borders (Mattar, 2003). As such, anti-trafficking statutes only addressed trafficking as criminal offenses and did not offer any services or protection to victims. Victims were treated as criminals subject to deportation for residing in the country illegally, for possessing false documents, and for engaging in prostitution, in the case of sex trafficking. In addition, past anti-trafficking legislation focused primarily on prostitution and “white slave” traffic. For example, the 1949 European Convention for the Suppression of the Traffic in Persons and of the Exploitation of Prostitution of Others mandated that “The parties to the present Convention agree to punish any person who, to gratify the passions of another: 1) Procures, entices or leads away, for purposes of prostitution, another person, even with the consent of that person; 2) Exploits the prostitution of another person, even with the consent of that person” (Mattar, 2003, p. 2).

The Purity and Social Hygiene Movements

Social hygiene activism and the purity movement also contributed to the development of the earlier laws regulating prostitution and “white slavery”. During the purity movement, feminists developed a coalition with moral reformists. This “first wave” feminist movement grounded in Victorian ideals, was

committed to sexual repression throughout its existence . . . [and] came to embrace numerous preventative reforms concerned with childhood, the family and modern marriage, among other issues. The preventative reforms contained utopian aspirations beyond prostitution. The struggles against ‘female slavery’ pressed at the frontiers of equality and social justice. (Pivar, 2002, p. 84)

Groups such as the American Purity Alliance and the New York Committee for the Prevention of State Regulation of Vice were opposed to state-regulated prostitution, and pushed for the abolition of all legalized forms of prostitution. They also fought to have the legal age of consent for girls to engage in sexual activity raised to at least sixteen (in most states the age of consent was 10 to 12 years old). This opposition to any form of legalized prostitution was seen as part of a larger agenda, which was grounded in feminism and moral reform (Holloway, 2003).

The Agenda of the Purity Movement and the Goals of the TVPA

The goals of the purity movement had some similarities with the goals of U.S. trafficking legislation. Like the TVPA, “the purity movement had a significant international component, and American reformers built ties to activist groups worldwide who sought the abolition of legalized prostitution and ‘white slavery’”(Holloway, 2003, p. 5).

The following, a “memorial” sent to Congress by the New York Committee for the Prevention of State Regulation of Vice (1886), made the case that foreign women were being trafficked into the U.S. for the purpose of forced prostitution and asked legislators to take action against trafficking in human beings:

To the United States Senate and House of Representatives:
Whereas, a Quebec telegram of the 16 ult., widely published says: “Wholesale trading in young and innocent girls for the purpose of prostitution has come to the notice of the authorities. Agents from disreputable houses in the large cities in the United States have been in the habit of coming here and have ingratiated themselves with young women and got them to go the United States, where they are drawn into a life of infamy. The trade has been carried on to an alarming extent, sometimes as many as fifteen girls being shipped in a week.” The telegram adds: “The police authorities and clergy held a consultation to-day over the abduction of two young women to Chicago by a female, who intends to dispose of them for immoral purposes. The girls left by the Grand Trunk railway on Monday night, and every attempt was made to arrest the woman within the Canadian line. The American consul has been consulted, and an important letter has been drafted for the British consul in Washington. It is stated that over fifty girls have been sent to one Chicago house within a year;” therefore your memorialists, the New York Committee for the Prevention of State Regulation of Vice, respectfully and earnestly ask that you will duly provide for, and cause to be made, a thorough official inquiry concerning this alleged international traffic in girls for immoral purposes, and take such action as may be found necessary to speedily and effectually abolish it. (p. 4)

It is worth noting that the account of trafficking relayed in this 1886 plea to Congress is similar to a August 4, 1999 press release from the Website of U.S. Representative

Chris Smith:

The problem [of human trafficking] is not abstract; it shatters the lives of real women and children. The problem is not just overseas. Last week, we heard from Walter Zalisko, the First Assistant to the Jersey City Police Director and an expert on Russian organized crime and sex trafficking. Based on numerous undercover investigations he has participated in, Mr. Zalisko reports that currently there are three to five thousand Slavic women working in the sex-based industry in the tri-state area, including

my home state of New Jersey. He reports, 80% are working in those establishments involuntarily,” said Chairman Smith.

‘And in Russia, for example, traffickers prey on orphanages. In a typical scenario, a trafficker will pay an orphanage director approximately \$12,000 to take a group of children on a ‘field trip’ to the local McDonalds, for example. Groups of children will then leave the orphanage with the trafficker and never be seen or heard from again,’ said the chairman of the Subcommittee, Rep. Chris Smith (NJ-4), the author of the bill.

‘Sadly, under the existing laws and practices in the United States today, it is typically the trafficking victims who end up being arrested and prosecuted while the perpetrators rarely suffer repercussions for their actions’ (retrieved April 28, 2005 from <http://www.house.gov/chris-smith/news/press2001/8499.html>)

The Social Hygiene Movement

During the period of the purity movement, the social hygiene movement, another movement aimed at abolishing prostitution was also occurring. While the purity movement was made up of moral reformers and first wave feminists, the social hygiene movement was made up of physicians, scientists and others interested in public health issues. Those in the social hygiene movement were concerned with the threat of prostitution to public health and did not address the moral issues related to prostitution, which were central for the feminists and moral reformers involved in the purity movement. Eventually, the social hygiene movement dominated the purity movement and “in the new era of social hygiene, prostitutes were criminals who threatened public health by their propensity to spread venereal disease” (Holloway, 2003, p. 5). As Wahab (2002, p. 4) mentions, “the vigorous attention to social hygiene moved the prostitution debates out of the religious realm and into the realm of science and politics”.

As with the current movement against human trafficking, NGO's were involved in the earlier debate and battle against white slavery. For example, as Pivar (2002, p. 81) explains, "slavery revelations stirred the women's movement to form the League for the Moral Protection of Women in 1910". The League was comprised of representatives from more than 100 women's organizations.

The Contemporary Debate

Prostitution re-emerged as a spotlight issue within the feminist movement in the 1960s. Thus, the contemporary debate known as the "feminist sex wars" ensued and continues strongly today. This feminist debate is reflected in the TVPA and in other countries' trafficking legislation/protocols. Prostitution and sex trafficking cannot be separated because "in the initial stages of feminist analysis of prostitution in contemporary society, prostitution has been treated in a reductionist way as a deviant activity and as sexual slavery" (O'Neill, 2001, p.15). Contemporary debates between feminist groups center on the issue of sex work/prostitution as being either a form of exploitation of women or a form of women's liberation. The feminist camp that views sex work as a form of exploitation perceives women as being forced into sex work because of sexism and inequality in all aspects of women's lives (Wahab, 2002). Feminists who embrace this perspective believe that women are in no way free to choose sex work or prostitution, but the supposed choice is actually forced due to oppressive societal factors. Feminists in the other camp see sex work as a form of liberation for women, and these feminists view anti-prostitution laws as being a form of power and control over women and women's rights to have free rein over their own bodies.

Some feminist scholars take the “sex wars” to a more in-depth level.

Vanwesenbeeck (2001) eloquently demonstrates the academic debate when she states that

because only the validation and appreciation of ‘voluntary’ prostitution truly challenges traditional perspectives on female sexuality, ‘voluntary’ prostitution is still not much appreciated and is met with criminalization and social stigma. Women who choose to be prostitutes and refuse victim status are most likely to be treated with disdain and loathing (e.g., Shaver, 1994). Doezema (1998) has argued that the distinction between ‘forced’ and ‘voluntary’ prostitution has reproduced the whore/madonna division within the category ‘prostitute.’ ‘Thus,’ Doezema writes, ‘the madonna is the ‘forced prostitute’-the child, the victim of trafficking; she who, by virtue of her victim status, is exonerated from sexual wrong-doing. The ‘whore’ is the voluntary prostitute: because of her transgression, she deserves whatever she gets’ (1998, p. 47). (p. 244)

The Debate over the Definition of Trafficking

Contemporary debates over the definition of what it is to be a trafficking victim have arisen and are grounded in the “feminist sex wars”. Feminists have taken positions on both “sides” of the issue. In fact, two competing international feminist NGOs emerged during the 1990s and both are dedicated to eradicating human trafficking worldwide; the Global Alliance Against Traffic in Women (GAATW) and the Coalition against Trafficking in Women (CATW). Both GAATW and CATW have their own definitions of trafficking, as do other NGOs, governments, and other players involved in discourse and policy development regarding trafficking.

GAATW positions itself as ensuring that the human rights of migrant women are respected and protected and advocates for the incorporation of what they view as human rights standards in all anti-trafficking initiatives. GAATW believes that women should be free to choose sex work as an occupation and it maintains that the “trafficking of women and girls is directly linked to the failure, sometimes the refusal, of governments to

accord women the same basic human rights as men” (GAATW, 2000). GAATW (2000) contends that the standard concept of trafficking has ignored the human rights of trafficked persons, has been used by moralists to dictate to women in prostitution, and has been used by governments to restrict the movements of women.

CATW’s (2005) philosophy is that “sexual exploitation is a practice by which person(s) achieve sexual gratification or financial gain or advancement through the abuse of a person's sexuality by abrogating that person's human right to dignity, equality, autonomy, and physical and mental well-being; sexual exploitation includes sexual harassment, rape, incest, battering, pornography and prostitution; all prostitution exploits women, regardless of women's consent; prostitution includes casual, brothel, escort agency or military prostitution, sex tourism, mail order bride selling and *trafficking in women*” (emphasis author’s). CATW (2005) also contends

that sexual exploitation preys on women and children made vulnerable by poverty and economic development policies and practices; refugee and displaced persons; women in the migrating process, and women who have been victims of childhood sexual abuse, that prostitution affects all women, justifies the sale of any woman, and reduces all women to sex; that sexual exploitation eroticizes women's inequality; and that sexual exploitation is a vehicle for racism and ‘first world’ domination, disproportionately victimizing minority and ‘third world’ women.
(retrieved April 7, 2005 from
<http://www.catwinternational.org/about/index.php>

Much of the literature concerning human trafficking and the key international forums on trafficking are centered around a current international debate about how to define trafficking (Raymond & Hughes, 2001). The United States uses a two-tiered definition of trafficking in the TVPA and distinguishes between severe trafficking and trafficking

that does not involve force. Internationally, the debate centers on whether trafficking can or cannot occur with the consent of the trafficking victim.

In 1999 and 2000 in Vienna and Austria, 120 countries debated the definition of trafficking. The governments of Australia, Canada, Denmark, Germany, Ireland, Japan, the Netherlands, Spain, Switzerland, Thailand, and the United Kingdom wanted to separate issues of trafficking from issues of prostitution and argued that a person willingly engaging in prostitution should not be considered to be a trafficking victim (Leuchtag, 2003). Over 140 NGOs that make up the International Human Rights Network as well as the governments of Algeria, Bangladesh, Belgium, China, Columbia, Cuba, Egypt, Finland, France, India, Mexico, Norway, Pakistan, the Philippines, Sweden, Syria, Venezuela, and Vietnam maintained that trafficking cannot be separated from prostitution and that persons being trafficked are in no position to give meaningful consent to participate in prostitution (Leuchtag, 2003).

Interestingly, some academics, including Vanwesenbeeck (2001, p. 244) have noted that

the distinction between “voluntary” and “forced” prostitution has largely replaced the abolitionist model of prostitution in international discourse. Although the international community has implicitly recognized the voluntary/forced dichotomy, “no international agreement condemns the abuse of human rights of sex workers who were not forced” (Doezema, 1998, p. 41). Moreover, what are clearly abuses of sex workers’ rights are too easily condemned as examples of forced prostitution. The claim to combat “trafficking” is thus used by states to initiate and to justify restrictive policies against sex workers in general.

GAATW and CATW came out on opposite sides of the definition of human trafficking debate. GAATW believes that women should be free to choose sex work, this impacts

the organization's definition of trafficking. As GAATW states in the Human Rights and Trafficking in Persons: A Handbook (2000),

GAATW, the International Human Rights Law Group and the Foundation Against Trafficking in Women (STV), in conjunction with many other NGOs worldwide, developed a definition of trafficking based on our collective experience in this area. This definition is consistent with the approaches of the international bodies and experts mentioned above and with the new definition recently adopted in the Trafficking Protocol. Trafficking in persons is all acts and attempted acts involved in the recruitment, transportation within and across borders, purchase, sale, transfer, receipt or harbouring of a person involving the use of deception, coercion (including the use or threat of force or the abuse of authority) or debt bondage for the purposes of placing or holding such person, whether for pay or not, in servitude (domestic, sexual or reproductive), in forced or bonded labour, or in slavery like conditions, in a community other than the one in which such person lived at the time of the original deception, coercion or debt bondage. The HRS definition focuses on clearly identifiable elements of the crime, in order to distinguish cases of trafficking from other acts, such as undocumented migration. If we consider each element of the HRS definition and apply it to the cases above, we can decide which cases are trafficking and which are not. (retrieved August 23, 2005, www.gaattw.net)

CATW (2005) believes that all prostitution exploits women and its definition of trafficking is as follows:

'Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs; The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used; CATW's definition of trafficking was taken from Article 3, UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime. (retrieved August 23, 2005 <http://www.catwinternational.org>)

Development of the Trafficking Victims Protection Act of 2000

Human trafficking increasingly received attention in the U.S. and worldwide during the 1990s. Similar to the movement against “white slavery” during the progressive era, the concrete evidence of widespread trafficking in the U.S. during the making of the legislation was limited. As disturbing stories of trafficking of women and children emerged, the problem of trafficking was addressed as a priority issue by the Clinton Administration and the 106th Congress. The Clinton Administration set up the interagency International Crime Control Strategy Group, to address the international crime implications of trafficking. On March 11, 1998, President Clinton issued a directive establishing a three-pronged U.S. government-wide anti-trafficking strategy of prevention, protection and support for victims, and prosecution of traffickers. The strategy had both domestic and international policy components (Miko and Park, 2002). In addition, a Workers’ Exploitation Task Force, which was chaired by the Department of Justice’s Civil Rights Division and the Solicitor’s Office in the Department of Labor, was responsible for investigating and prosecuting cases of exploitation and trafficking.

The 106th Congress undertook several legislative initiatives on human trafficking. The focus of the various bills that were introduced was on prevention, protection, and prosecution, corresponding with the Clinton framework. However, some of the congressional initiatives went beyond Clinton’s recommendations, notably in calling for sanctions against other countries’ governments that tolerate trafficking (Miko and Park, 2002).

Human trafficking caught the attention of politicians such as Senator Samuel Brownback, Congressman Christopher Smith, and Senator Paul Wellstone. Congressman Smith began his battle against human trafficking reportedly after an appeal by La Strada, a Ukrainian group that assists victims of traffickers, to help eight women who were forced to work in New Jersey brothels.

Hearings:

The first hearing on human trafficking as an issue was held on June 28, 1999 by the Commission on Security and Cooperation in Europe (CSCE), chaired by Representative Christopher Smith. Among those that testified were Anita Botti, Deputy Director of International Women's Initiatives, President's Interagency Council on Women; Steve Galster, Executive Director of Global Survival Network; Louise Shelley, Director for the Study of Transnational Crime, American University; Laura Lederer, Director of the Protection Project; and Wendy Young, D.C. Liaison and Staff Attorney, Women's Commission for Refugee Women and Children.

The second hearing on human trafficking was held on September 14, 1999 by the Subcommittee on International Operations and Human Rights and was also chaired by Representative Smith. Among those that testified were Harold Koh, Assistant Secretary, Democracy, Human Rights, and Labor; Theresa Loar, Director, President's Interagency Council on Women; Laura Lederer, Director of the Protection Project; and Gary Haugen, President, International Justice Mission.

On February 22, 2000 and on April 4, 2000, the Senate Subcommittee on Near Eastern and South Asian Affairs, Committee on Foreign Relations, chaired by Senator

Brownback, held the first Senate hearings on human trafficking as an issue. Among those that testified on February 22nd were Frank Loy, Under Secretary for Global Affairs at the State Department; Laura Lederer, Director of the Protection Project, Harvard University; Gary Haugen, Director of the International Justice Mission; and Regan Ralph, Executive Director of the Women's Rights Division of Human Rights Watch. Among those testifying on April 4th were William Yeomans, Chief of Staff of the Civil Rights Division, Department of Justice; Lauren Bethell, Director of the New Life Center; Virginia Coto, Supervising Attorney for the Florida Immigrant Advocacy Center; Natalia Khodyreva, President of the Angel Coalition, Crisis Center for Women; Ruchira Gupta, a Journalist; Laura Lederer, Director of the Protection Project, Harvard University, and a number of trafficking survivors.

Introduced Legislation

Starting in 1999, bills related to human trafficking were introduced in both the House and the Senate. The Freedom from Sexual Trafficking Act of 1999 was introduced by Congressman Smith with Marcy Kaptur on March 25, 1999. Legislation known as the International Trafficking of Women and Children Victim Protection Act of 1999 was introduced by Senator Paul Wellstone (D-MN) and Rep. Louise Slaughter (D-NY); on March 11, 1999, S. 600 was introduced by Senator Wellstone and referred to the Committee on Foreign Relations. An identical bill, H.R. 1238, was introduced in the House by Rep. Slaughter (Miko & Park, 2002). The TVPA came out of the House International Relations Committee and the Senate Foreign Relations Committee.

The trafficking legislation included a number of goals such as improving protection for victims of trafficking, allowing victims to remain legally in the U.S. temporarily, increasing funds for services for victims, and establishing an inter-agency task force to monitor and combat trafficking internationally. Despite the victim-centered orientation of the legislation, there was an outcry from others involved in the making of trafficking legislation.

As Miko and Park (2002, p.17) note in the Congressional Research Service (CRS) report on Trafficking in Women and Children, “there appears to be a broad consensus in Congress and the policy community on the need for decisive action to curb trafficking. And the general framework of ‘prevention, protection, and prosecution’ also has widespread support. Differences have emerged mainly over the details”. Some of the points of contention were: 1) the eligibility requirements to receive protection as a victim of trafficking (for example, should the victim be a victim of a severe form of trafficking?; should the victims have to prove that they are in the United States as a direct result of trafficking?; do victims of trafficking included only victims of sex trafficking, labor trafficking, both?), 2) the special visa status and eventual eligibility for permanent residency of trafficking victims; (this was one of the most contentious issues), 3) the social benefits that might be given to a victim of trafficking (Medicaid, housing assistance, food stamps, etc.), and 4) how to gain the cooperation of foreign governments to eradicate trafficking and the question over the appropriateness of sanctions to encourage foreign countries to comply with the guidelines of the U.S. government (Miko & Park, 2002).

Another point of debate was the definition of trafficking. Donna Hughes (1999), an academic devoted to researching trafficking and highly influential in the trafficking debate wanted a definition of trafficking that would include both forced and voluntary prostitution. To make this point she stated on her Website that

On March 16, Senator Paul Wellstone and Congresswoman Louise Slaughter introduced the International Trafficking of Women and Children Victim Protection Act, a bill that addresses the problem of "forced trafficking." Its definition of trafficking is troubling and creates a dangerous precedent for future legislation. The bill offers protection and assistance only to victims who can prove that their trafficking was carried out through "the use of deception, coercion, debt bondage, the threat of force, or the abuse of authority." A coalition of women's rights organizations united against trafficking in women and children calls for changes in the legislation. (retrieved August 23, 2005, <http://www.uri.edu/artsci/wms/hughes/>)

Kuo (2002, p. 105), a researcher who felt that defining a willing prostitute as a trafficking victim was interfering with a woman's rights made the argument that

nothing, apart from promotion of a political agenda directed at the abolition of all prostitution is served by equating a woman's un-coerced decision to migrate and prostitute (into a position where she receives the agreed-upon wages and working conditions) with the plight of a woman who has been coerced or tricked into migrating and finds herself a prisoner, often physically, or by threat, within some form of coerced labor. (2002, P. 105)

After H.R. 1238 was introduced, H.R. 1356 was introduced in the House by Rep. Christopher Smith (R-NJ) in conjunction with Rep. Marcy Kaptur (D-OH) on March 25, 1999 and referred to several Committees. The focus of the Smith bill was on women and children and sex trafficking. It was titled the Freedom from Sexual Trafficking Act of 1999. Some were concerned about the bill's (H.R. 1356) emphasis on the sex trafficking of women and girls only, because as Kuo (2002) points out,

as the 'Human Rights Standards for the Treatment of Trafficked Persons' states, 'When laws target typically 'female' occupations, they are usually overly protective and prevent women from making the same type of decisions that adult men are able to make. For example, anti-trafficking laws might prohibit women from migrating for work thereby throwing women into the hands of traffickers'. Additionally, allowing women and children to migrate while placing their movements under greater legal scrutiny than men's provides for justification for discriminatory treatment by law enforcement. Since we know that men are trafficked for a variety of labors, focusing exclusively on trafficking in women and children . . . will establish a sufficiently 'chilly' climate for women. (p. 167)

In a press release dated September 14, 1999, Smith stated that "[t]he central principle behind the Freedom from Sexual Trafficking Act is that a person who knowingly operates an enterprise that profits from sex acts involving persons who have been brought across international boundaries should receive punishment commensurate with that given to one who commits forcible rape".

In response to a Smith press release, Steven Galster, Director of the non-profit Global Survival Network, testified before the Commission on Security and Cooperation in Europe stated in an archived listserv memo dated July 28, 1999:

For the record--- My testimony before the Commission on Security and Cooperation in Europe was not represented in full in the [Smith] press release . . . I specifically made it a point during the hearing --several times-- that (a) trafficking must be clearly defined as involving force, coercion or some form of debt bondage; and (b) any legislation to combat trafficking should NOT focus solely on sex trafficking, but should include ALL victims of trafficking (men, women, girls, boys, sweatshop victims, domestic servitude victims, etc). (Galster, 1999)

Galster's memo illustrates two of the debates occurring during the making of the TVPA: the debate over the definition of trafficking and the debate over the population that the legislation should target. The feminist "sex war" debate found its place in the trafficking debate, as players battled over the definition of trafficking.

Smith's legislation received support over other trafficking bills from a group of unlikely partners. As noted in a Smith press release dated November 9, 1999 (Polking, 1999)

Smith has led the way crafting effective legislation endorsed by a variety of groups across the philosophical spectrum from Gloria Steinem of Ms. Magazine to Janet Parshall of the Family Research Council. In an October 29th letter signed by Gloria Steinem, Patricia Ireland of NOW and other members of the Equality Now coalition, the writers urged passage of Smith's legislation over other bills that were not as comprehensive or sweeping. On October 27, 1999, Rep. Sam Gejdenson (D-CT) introduced H.R. 3154, the "Comprehensive Anti-Trafficking in Persons Act of 1999." Senator Paul Wellstone introduced an identical bill in the Senate, S. 1842. These bills had the support of the Clinton Administration as being closely in line with its own approach. Other legislation, H.R. 3244, was introduced by Rep. Smith on November 8, 1999. This legislation attempted to combat trafficking, especially the sex trade, through prevention, protection, and prosecution of traffickers (Meier, 2000). The bill was set up to establish an interagency task force within the State Department to monitor and report such trafficking, prohibit certain forms of assistance to countries that fail to combat trafficking, criminalize certain activities related to trafficking, allow victims of trafficking to enter and remain in the United States, and authorize various programs to assist victims. The bill defined trafficking as the purchase, sale, recruitment, harboring, transportation, transfer, or receipt of a person for the purpose of a commercial sex act or forced labor. (p. 2)

A similar bill was sponsored in the Senate by Sam Brownback (R-KS). In conference, the bill was combined with the Violence against Women Act of 2000, along with miscellaneous anti-crime and anti-terrorism provisions and named the Victims of Trafficking and Violence Protection Act of 2000. The TVPA is Division A of the Act. Division B of the Act is the Violence Against Women Act of 2000, which aims to increase law enforcement, expand shelter space and rehabilitation programs for battered and abused women, and expand Megan's Law to ensure notification to college and university communities when a registered sex offender is enrolled or employed at the

institution. Division C of the Act includes miscellaneous other anti-crime provisions including No Second Chances and “Aimee’s Law”.

The Conference Report, H. Rept. 106-939 was agreed to by the House on October 6, 2000, by a vote of 371 to 1. The Senate agreed to the Conference Report by a vote of 95-0 on October 11, 2000 (Miko and Park, 2002). President Clinton signed the bill into law on October 28, 2000 (P.L.106-386).

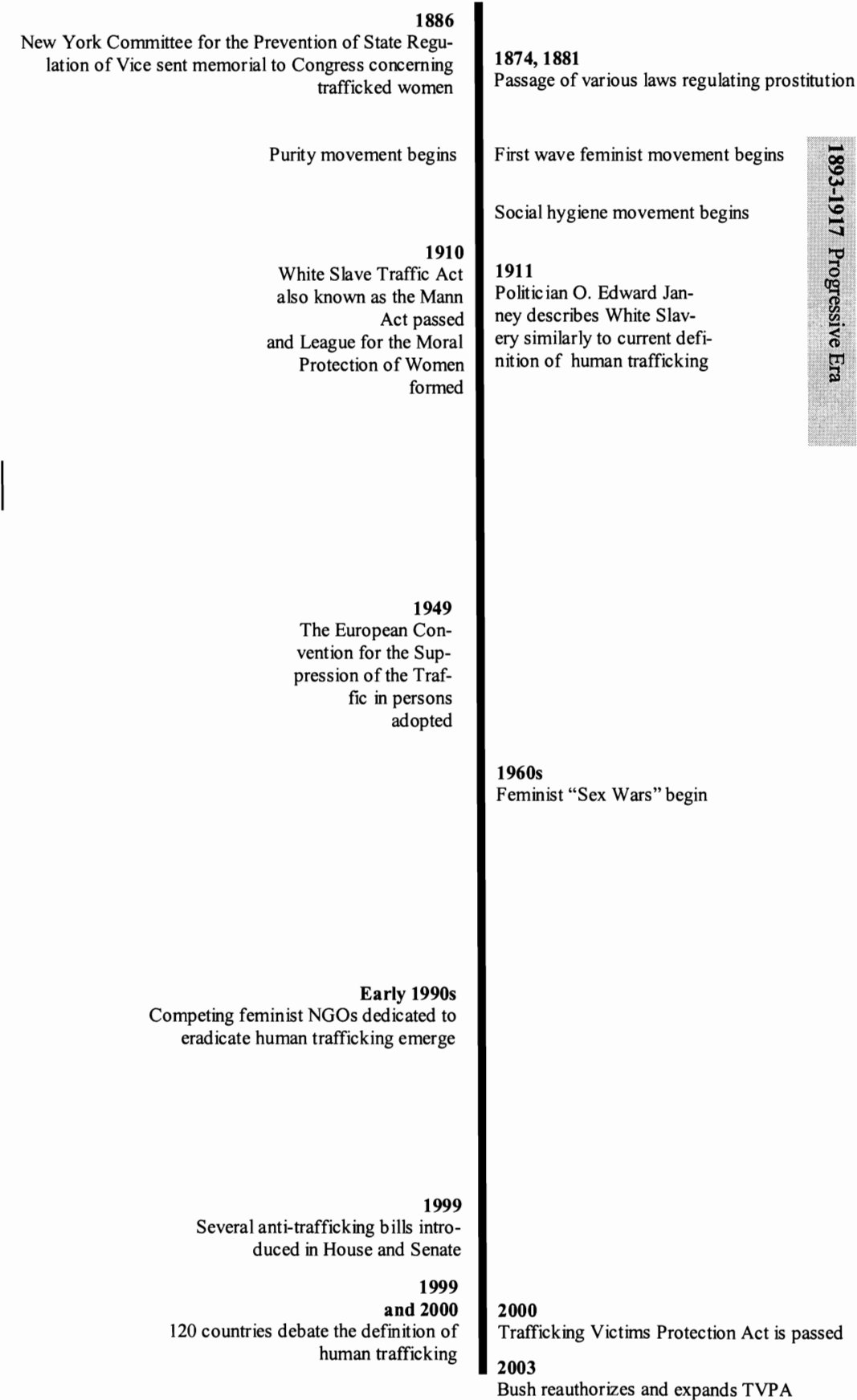


Figure 1: Timeline of Trafficking Legislation

Legislation after the TVPA

On December 16, 2002 President Bush signed the National Security Presidential Directive 22, in which federal agencies were directed to strengthen efforts, capabilities, and coordination to support the TVPA and to combat trafficking in persons. This directive also identified any form of prostitution as being inherently harmful to women.

In 2003, President Bush reaffirmed the legislation by signing the Trafficking Victims Protection Reauthorization Act into law. Among other components, the TVPA Reauthorization Act “expanded eligibility for federally funded services and benefits to include certain family members of victims of severe forms of trafficking” (Assessment of U.S. Activities to Combat Trafficking in Persons, 2004). In addition, in September 2003, President Bush appealed to the members of the United Nations to combat human trafficking, in his United Nations General Assembly address. He also committed \$50 million to support the work of international organizations working with trafficking victims.

On July 21, 2004, the U.S. Senate passed a resolution (S. RES. 414) encouraging the states to cooperate with human trafficking prosecutions. The bipartisan resolution was passed unanimously. It was introduced by Sen. John Cornyn (R-TX), co-sponsored by Sen. Hillary R. Clinton (D-NY), Sen. Lindsey O. Graham (R-SC), Sen. Patrick D. Leahy (D-VT), and Sen. Charles Schumer (D-NY). The resolution (S. RES. 414, 2004) states that the Senate:

- 1) supports the bipartisan efforts of Congress, the Departments of Justice and State, and local law enforcement officers to combat human trafficking and slavery;
- 2) strongly encourages State legislatures to carefully examine the Department of Justice's model State anti-trafficking criminal statute, and to seriously consider adopting State laws combating human trafficking and slavery wherever such laws do not currently exist;
- 3) strongly encourages State legislatures to carefully examine the Federal benefits and protection for victims of human trafficking and slavery presented in the Trafficking Victims Protection Act of 2000 and the Trafficking Victims Protection Re-authorization Act of 2003, and to consider adopting State laws that, at a minimum, offer these explicit forms of protections to the victims; and
- 4) supports efforts to educate and empower State and local law enforcement officers in the identification of victims of human trafficking.

In 2005 a second Anti-trafficking reauthorization act was passed under the Bush administration.

Inside the TVPA

The purposes of TVPA "are to combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their victims" (Pub. L. No.

106-386, 2000). The legislation allows victims of *severe* forms of trafficking to be eligible for the same federal benefits and services as refugees. These benefits include job placement assistance, health and mental health services, English as a second language training, financial assistance, and case management services, among other services. Severe forms of trafficking in persons is defined as: “(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 acts 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” (Pub. L. No. 106-386, 2000).

T-Visa Program

Victims of severe forms of trafficking are also eligible to receive a particular visa, the T- visa. In January 2002, the Department of Justice (DOJ) issued the T-visa regulation, as specified in TVPA, outlining the necessary elements for a victim of human trafficking to be eligible as a T nonimmigrant alien (U.S. Department of State, 2002). The T-visa allows the visa holder to live and work legally in the United States for a three-year period, while his/her case is investigated and prosecuted. Five thousand T-visas are available annually.

TVPA allows the status of a T-visa holder to be adjusted to that of a permanent resident if the T-visa holder has 1) been physically present in the U.S. for a continuous period of at least three years, 2) has been a person of good moral character throughout such period, and 3) has complied with request for assistance in the investigation or

prosecution of trafficking acts or would suffer extreme hardship upon removal from the U.S. (Bill Summary and Status 106th Congress, 2000).

Prosecution and Enforcement Against Traffickers

The TVPA “creates new felony criminal offenses to address slavery and peonage; sex trafficking in children; and the unlawful confiscation of a victim’s passport or other identification documents. It creates a new ‘forced labor’ felony that will provide federal law enforcement with the ability to prosecute the sophisticated forms of nonphysical coercion that traffickers use today to exploit their victims. And it requires traffickers to pay full restitution to victims and to forfeit their assets if convicted” (Trafficking in Persons and Worker Exploitation Task Force, 2003).

In addition, the TVPA doubles the maximum penalty for peonage, inducement into slavery, and sale into involuntary servitude to 20 years imprisonment (previously the maximum sentence was 10 years imprisonment). If the violations result in death or involved kidnapping, aggravated sexual abuse, or an attempt to kill, the maximum penalty is life imprisonment (Bill Summary & Status 106th Congress, 2000).

Prevention

Section 106 of the TVPA requires the President to establish initiatives to enhance economic opportunity for potential victims of trafficking as a method to deter trafficking and to establish programs to increase public awareness of the dangers of trafficking and the protections that are available to victims of trafficking (Bill Summary and Status 106th Congress, 2000). The TVPA authorizes the President to provide assistance to foreign

countries for programs and activities designed to work toward the elimination of trafficking.

Interagency Task Force to Combat and Monitor Human Trafficking

The TVPA requires the President to establish an Interagency Task Force to Monitor and Combat Trafficking. In February 2002, President Bush established the Task Force, which is made up of the Secretary of State as chairperson, the Attorney General, the Secretary of Labor, the Secretary of Health and Human Services, the Secretary of Homeland Security, the Director of the CIA, the Director of the Office of Management and Budget, and the Administrator of the U.S. Agency for International Development.

The Office to Monitor and Combat Trafficking in Persons was created in October 2001 within the Department of State. The Office is required to consult with both domestic and international organizations, including nongovernmental organizations (NGOs) and multilateral organizations and to 1) coordinate the implementation of the TVPA, 2) measure and evaluate progress of the U.S. and other countries' progress in eliminating trafficking and protecting victims of trafficking, 3) assist with the preparation of the annual Trafficking in Persons report, 4) collect and organize data pertaining to trafficking, 5) facilitate worldwide cooperation among countries of origin, transit, and destination, 6) examine the role of the sex tourism industry in trafficking worldwide, and 7) consult with governmental and nongovernmental agencies about the TVPA and advocate the TVPA to governmental and nongovernmental agencies (Bill Summary & Status for the 106th Congress, 2000).

Certification Process to Identify Victims of Trafficking

The Department of Health and Human Services (DHHS) certifies victims of severe forms of trafficking so that they will be eligible to apply for federal and state benefits to the same extent as persons with refugee status.

The Trafficking in Persons Report (TIP)

The TVPA mandates a yearly assessment of other countries' efforts to combat human trafficking. The U.S. government recognizes human trafficking as a crime with transnational character, and following the release of the 2003 TIP, Powell (2003) indicated that "countries of origin, transit, and destination must work in partnership to prevent trafficking, protect its victims, and prosecute those who are responsible for trafficking".

According to Paula Dobriansky (2002), Under Secretary of State for Global Affairs, "[t]he annual Trafficking in Persons Report is an essential tool available to the United States Government for achieving [the eradication of human trafficking]. And in accordance with the legislative mandate, foreign governments are judged on whether they comply with the minimum standards to eliminate trafficking in persons. Governments are judged on their actions, not on plans that are merely in progress. Countries must treat victims as victims, not criminals; they must prosecute traffickers; and they must prevent trafficking, recognizing the importance of public education campaigns, and not only urban but in rural areas".

The TIP must include a description of the nature and extent of severe forms of trafficking in persons in each foreign country and an assessment of the efforts by such

countries' governments to combat trafficking (Bill Summary and Status for the 106th Congress). The TIP ranks countries as Tier 1, Tier 2, or Tier 3 countries.

Tier 1 is made up of countries determined by the State Department to have a serious trafficking problem but are in compliance with the Act's minimum standards for the worldwide elimination of trafficking. In 2003, the countries that the State Department ranked as being in Tier 1 were Austria, Belgium, Canada, Colombia, Germany, Hong Kong, Italy, The Netherlands, Spain, Switzerland, Taiwan, and the United Kingdom.

Tier 2 countries are determined by the State Department as not being fully in compliance with the Act's minimum standards but these countries are seen as attempting to make significant efforts to bring themselves into compliance. In 2003, these countries included Angola, Bangladesh, Benin, Brazil, Bulgaria, Burkina Fasso, Cambodia, Cameroon, China, Costa Rica, Cote d'Ivoire, Czech Republic, Dominican Republic, El Salvador, Ethiopia, France, Georgia, Ghana, Guatemala, Haiti, Honduras, Hungary, India, Japan, Kyrgyzstan, Laos, Lithuania, Macedonia, Mali, Mexico, Moldova, Morocco, Nepal, Nigeria, Philippines, Poland, Sierra Leone, Singapore, Slovenia, South Africa, Sri Lanka, Sweden, Thailand, Togo, Uganda, Ukraine, and Vietnam.

The countries that are ranked as Tier 3 countries include those that are determined by the State Department as being not in compliance with the TVPA standards and not making significant efforts to do so. In 2003, these countries included Albania, Bahrain, Belarus, Bosnia-Herzegovina, Burma, Democratic Republic of Congo, Gabon, Greece, Indonesia, Israel, Kazakhstan, Lebanon, Malaysia, Pakistan, Qatar, Romania, Russia,

Saudi Arabia, South Korea, Sudan, Turkey, United Arab Emirates, and the Republic of Yugoslavia.

Tier 3 countries are subject to sanctions, including termination of non-humanitarian, non-trade-related assistance and loss of U.S. support for assistance. In the 2003 report, Powell noted that “as required by the Trafficking Victims Protection Act, starting this year, countries not making a significant effort to meet minimum standards face the possibility of sanctions. Countries can avoid sanctions by working with [the U.S.] and taking prompt action to improve their policies and practices”.

NGO Partnerships

\$1 million was set aside by the Office on Violence Against Women (OVW) to provide technical training to law enforcement on the investigation and prosecution of trafficking and to provide training on the legal rights of victims of trafficking to attorneys and advocates (Department of Justice, 2003). In fiscal year 2002, the Justice Department received \$10 million to award grants to fund trafficking victim service programs established by state and local governments and by NGOs. During fiscal year 2001, DHHS awarded \$1.25 million in discretionary grants to eight social service organizations to provide services for victims of trafficking (U.S. Department of State, 2002). In February 2003, the Office for Victims of Crime awarded \$9.5 million in grants to twelve agencies, to help trafficking victims with emergency medical attention and mental health counseling, food and shelter, job and English language training, and legal support (DOJ, 2003).

Community Outreach

In October 2002, the DOJ (2003) conducted anti-trafficking training for 150 federal agents and prosecutors. The DOJ has also provided anti-trafficking training for federal victim-witness coordinators, FBI case agents, and is working with local police departments to provide training in trafficking investigation strategies.

In March 2001, permanent federal funding was provided for the Trafficking in Persons and Worker Exploitation Task Force toll-free hotline and a community outreach program was created to work with interested social service agencies and groups (DOJ, 2003). In February 2002, two trafficking information brochures were created; one for law enforcement officials and one for NGOs to use as a reference guide.

International Assistance

The federal Office of Prosecutorial Development, Assistance and Training (OPDAT) has been working with “other countries to develop good trafficking laws, as well as train prosecutors, police, legislators, and judges overseas to use the laws effectively” (DOJ, 2003). OPDAT has helped Bosnia to develop an anti-trafficking organized crime task force, has aided Bulgaria and Romania to draft laws prohibiting trafficking in persons, assisted in the development of Romania’s witness protection law, and provided technical assistance to investigators, prosecutors, judges and child advocates from Sri Lanka, Pakistan, Bangladesh, and Nepal.

Additionally, “the conference agreement (P.L. 106-429, Chapter 6, Sec. 601) on the Foreign Operations Export Financing, and Related Programs Appropriations Act of 2001 specified at least \$1,350,000 for the Protection Project to study international trafficking,

prostitution, slavery, debt bondage, and other abuses of women and children” (Miko & Park, 2002, p. 16).

Mail Order Brides

Mail order brides cannot be considered victims of trafficking under the TVPA and cannot receive services available to victims under the legislation, because a person must be in the U.S. illegally to receive TVPA benefits. Mail order brides are in the U.S. legally due to their marriage status. However, Section 652 of the United States Illegal Immigration Reform and Immigrant Responsibility Act of 1996 imposes an obligation on the part of matchmaking/mail order bride services to notify the prospective mail order bride “upon recruitment, such immigration and naturalization information as the Immigration and Naturalization Service deems appropriate, in the recruit’s native language, including information regarding conditional permanent residence status and the battered spouse waiver under such status, permanent resident status, marriage fraud penalties, [and] the unregulated nature of the business engaged in by such organizations” (Mattar, 2003).

It is believed that recruiters of trafficking victims use mail-order bride agencies to contact women who are anxious to emigrate (Hughes, 2001). Recent investigations into the mail-order bride industry have found that many Websites offering Russian brides are operated by Russian organized crime networks and are actually advertising women for sale to brothels and to individual men (Jackson, 2002). In other words, these illegal activities hide under the mail order bride cover.

The Relation of the TVPA to Health Policy

According to the Federal Government's 2003 Trafficking in Persons Report,

trafficking brutalizes men, women, and children, exposing them to rape, torture, and to HIV/AIDS and other sexually transmitted and infectious diseases, violence, dangerous working conditions, poor nutrition, and drug and alcohol addiction. Increasing numbers of adults and children trafficked into prostitution as well as street children are contracting HIV/AIDS. Trafficked children are less likely to participate in immunization programs, defeating government efforts to eradicate early childhood diseases. Severe psychological trauma from separation, coercion, sexual abuse, and depression often leads to a life of crime, drug and alcohol addiction, and sexual violence. (p.11)

The TVPA acknowledges health and public health risks associated with trafficking in persons. Section 102.b.3 acknowledges that trafficking in persons involves significant violations of public health standards worldwide. Section 102.b.11 states that "Trafficking exposes victims to serious health risks. Women and children trafficked in the sex industry are exposed to deadly diseases, including HIV and AIDS. Trafficking victims are sometimes worked or physically brutalized to death". In the Trafficking Victims Protection Reauthorization Act H.R. 2620 (2003) Section 112A.3 includes research initiatives on the interrelationship between trafficking in persons and global health risks.

In a study of trafficked women conducted by Raymond and Hughes (2001), almost half of the international women (47%) reported that men expected sex without condoms. As Raymond and Hughes (2001, p. 11) note, "although a number of studies in the medical and social science literature investigate the rates of HIV/AIDS and sexually transmitted infections (STIs) of certain populations of women in prostitution, there has been no focus on the larger health consequences to women who have been trafficked and prostituted". However, other researchers claim that there is no evidence that female sex

workers have a higher rate of HIV infection than do non-sex working women (Wahab, 2002). Again, parallels can be drawn with the earlier movement against 'white slavery' in the progressive era and the contemporary movement against human trafficking. The public health concerns are now again emphasized as they were during the social hygiene movement.

Other Countries' Efforts

The TVPA is the first ever law to comprehensively address human trafficking. Since the enactment of the TVPA other countries have also enacted comprehensive anti-trafficking legislation. In addition to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, adopted by the U.N. General Assembly in 2000, there have been a number of laws established throughout the world that shift the focus from criminalizing the victim of trafficking to recognizing the person as a victim of a human rights abuse. Some of the newly established laws: the 2002 Swedish act Prohibiting Trafficking in Human Beings for Sexual Purposes, The 2001 Romanian Law Number 678 on the Prevention and Combat of Trafficking in Human Beings, the 2000 Cyprus law Combating of Trafficking in Persons and Sexual Exploitation of Children, and the 2002 Bulgarian law on Combating Illegal Trafficking of Human Beings. New laws have also been established in Greece, Denmark, Pakistan, France, and the Philippines (Mattar, 2003).

In March 2003, under President Bush, the U.S. State Department issued a Model Law to Combat Trafficking in Persons to serve as model anti-trafficking legislation for other countries. This model law draws upon the United Nations Protocol and the TVPA

(Mattar, 2003). It is important to note that the definition of trafficking in the State Department's model law is the definition used in the UN Protocol, not the definition used in the TVPA.

Brief Overview of Primary Human Trafficking Research

Raymond and Hughes (2001) conducted a systematic study of contemporary trafficking in the United States. This was the first study to research both international and domestic trafficking of women for sex in the U.S. and included primary research collected through interviews from trafficking victims and sex workers. The research framework for this study "follows the path of trafficked women through their experiences in the sex industry" (Raymond & Hughes, 2001, p. 7). A questionnaire was developed which was composed of open and closed-ended questions on the following topics: operation of the sex industry; woman's background; recruiters, traffickers, pimps; methods of recruitment; methods of initiation; methods of control; men who buy women in prostitution; health of women; methods of coping and resistance; and interviewees' viewpoints. It is worth mentioning that Raymond and Hughes (2001) use the definition of trafficking from the draft *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (United Nations, 2000), supplementing the United Nations Convention Against Transnational Organized Crime. In the Protocol's definition of trafficking, a person is considered trafficked even if s/he has willingly consented to prostitution. In the official U.S. definition, force, fraud, or coercion must have been used for a person to be considered a victim of a severe form of trafficking (unless s/he is under the age of 18). In other words, if a person enters the U.S. illegally to

willingly engage in prostitution s/he is not considered to be a trafficking victim. If a person enters the U.S. illegally and is made to be a prostitute through force, fraud, or coercion, s/he is considered to be a victim of a severe form of trafficking and is entitled to protection and services under the TVPA.

Methods of transporting trafficking victims vary, but Raymond and Hughes, (2001, p. 10) found that “entry points for trafficked women into the United States are strategic sites along the U.S-Canadian and Mexican borders and international airports”. Five U.S. regions were included in the study: Metro San Francisco, Metro New York, Northern Midwest, the Northeast and the Southeast. The researchers found that sex businesses in each of the five regions thrive in all areas: urban, suburban, and rural. Internationally trafficked women are reported to be present in each area.

Raymond and Hughes (2001) found that controllers and operators in the sex industry vary, but that the majority of law enforcement agents interviewed reported that 76-100 percent of the sex enterprises in all regions except the Midwest are controlled, financed, or backed by organized crime networks. The researchers found that sixty percent of international women interviewed had been in the sex industry before entering the U.S.

Raymond and Hughes (2001, p. 16) note that “in the contemporary context from 1990-2000 there is some academic and professional literature on legal aspects of trafficking (Demleitner, 1994; Toepfer & Wells, 1994; and Raghu, 1998); as well as literature on the policy debates over definitions of trafficking (Wijers, 1997); Raymond, 1995: 1999); and the nature of prostitution vs. ‘sex work’ (Hoffman, 1998; Delacoste & Alexander, 1987) but not any other systematic study of trafficked women in the U.S”.

The dissertation researcher was struck with the apparent level of bias in the Raymond and Hughes study. Although they were assessing the incidents of trafficking in the U.S., they did not operationalize trafficking by the United States governments' definition, but instead used the more broad U.N. definition, in which an illegal immigrant is considered to be a victim of trafficking even if she willingly consents to sex work. Kuo (2002, p. 67) mentioned that, "it is impossible to present a clear, accurate, and unbiased overview of the practice of prostitution- either in the United States or globally" and that "U.S. scholars who research prostitution often begin with a fixed viewpoint, a perspective that appears to influence their methodology, as well as the focus of their inquiries".

CHAPTER 3 REVIEW OF THE LITERATURE

Introduction

The following review of the literature will begin with a discussion of several significant theories for analysis of the public policy making process that served as the backbone for the development of the theoretical model used in this study, the Advocacy Coalition Framework. The narrative related to the significant theories is followed by a discussion of the development of theories used to study specific stages in the policy making process, which eventually led to the development of the ACF. The literature review is concluded with an extensive description of the ACF as a model to analyze policy formation and change, followed by a discussion of current research applying the ACF.

Early Theory Development

The Systems Model

David Easton's (1957) systems model or "black box" model for analysis of political systems was an early model which influenced Paul Sabatier's (1987, 1988) development of the ACF. In creating the systems model, Easton wanted to build a conceptual model that would allow the policy process to be systematically and scientifically studied by scholars.

To describe the model in basic terms, it includes the elements of the environment, the inputs (demands and support), the political system, and the outputs (political decisions and public policies). Easton's model suggests that the formation of public policy is

affected by demands for new policies or support for existing policies and that these demands and supports are acted on by a political system which converts them into outputs or public policies/decisions. Demands to the system might be both internal (political parties or interest groups) or external (economy or culture, for example). Support, derived from the political community, the “rules of the game”, and the government, and includes actions which help the system to operate and help to sustain it. The inability of the government to produce satisfactory outputs for the members of a system causes the system to lose support. The system has a feedback loop from the outputs to re-enter through the inputs and the outputs have consequences for the system and for the environment in which the system exists (Lester & Stewart, 1996).

As Lester and Stewart (1996, p. 93) mention, “Easton’s systems model provided a new way of thinking about determinants of policy outcomes”. Sabatier (1991, p. 144) found that, “the efforts of Easton . . . provided an intellectual framework for understanding the entire policy process, from demand articulation to feedback effects on society”.

The Stages Heuristic

The stages heuristic or stages model of the policy process also influenced Sabatier’s work on the ACF. The stages model of the policy process was developed by the individual works of Harold Lasswell, Herbert Simon, and David Easton starting in the late 1960s and early 1970s (Parsons, 1995). Some of the most concrete explanations of the stages model are found in Jones’ (1977) *An Introduction to the Study of Public Policy*,

Anderson's *Public Policy-Making*, and Peter's (1986) *American Public Policy* (Jenkins-Smith & Sabatier, 1994).

The stages model divides the policy making process into functionally and temporally distinct sub-processes or stages (Jenkins-Smith & Sabatier, 1994) including the following: policy identification, agenda setting, policy formulation, policy implementation, policy evaluation and policy change/policy termination (Lester & Stewart, 1996). These stages can be viewed as being part of a policy cycle and are placed within the constraints of federalism, the broader political environment, political institutions, public opinion, political culture, etc. (Jenkins-Smith & Sabatier, 1994). The stages heuristic proved to be useful for scholars to analyze questions that were not readily perceived within the political science framework. It placed emphasis on policy outcomes instead of stopping the analysis at policy outputs (Jenkins-Smith & Sabatier, 1994).

The Study of Individual Stages of the Policy Making Process

Agenda Setting

The individual stages of the policy making process attracted the attention of researchers, including Sabatier, because the stages heuristic provided "a useful conceptual disaggregation of the complex and varied policy process into manageable segments" (Jenkins-Smith & Sabatier, 1994, p. 177). In particular, the agenda setting phase of the policy making process has been given significant attention by scholars.

Agenda setting is the process by which public officials and other key actors in the policy making process learn about new problems, give them their attention, and mobilize their organizations to respond to them.

The Garbage Can Model

One notable contribution to research in agenda setting is Cohen, March, & Olsen's (1972) study of the agenda process, in which they developed the garbage can model. The garbage can model consists of four policy streams including problems, solutions, participants and choice opportunities. When these streams coincide together, public policy is made. As (Cohen, March, & Olsen, 1972, p. 2) note, the garbage can approach "is a collection of choices looking for problems, issues and feelings looking for decision situations in which they might be aired, solutions looking for issues to which they might be the answer, and decision makers looking for work".

Kingdon's Model of Agenda Setting

The work of Cohen, March, and Olsen laid the framework for Kingdon's (1984) development of the policy streams approach to agenda setting in his prominent work *Agendas, Alternatives, and Public Policy*.

In Kingdon's policy streams/window of opportunity approach to agenda setting in the policy making process, "separate streams of problems, solutions, and politics converge to move an issue onto the public policy agenda toward potential governmental action . . . [Kingdon] finds that independent policy making streams 'flow' through the system all at once, each with a life of its own. They become coupled or put on the policy agenda when a window of opportunity is opened" (Thurber, 2003, p. 2).

Kingdon identifies three streams that affect the policy process: the problem stream, the policy stream, and the politics stream. In the problem stream, problems capture the attention of government officials, the media, interest groups and the public; in the policy stream, proposals, alternatives, and solutions are discussed by policy makers, lobbyists, and other stakeholder groups; and the politics stream is made up of national mood, public opinion, election results, changes of administration, and interest group pressure (Kingdon, 2003).

Punctuated Equilibrium

Baumgartner and Jones' (1993) work, *Agendas and Instabilities in American Politics*, in which they introduce punctuated equilibrium (PE) as a conceptual model of agenda setting, was also heavily influenced by earlier theorists. PE focuses on both issue definition and agenda setting. Baumgartner and Jones analyzed a series of cases of policymaking and found that policy makes leaps and also has periods of stasis as issues emerge and recede from the public agenda (True et al., 1999). Baumgartner and Jones (1991, p. 1044) argue that “the grand lines of policy may be settled for decades during a critical period of mobilization” and that “a single process can explain both periods of extreme stability and short bursts of rapid change. This process is the interaction of beliefs and values concerning a particular policy, which [they] term the policy image, with the existing set of political institutions—the venues of policy action”.

Baumgartner and Jones (1991, p. 1047) find that “because images have implications for which actors in society will be attracted to a given debate, policymakers have the incentives to attempt to change public or elite understandings of the nature of important

policy questions”. Baumgartner and Jones also found that American political institutions exacerbate the tendency towards punctuated equilibrium.

The Implementation Stage of the Policy Making Process

Another stage of the policy making process given significant attention by scholars following the development of the stages heuristic was the implementation phase. The implementation stage occurs immediately after the passage of a law and refers to the administration of a law in which procedures and techniques work together to put adopted policies into effect to obtain program goals (Lester & Stewart, 1996). Early studies of policy implementation include Pressman and Wildavsky’s (1973) pessimistic case study of a federal personnel training program in California in which a number of implementation mistakes caused the researchers to conclude with a number of warnings for those involved in the policy making process.

Top-Down and Bottom-Up Approaches to Analysis

Two approaches to policy implementation analysis eventually emerged from the research: the top-down approach and the bottom-up approach (Sabatier, 1986). The top-down approach focuses on policy makers and implementers within the government (local, state, or federal) and institutions. The bottom-up approach focuses on actors involved in policy/program service delivery at the “ground level” including local, regional, and national actors involved in the direct implementation of the specific policy or program.

Van Meter and Van Horn (1975) published an early work discussing the top-down approach to policy implementation: *The Policy Implementation Process: A Conceptual Framework*. Their model includes six variables that were believed to link policy and

performance. The variables are: 1) policy standards and objectives, 2) policy resources, 3) interorganizational communication, 4) characteristics of implementing agencies, 5) economic, social, and political conditions, and 6) the disposition of the implementers (Lester & Stewart, 1996). Researchers saw the Van Meter and Van Horn study as being useful because of its recognition of and emphasis on the psychological factors of human behavior that influence actions within the implementation arena (Nakamura & Smallwood, 1980). Sabatier and Jenkins-Smith draw from this work in their development of the ACF.

Milbrey McLaughlin (1975), utilizing the top-down approach to the study of policy implementation, also focused on interpersonal relationships in her study of federal programs involving educational change. Specifically, McLaughlin was interested in analyzing policy implementers' receptivity to policy change. McLaughlin described three types of possible interactions between policy makers and implementors: mutual adoption, co-optation, and non-implementation (Nakamura & Smallwood, 1980). McLaughlin concluded that the buy-in of "ground-level" policy implementers were critical to successful policy implementation.

Sabatier and Mazmanian's Top-Down Model of Policy Implementation

Sabatier also developed a top-down model of policy implementation with co-researcher Mazmanian, in their 1983 work *Implementation and Public Policy*. Sabatier and Mazmanian identified sixteen independent variables within three major categories that were thought to affect policy implementation (Lester & Stewart, 1996). The three

major categories are the tractability of the problem, the ability of the statute to structure implementation and the non-statutory variables affecting implementation.

Competing Models of Policy Implementation

A competing model of implementation developed called “backward mapping” or the bottom-up approach, was developed independently by Richard Elmore (1979), Michael Lipsky (1971) and Benny Hjern with David Porter’s (1981) collaboration. In the bottom-up approach, researchers identify networks of actors involved in policy/program service delivery and question them about their goals and strategies. The bottom-up approach utilizes a network technique to identify local, regional, and national actors involved in the implementation of the specific policy or program (Lester & Stewart, 1996).

The Convergence of Policy Implementation Approaches and the Emergence of the Advocacy Coalition Framework

The above mentioned early theories and the study of the individual stages of the policy making process contributed to and eventually led to the development of the ACF as a model used to study policy making and policy change. Sabatier (1987, 1988) combined elements of the bottom-up unit of analysis, which is public and private actors involved with a policy problem, with the concerns of the actors involved in the top-down approach, which focuses on socio-economic conditions and legal instruments. During the same time that Sabatier was developing the ACF, Jenkins-Smith (1988, 1990) was developing a similar model on his own initiative. Within a short time, Jenkins-Smith and Sabatier began to collaborate on the development of the ACF model.

The Advocacy Coalition Framework

Introduction

The Advocacy Coalition is a model that can be used to analyze the process of policy formation and change. The ACF is a complex model. I will first discuss the overall ACF model to allow for a comprehensive understanding of it. However, not all of the aspects of the ACF discussed in this review of the literature will be measured in this study. The specific constructs of interest to this study are the policy subsystem, belief systems, and advocacy coalitions. Finally, I will discuss other studies that have been done utilizing the ACF as a model.

The Premises of the ACF

The ACF can be used to analyze policy change/development over periods of at least ten years. There are four basic premises in the ACF: 1) at least a decade time perspective is required to understand the process of policy change, 2) a focus on the policy subsystem is the most useful to think about policy change, 3) policy subsystems must include an intergovernmental dimension, 4) public policies or programs can be conceptualized as belief systems (Jenkins-Smith & Sabatier, 1994).

The requirement of a time perspective of at least a decade in order to understand the process of policy change comes directly from the findings of the importance of the “enlightenment function” of policy research (Sabatier & Jenkins-Smith, 1999). As cited in Sabatier & Jenkins-Smith, 1999 (p. 118) “Weiss (1977) argued persuasively that a focus on short-term decision making will underestimate the influence of policy analysis because such research is used primarily to alter the belief systems of policymakers over

time”. The premise of the “enlightenment function” is that elements of a coalition’s policy core beliefs may change over time with the accumulation of empirical evidence (Weiss, 1977; Sabatier & Jenkins-Smith, 1999).

The ACF’s focus on policy subsystems in order to understand policy change, rather than on a specific governmental program or organization, is because a policy subsystem is sufficiently complex. Findings from bottom-up implementation research show that in any policy issue, multiple programs at different levels of government and various actors with their own interests and goals, are found (Sabatier & Jenkins-Smith, 1999).

The reason that one of the ACF’s premises is that policy subsystems must include an intergovernmental (ex. federal, state, local) dimension is because “two decades of implementation research have conclusively demonstrated that subnational implementing officials have substantial direction in deciding exactly how national policy gets translated” (Sabatier & Jenkins-Smith, 1999, p.119).

The premise that public policies or programs can be conceptualized as belief systems is based on the notion that those involved in policymaking incorporate implicit theories about how to achieve their objectives that involve value priorities, perceptions of causal relationships, perceptions of world states, and assumptions concerning the capability of various policy instruments.

Policy Oriented Learning

A particular focus of the ACF is on understanding policy oriented learning. As cited in Sabatier and Jenkins-Smith (1999, p. 123), “following Heclo (1974, p. 306), the term *policy-oriented learning* refers to relatively enduring alterations of thought or behavioral

intentions that result from experience and/or new information and that are concerned with the attainment or revision of policy objectives”.

Belief Systems

The foundation for the ACF is that those involved directly with the policy-making process (interest groups, agencies, legislators, and researchers) have well-integrated policy belief systems. These belief systems are a result of the individual’s socialization, education, and personal and organizational experiences. An individual’s belief system links fundamental values, perceptions of the severity and causes of policy problems, and perceptions of the proper approaches to be used in addressing those problems (Zafonte & Sabatier, 2004).

The Three Levels of Belief Systems

As shown in Table 2.1, the ACF specifies three levels of belief systems (Sabatier & Jenkins-Smith, 1999): deep core beliefs, policy core beliefs, and secondary aspects. As Weible and Sabatier (2005) state,

[t]he most fundamental beliefs, that is, deep core beliefs, are at the top of the belief system and span multiple policy subsystems. Deep core beliefs are geographically and substantively broader than policy core beliefs. The most specific beliefs, that is, secondary beliefs, relate to a subcomponent of a policy subsystem and, thus, are more narrowly defined than policy core beliefs. The ACF assumes that deep core beliefs are exogenous to a policy subsystem, developed during childhood, and are resistant to change. When an actor first enters a policy subsystem, deep core beliefs serve as a foundation to form policy core beliefs. (p.197)

Deep Core Beliefs

Deep core beliefs (refer to Table 2.1) include “basic ontological and normative beliefs, such as the perceived nature of humans or the relative valuation of individual freedom

and social equality” (Jenkins-Smith & Sabatier, 1994, p. 180). Deep core beliefs are hard to change and can be thought of the glue that holds an advocacy coalition together (Jenkins-Smith & Sabatier, 1994).

Policy Core Beliefs

Policy core beliefs (refer to Table 2.1) “represent a coalition’s basic normative commitments and causal perceptions across an entire policy domain or subsystem. They include fundamental value priorities, such as the relative importance of economic development vs. environmental protection; basic perceptions concerning the general seriousness of the problem and its principal causes; and strategies for realizing core values within the subsystem” (Jenkins-Smith & Sabatier, 1994, pp. 180-181).

Secondary Aspects

The secondary aspects of a coalition’s belief system (refer to Table 2.1) “comprise a large set of narrower beliefs concerning the seriousness of the problem or the relative importance of various causal factors in specific locales, policy preferences regarding desirable regulations or budgetary allocations, the design of specific institutions, and the evaluations of various actors’ performance” (Jenkins-Smith & Sabatier, 1994, p. 181). Beliefs in secondary aspects are viewed as being more fluid.

Table 1: Structure of Deep Core and Policy Core Belief Systems of Policy Elites

	Deep (Normative) Core	Policy Core	Secondary Aspects
Defining Characteristics	Fundamental normative and ontological axioms	Fundamental policy positions concerning the basic strategies for achieving core values within the subsystem	Instrumental decisions and information searches necessary to implement policy core
Scope	Across all policy subsystems	Subsystem wide	Usually only part of subsystem
Susceptibility to change	Very difficult; akin to a religious conversion	difficult, but can occur if experience reveals serious anomalies	Moderately easy; this is the topic of most administrative and even legislative policymaking
Illustrative components	1. Human nature: a. inherently evil vs. socially redeemable b. Part of nature vs. domination over nature c. Narrow egoist vs. contractarians 2. Relative priority of various ultimate values: Freedom, security, power, knowledge, health, love, beauty, etc 3. Basic criteria of distributive justice: whose welfare counts? Relative weights of self, primary groups, all people, future	Fundamental normative precepts: 1. Orientation on basic value priorities 2. Identification of groups or other entities whose welfare is of greatest concern Precepts with a substantial empirical component: 3. Overall seriousness of the problem 4. Basic causes of the problem 5. Proper	1. Seriousness of specific aspects of the problem in specific locales 2. Importance of various causal linkages in different locales and overtime 3. Most decisions concerning administrative rules, budgetary allocations, disposition of cases, statutory revision 4. Information regarding performance of specific programs or institutions

Table 1: Structure of Deep Core and Policy Core Belief Systems of Policy Elites cont.

	generations, nonhuman beings, etc. 4. Sociocultural identity (e.g., ethnicity, religion, gender, profession)	distribution of authority between government and the market 6. Proper distribution of authority among levels of government 7. Priority accorded to various policy Instruments (e.g., regulation, insurance, education, direct payments, tax credits) 8. Ability of society to solve the problem 9. Participation of public vs. experts vs. elected officials 10. Policy core policy preferences	
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Note. From Theories of the Policy Process (p. 133), by Paul Sabatier and Hank Jenkins-Smith, 1999, Boulder, CO: Westview Press.

The Policy Subsystem

In the ACF, policy change (or policy development) is analyzed within the policy subsystem. A policy subsystem (also known as a subgovernment) is usually composed of interest groups, agency officials, and legislators who are key players in the policy making process (Milward & Wamsley, 1985). The term subgovernment was coined by Cater (1965) and is used to describe networks of key actors including mid-level executive branch bureaus, specialized congressional committees and powerful commercial interest groups. These specialized policy subsystems cross both the public and private sectors, the three branches of government, as well as the different levels of the federal system. They also include private individuals (Milward & Wamsley, 1985). Jenkins-Smith & Sabatier (1994) expand the definition of the subsystem to include “actors at various levels of government, as well as journalists, researchers, and policy analysts who play important roles in the generation, dissemination and evaluation of policy ideas (Heclo, 1978; Dunleavy, 1981; Jordan and Richardson, 1983; Rhodes, 1988; Scholz et al, 1991)”.

Beginning with the work of Griffith (1939) there have been an abundance of case studies addressing the relationships within and between those in policy subsystems. A subsystem is likely to evolve when there is a relatively narrow policy field, there are specialized congressional committees responsible for that field, and there are interest groups in the field plus general apathy among the public (Lester & Stewart, 1996). Whereas Heclo (1978) and others view individuals within a policy subsystem as being autonomous, the ACF contends that individuals within a policy subsystem are a part of a particular advocacy coalition.

Although Sabatier & Jenkins-Smith defined policy subsystems loosely in earlier versions of the ACF, they have tightened the definition since “this clarification is critical to the internal logic of the ACF” (Sabatier, 1999, p.135). In the ACF, a subsystem includes groups of people or organizations who interact “regularly over periods of a decade or more to influence policy formulation and implementation within a given policy area/domain” (Sabatier, 1999, p.135). Sabatier (1999, p. 136-137) delineates necessary criteria in order to classify a policy subsystem as being mature and able to apply to the ACF: 1) the participants regard themselves as being part of a policy community and share a domain of expertise; 2) the participants have sought to influence public policy within the domain for a fairly long time period (at least 7 years); 3) there are specialized subunits within agencies at multiple levels of government to deal with the topic; and 4) there are interest groups that regard the topic as a major policy issue.

In explaining the origin of subsystems, Sabatier (1993) contends that

the most likely reason for the emergence of new subsystems is that a group of actors become dissatisfied enough with the neglect of a particular problem by existing subsystems to form their own. For example, dissatisfaction with the laissez-faire approach to food safety (e.g., meat inspections) by the agriculture subsystem became so intense in the early 1900s that a new subsystem—centered around what was to become the Food and Drug Administration (FDA)—gradually separated from the agricultural subsystem over a period of several decades (Nadel, 1971: 7-17). Whereas this case involved a minority coalition breaking away to form its own subsystem, in other cases a new subsystem is essentially the product of a subset of a dominant coalition becoming large and specialized enough to form its own; an example would be the emergence of a housing subsystem out of the urban policy subsystem during the 1960s (Farkas, 1971). (p.24)

Advocacy Coalitions

In the ACF within each policy subsystem, several groups of advocacy coalitions exist, which are made up of individuals from various private and governmental organizations who share a set of normative and causal beliefs (belief systems). These belief systems cause the individuals within each coalition to share the same policy preferences (Jenkins-Smith & Sabatier, 1994). As Weible and Sabatier (2005, p. 183) find “the ACF defines an advocacy coalition as the set of actors in a policy subsystem from a wide variety of institutions who (a) share policy core beliefs and (b) engage in a nontrivial degree of coordinated action in order to translate those beliefs into public policy (Sabatier & Jenkins-Smith, 1988)”. In addition to coalitions, policy brokers also exist within a policy subsystem.

The Use of Guidance Instruments within Advocacy Coalitions

According to Jenkins-Smith and Sabatier (1994, p. 183) “at any particular point in time, each coalition adopts a strategy or strategies involving the use of guidance instruments (changes in rules, budgets, personnel, or information) to attempt to alter the behavior of one or more governmental institutions in order to make them more consistent with its policy objectives”. An advocacy coalition uses guidance instruments in order to get their policy beliefs reflected in public policy. Sabatier & Jenkins-Smith (1993, p.227) list the guidance instruments that are available to advocacy coalitions: In deciding to use guidance instruments in order to attempt policy change, an advocacy coalition must consider the cost to the coalition, the coalition’s available resources, the extent of the

coalition's dissatisfaction with current policy outputs, and the probability of success through use of the guidance instrument(s) (Sabatier & Jenkins-Smith, 1993).

Coalition Formation and Maintenance

The formation and maintenance of coalitions has held the interest of political scientists and public policy scholars. As Zafonte & Sabatier (2004, p. 75) note "in public policy, these coalitions--often consisting of diverse sets of actors, including legislators, agency officials, interest group leaders, and researchers-- are critical because of their importance in passing and implementing major policy initiatives (Kingdon, 1984; Sabatier & Jenkins-Smith, 1993)". The two defining features of an advocacy coalition as defined by the ACF are agreement on policy core beliefs and some degree of coordinated behavior (Sabatier & Jenkins-Smith, 1993; Zafonte & Sabatier, 2004).

Long Term and Short Term Coalitions

Because of coalition members' belief systems, the ACF contends that players are more likely to form long-term political coalitions, rather than short-term coalitions. According to the ACF, individuals involved in the policy-making process form long-term coalitions with other individuals whose belief systems are similar to their own. According to Zafonte & Sabatier (2004, p. 78) "one is more likely to choose coalition partners who espouse ideologies relatively similar to one's own because of the increased probability of interacting, developing trust, and finding common ground with those individuals". As Dolan (2003) notes, "the glue uniting a coalition is agreement over its core policy beliefs. Second, the presence of strong group norms or rules may intensify the core policy attributes and interests of a policy coalition".

Zafonte & Sabatier (2004, p. 75) have found that there is evidence of relatively long-term coalitions in health care (Marmor, 1970), energy policy (Jenkins-Smith, St. Clair, & Woods, 1991; Jenkins-Smith & St. Clair, 1993; Wildavsky & Tenenbaum, 1981), banking (Worsham, 1997), civil rights (Hula, 1999), and environmental policy (Sabatier & Brasher, 1993).

Several researchers (Axelrod, 1970; deSwaan, 1973; Browne & Dreijarnis, 1982; Franklin & Mackie, 1984; Merson, 1966) contend that fundamental ideological preferences are the critical values that shape long-term coalitions (as cited in Zafonte & Sabatier, 2004, p. 78). Organizational mission statements also play a role in shaping long-term coalitions because these mission statements imply fixed basic values along with political strategies for achieving these values (Zafonte & Sabatier, 2004).

It must be noted that in addition to evidence of long-term coalitions, there is also evidence of relatively short term coalitions found “in farm policy (Browne, 1988), health care (Heinz, Laumann, Nelson, & Salisbury, 1993), energy policy (Heinz et al., 1993), air pollution control (Ackerman & Hassler, 1981), and regulation in general (Ripley & Franklin, 1979)” (Zafonte & Sabatier, 2004, p. 75). Riker’s (1962, 1980) theory of “minimum winning” political coalitions asserts that political coalitions are relatively short-term in order to maximize net benefits. Heclo’s (1978) model of issue networks also makes the argument for short-term coalitions.

The Hypotheses of the ACF

The ACF framework includes nine original hypotheses concerning advocacy coalitions, policy change, and policy learning (Sabatier, 1988). The hypotheses

concerning coalitions are based on the ACF's premise that what holds coalitions together is an agreement over policy core beliefs (Jenkins-Smith & Sabatier, 1994). The hypotheses concerning policy change are based on the ACF's premise that a coalition's policy core beliefs are stable and that a coalition wants to translate these policy core beliefs into governmental programs. The hypotheses concerning policy oriented learning across belief systems are based on the premise that coalitions will only change the secondary aspects of their belief systems if they have solid empirical evidence that will lead them to do so (Jenkins-Smith & Sabatier, 1994).

The following are the nine original hypotheses of the ACF (Jenkins-Smith and Sabatier, 1994, p.184)

Hypotheses Concerning Advocacy Coalitions:

Hypothesis 1: On major controversies within a policy subsystem, the lineup of allies and opponents will be rather stable over periods of a decade or so.

Hypothesis 2: Actors within an advocacy coalition will show substantial consensus on issues pertaining to the policy core but less so on secondary aspects.

Hypothesis 3: An actor or coalition will give up secondary aspects of a belief system before acknowledging weakness in the policy core.

Hypotheses Concerning Policy Change:

Hypothesis 4: The policy core attributes of a governmental program are unlikely to be significantly revised as long as the subsystem advocacy coalition which instituted the program remains in power.

Hypothesis 5: The policy core attributes of a governmental program are unlikely to be changed in the absence of significant perturbations external to the subsystem, i.e. changes in socio-economic conditions, system wide governing coalitions, or policy outputs from other subsystems.

Hypotheses Concerning Coalition Learning:

Hypothesis 6: Policy-oriented learning across belief systems is most likely when there is an intermediate level of informed conflict between two coalitions.

This requires that:

- i) Each have the technical resources to engage in such a debate; and that
- ii) The conflict be between secondary aspects of one belief system and core elements of the other or, alternatively, between important secondary aspects of the two belief systems

Hypothesis 7: Problems for which accepted quantitative data and theory exist are more conducive to policy-oriented learning across belief systems than those in which data and theory are generally qualitative, quite subjective, or altogether lacking.

Hypothesis 8: Problems involving natural systems are more conducive to policy-oriented learning across belief systems than those involving purely social or political systems because in the former many of the critical variables are *not* themselves active strategists and because controlled experimentation is more feasible.

Hypothesis 9: Policy-oriented learning across belief systems is most likely when there exists a forum which is:

- i) Prestigious enough to force professionals from different coalitions to participate
- ii) Dominated by professional norms

After expanding the ACF, Sabatier and Jenkins-Smith (1999) added three additional hypotheses to the ACF including:

Hypothesis 10: Elites of purposive groups are more constrained in their expression of beliefs and policy positions than elites from material groups.

Hypothesis 11: Within a coalition, administrative agencies will usually advocate more centrist positions than their interest-group allies.

Hypothesis 12: Even when the accumulation of technical information does not change the views of the opposing coalition, it can have important impacts on policy—at least in the short term—by altering the views of policy brokers or other important governmental officials.

Research Utilizing the Advocacy Coalition Framework

Jenkins-Smith and Sabatier (1994) evaluated the ACF as a framework for studying public policy by assessing six case studies covering a range of issues including:

Mawhinney's (1993) study on Canada's French speaking minority population's efforts to gain their own public schools, Brown and Stewart's (1993) analyses of the deregulation of commercial airlines in the U.S., Munro's (1993) examination of California's water supply policy over the last 50 years, Barke's (1993) study of the Federal Communications Commission development of technology for color television in the 1940's and 1950's, Jenkins-Smith and St. Clair's (1993) study of twenty years of Congressional testimony

dealing with petroleum exploration on the Outer Continental Shelf, and Sabatier and Brasher's (1993) analyses of testimonies at legislation and administrative hearings on land use and water quality in the Lake Tahoe basin (as cited in Jenkins-Smith & Sabatier, 1994).

Jenkins-Smith and Sabatier (1994) found that all six cases provide substantial support for the ACF and also provide additions to the framework. All of the cases confirm the presence of advocacy coalitions (actors from a variety of governmental and private organizations who share a set of policy beliefs that they want to see expressed in policies and governmental programs).

Jenkins-Smith and Sabatier (1994, p. 187) maintain that the support for coalitions is "probably clearest in the Tahoe case, where Sabatier and Brasher (1993) used cluster analysis of several hundred testimonies at a dozen hearings over 20 years to demonstrate that actors from a wide variety of institutions tended to coalesce over time into two major coalitions". Mawhinny's (1993) study also showed the existence of distinct competing coalitions, and this case suggested "that minority coalitions have a greater incentive to remain cohesive in order to have any change of gaining power, while those in a long-dominant coalition may become less cohesive over several decades" (Jenkins-Smith and Sabatier, 1994 p. 187). Brown and Stewart's (1993) study demonstrated distinct coalitions in the airline regulation policy subsystem. The distinct coalitions in the airline regulation policy subsystem remained acutely stable over a several decade time period (Jenkins-Smith & Sabatier, 1994).

Other studies utilizing the ACF include Jenkins-Smith and Herron et al.'s (1999) study on nuclear waste and weapons; Sabatier, Zafonte and Gjerde's (1999) study on U.S. auto pollution control; Butnett and Davis' (1999) study of U.S. forest policy; van Muijen's (1993) study of national security policy in Europe; Dudley and Richardson's (1996) study of British road policy between 1945-1995; Lertzman et al.'s (1996) study of forestry policy in British Columbia; Mintrom and Vergari's (1996) study of educational reform in Michigan; and Thomas' (1998) study of communications satellite policy (as cited on Paul Sabatier's Website, 2005).

Zafonte & Sabatier (2004) expanded the study of coalition existence to examine short term and long term coalitions in the context of ACF. They focused on two questions: "are coalitions in domestic policymaking relatively short-term and fleeting in duration, lasting only enough to pass one piece of legislation or do they endure for longer periods of time, such as a decade or longer?" and "is agreement within a coalition based on relatively narrow policy preferences or on broad beliefs concerning, for example, the proper role of government or the relative priority of different values within the policy subsystem?" (Zafonte & Sabatier, 2004). The research supported their hypothesis that coalitions will remain relatively stable over a period of a decade or more. The hypothesis that organizations would demonstrate greater stability over time on policy core beliefs than on secondary aspects could not be supported by the research.

Weible and Sabatier (2005) studied networks within a policy subsystem. These networks, for the most part, exist between individuals within the same advocacy coalition in a policy subsystem. In particular, the researchers were interested in finding if

information networks, ally networks, and coordination networks of individuals overlap with each other and if policy core beliefs can predict the structure of these networks. The researchers found that policy core beliefs are good to predict ally and coordination networks, but that policy core beliefs are only fair at predicting information networks (Weible & Sabatier, 2005).

Zafonte and Sabatier (1998, p.477) examined networks between policy subsystems. Their hypothesis was that coordination across subsystems occurs mostly between actors with shared beliefs and that coordination increases with belief congruence and conflict increases with belief divergence.

Although the ACF is useful when explaining the “structure, content, stability, and evolution of belief systems” (Fenger & Klok, 2001, p. 158) it does not explain how actors with similar beliefs cooperate to achieve common goals. Schlager (1995) criticized the ACF’s lack of focus on cooperation among individuals with similar interests and lack of explanation of how actors who share a particular belief system come together to form a coalition. Schlager incorporated principles from Ostrom’s (1994) Institutional Analysis and Development (IAD) framework. The most important aspects of the IAD are the distinction among three tiers of decision-making (constitutional, collective choice, and operational decisions) and the relations among them, and the elucidation of fundamental elements that can be used for analysis and evaluation of institutional decision making (Ostrom, 1999). Schlager (1995) proposed four hypotheses to expand the ACF, which address formation of coalitions, the coordination of behavior within the maintenance of coalitions. Sabatier & Jenkins-Smith (1999, p. 139) borrowed the following hypothesis

concerning short-term coordination: Schlager Coordination Hypothesis #1: Actors who share [policy core] beliefs are more likely to engage in short-term coordination if they interact repeatedly, (2) experience relatively low information costs, and (3) believe that there are policies that, while not affecting each actor in similar ways, at least treat each fairly.

The Use of the ACF to examine the Human Trafficking Policy Subsystem

Although a number of studies have been completed utilizing the ACF, the researcher could not identify any studies that have been completed on the human trafficking policy subsystem, or any human rights related policy subsystem. The only analysis located by the researcher that might be considered somewhat related is Sanders' (2004) dissertation study in which she applied the ACF to the pro-life and pro-choice movements' efforts, through the Hyde Amendment, to impact federal Medicaid funding of abortion. In Sanders' (2004) analysis of congressional documents, 10 themes emerged, that gave insight into the pro-life and pro-choice movements' deep core beliefs and policy core beliefs to restrict or maintain abortion funding. Sanders' findings illustrated that the pro-choice subsystem was able to use the election of President Clinton to expand the language in the Hyde Amendment. Sanders' found that "the ACF is an appropriate model with respect to the policy domain of abortion, as speculated by the ACF's two theorists" (2004, p. 2).

As mentioned before, Sabatier & Jenkins-Smith (1993, p. 231-232) outline research aspects that are most in need of additional empirical work by scholars of the policy process. One question that they outline as needing to be addressed by scholars is "do

subsystem dynamics tend to vary by policy type (Ripley and Franklin, 1982; Meier, 1987)?”. To answer this question, subsystems that have not been viewed through the lens of the ACF, need to be studied using the ACF framework.

As stated in Chapter One of this dissertation proposal, the ACF’s focus on “belief systems” in order to increase one’s understanding of the policy making process makes it an interesting model to use to examine policy making and policy change in arenas dominated by issues that involve deeply held beliefs. The human trafficking policy subsystem is one such arena.

Furthermore, previous research has shown that in instances in which there are a large number of debates within the policy subsystem take place, policy is less likely to be made. This does not seem to be the case in the human trafficking policy subsystem, where a major piece of legislation was passed in a short time frame.

The Use of the ACF Over Other Frameworks of the Policy Process

Although the stages model proved useful for scholars because it allowed them to analyze questions which were not easily perceived and also placed emphasis on policy outcomes, instead of stopping the analysis at policy outputs, the stages heuristic has severe limitations because it is not a causal model. Sabatier and Jenkins-Smith (1993, pp. 3-4) mention six limitations to the stages heuristic:

the model lacks identifiable forces to drive the policy process from one stage to another; it does not provide a clear basis for empirical hypothesis testing; it has descriptive inaccuracy; it has a legalistic top-down focus; it wrongly uses the policy cycle as the

temporal unit of analysis; and it does not integrate the roles of policy analysis and policy-oriented learning throughout the public policy process.

While Sabatier and Jenkins-Smith (1993, p. 37) agree that “Kingdon is one of the few political scientists to deal seriously with the role of ideas and analysis in policy making”, Sabatier (1991) sees severe limitations with Kingdon’s policy/streams approach because Kingdon does not explain the events that may cause an opening of the window of opportunity, he arbitrarily separates the players in the policy and political streams, and he does not take advocacy coalitions into consideration. As Jenkins-Smith and Sabatier (1994, p. 197) argue, the primary reasons that a researcher choose to use the ACF above other models of the policy making process are that:

- 1) the ACF has two primary forces of causal change: the values of coalition members and outside shocks to the subsystem.
- 2) the ACF is testable and falsifiable.
- 3) the ACF is relatively parsimonious and fruitful (it produces a great number of predictions per assumption).
- 4) the use of the ACF may produce some unexpected results
- 5) the ACF helps policy activists to understand the complex policy making process.

Why the ACF?

From among the most developed theories of the policy process, I chose the ACF for this study for a number of reasons: a) the ACF has been used and tested in long-term policy problems in the past but has had limited testing within the social policy arena; b) the nature of the human trafficking/prostitution policy subsystem is such that

fundamental ideological preferences and core beliefs are at the forefront in the human trafficking policy subsystem; c) the importance of belief systems is a fundamental assumption in the ACF; and d) there were intense conflicts during the development of the Trafficking Victims Protection Act. One of the primary purposes of the ACF is to provide a lens to study intense conflicts over policy issues.

CHAPTER 4 OVERVIEW OF STUDY'S RESEARCH METHODOLOGIES

AND INTERVIEW METHODOLOGY AND FINDINGS

Study Purpose

The purpose of this study was to gain insight into the formation of the Trafficking Victims Protection Act of 2000 (TVPA) through the lens of the Advocacy Coalition Framework (ACF). The research question that guided this study was: what advocacy coalitions existed in the human trafficking policy subsystem between 1995-2000 and what were the beliefs that differentiated these coalitions?

Two different research methods, in-depth interviews and a content analysis of congressional hearings, were used to explore the research question and hypotheses. The ACF model guided the overall research methodology. Phase one of the analysis consisted of in-depth interviews of policy players involved in the development of the TVPA legislation. Phase two of the analysis consisted of a content analysis of congressional hearings related to human trafficking that occurred during the time period under investigation. In this chapter, the research hypotheses will be outlined, followed by a discussion of innovations to the ACF research design, the interviews as a research methodology will be discussed, followed by a discussion of the interview findings. A detailed summary of the content analysis research methodology and findings and a summary of the overall findings are included in Chapter Five.

Research Hypotheses

Three hypotheses were explored:

H1: Advocacy coalitions existed in the human trafficking policy subsystem between the 1995-2000 period.

H2: A coalition of actors who believed that legalized prostitution should be abolished on a worldwide scale will be found in the human trafficking policy subsystem between the 1995-2000 period.

H3: A coalition of actors that believed women should have the right to choose sex work as an occupation will be found in the human trafficking policy subsystem between the 1995-2000 time period.

Innovations to the ACF Research Design

The ACF was used as a conceptual framework to guide this study and to explore the research question and hypotheses presented. However, several innovations to the ACF research design were made, as discussed below:

Time Period Selection

Although the ACF model suggests that researchers examine at least a ten year time period, a critical five year time period in the human trafficking policy subsystem was chosen for this study. The time period 1995-2000 was chosen because the year 1995 can be seen as the beginning of the pre-legislative phase for human trafficking as an issue of governmental concern. It was at the 1995 United Nations Fourth World Conference on Women in Beijing, China when Hillary Clinton first mentioned human trafficking as a

human rights violation. As Stolz (2005, p. 143) notes, “the list of violations against women that were enumerated in the [Clinton] speech had been vetted with the National Security Council and other experts; trafficking was ‘on the radar screen’ in 1995”. Furthermore, bills related to human trafficking were first introduced in both the House and the Senate within the 1995 to 2000 time period, and in 2000 the TVPA legislation passed. Although ACF researchers commonly use a ten year time period of investigation, Weible and Sabatier (2005, p. 18) note the worth of conducting ACF style analyses of policy subsystems utilizing less than a ten year time period.

Use of Qualitative Analysis Software

For this study, an innovation to the application of the ACF was undertaken, utilizing computer-assisted qualitative data analysis software (CAQDAS) in order to conduct the content analysis of the selected congressional hearings. CAQDAS “can make qualitative analysis easier, more accurate, more reliable and more transparent” (Gibbs, 2002, p. 11). Specifically, the software Atlas.ti was used. Atlas.ti is more appropriate than other CAQDAS in supporting this type of research because it encourages an exploratory approach to analysis (Gibbs, 2002).

The software aided in the handling of the large amount of text data. The software allowed for easy management of the large amounts of congressional hearings that were analyzed, allowed the selected text data to be easily coded, aided in the exploration of ideas, and allowed the hearings to be searched systematically.

The primary researchers utilizing the ACF, as well as other researchers using this model, code hearing data on paper (using various colored highlighters to code the written

hearings) and then use SPSS cluster analysis as a tool to examine the coalitions that emerge from the code frame development. In this study, Atlas.ti was used to assist in the identification of association between data for the analysis. This grouping of the data allowed for the checking of ideas about the relationship between the data and to explore the research question and hypotheses stated above.

Use of Primary Interviews in Addition to Analysis of Congressional Hearings

The ACF model requires that the researcher have an in-depth and wide-ranging understanding of the policy subsystem under investigation (Sabatier and Jenkins-Smith, 1993; 1999), which is necessary for the researcher to be able to accurately develop the content analysis coding and to be able to identify the beliefs that are espoused through the congressional hearings of the policy subsystem players. This is necessary in order to group the players into coalitions.

Though a thorough understanding of the policy subsystem under investigation is needed by the researcher, which might be gained through the process of conducting in-depth interviews, content analysis of congressional hearings is the primary research technique used in the ACF model. Although interviews are not the principal research technique used in the ACF, Weible and Sabatier (2005) suggest that interviews may be used for an ACF style analysis. For this study, in-depth interviews, as well as a content analysis of congressional hearings, were used to explore the advocacy coalitions that existed within the human trafficking policy subsystem between the 1995-2000 time period.

It must be noted that this particular mixed method approach for studying human trafficking as a legislative issue of concern was developed over time after a thorough exploration of other methodologies that may have been used. As mentioned in Chapter One of the dissertation, understanding the motivations of the key players who were involved in the passage of the legislation is a primary goal of this study. Perhaps the stated purpose of the legislation does not reflect the underlying motivations of the actors involved in its making. Using the mixed method approach outlined in this chapter is a thorough means to examining these motivations that might be exposed through an examination of belief systems.

The Policy Subsystem and Players

In order to conduct the study, first the policy subsystem, as well as the policy subsystem players were identified. The subsystem players remained constant throughout both phases of the study (interviews and content analysis).

The Policy Subsystem

This study focused on the human trafficking policy subsystem in order to gain insight into the formation of national human trafficking legislation. According to the ACF, the best way to understand policy formation is to focus on the policy subsystem. A subsystem includes groups of people or organizations who interact “regularly . . . to influence policy formulation and implementation within a given policy area/domain” (Sabatier, 1999, p.135). Sabatier (1999, p. 136) delineates necessary criteria in order to classify a policy subsystem as being mature and able to apply to the ACF: As demonstrated in Chapter One, the human trafficking policy subsystem may be considered

as mature because the participants regard themselves as being part of a policy community and share a domain of expertise; the participants have sought to influence public policy within the domain for a fairly long time period; there are specialized sub-units within agencies at multiple levels of government to deal with the topic; and there are interest groups that regard the topic as a major policy issue (Sabatier, 1999).

Identifying Subsystem Participants

As Sabatier and Jenkins-Smith (1993, p. 241) mention, identifying subsystem participants can be accomplished in several ways, and one way is to “rely on the records of participation in arenas in which subsystem members (or their representatives) regularly participate”. The most useful source of records that Sabatier and Jenkins-Smith (1993) have found consists of public hearings conducted over time on a specific policy issue. To gather the sample that was used for this study, public officials testifying in human trafficking related hearings during the 1995-2000 were identified through a search of congressional hearings related to human trafficking during the years under investigation, 1995-2000 (Table 1).

The congressional hearings were obtained using the LexisNexis™ Congressional database, accessed through Virginia Commonwealth University’s online resources. In Sanders’ (2004) dissertation study, in which she applied the ACF to a study of the Hyde Amendment through the use of congressional hearings, LexisNexis™ Congressional was used. LexisNexis™ Congressional database searches

the electronic full text of discussion transcripts and written submitted testimony from congressional hearings. LexisNexis™ Congressional relies primarily upon two sources for its coverage of testimony: Federal News Service (FNS) and Federal Document Clearing House (FDCH). Therefore, there may be duplicate

coverage of some testimony. FNS coverage goes back to 1988, and FDCH coverage begins in 1993. The file is updated daily. The testimony file also includes archive transcripts provided by National Narrowcast Network (NNN) which extend from April 1994 through July 2000. LexisNexis™ Congressional has written submitted testimony for almost all congressional hearings from 1993 forward. There are transcripts of discussion sessions from selected hearings. (retrieved August 7, 2005, from <http://web.lexis-nexis.com.proxy.library.vcu.edu/congcomp>)

A search of the LexisNexis™ Congressional database using the key words “human trafficking”, “trafficking victim*”, and “trafficking victim* protection act” and searching between the years 1995-2000 produced the following four hearings related to human trafficking. A total of 35 testimonies, speakers, and statements were included.

Table 2: Participants in Hearings Related to Human Trafficking During the 1995-2000 time period

**1. Hearing: Sex Trade: Trafficking of Women and Children in Europe and the U.S., Commission on Security and Cooperation in Europe
DATE: June 28, 1999**

Chairman, Christopher H. Smith

**Testimony No. 1
6/28/1999**

Botti, Anita

Deputy Director, International Women's Initiatives, President's Interagency Council on Women

**Testimony No. 2
6/28/1999**

Galster, Steven
Shelley, Louise

Executive Director, Global Survival Network
Director, Center for the Study of Transnational Crime and Corruption, American University
Director, Protection Project, Harvard University
D.C. Liaison and Staff Attorney, Women's Commission for Refugee Women and Children

**2. H.R. 1356, the Freedom from Sexual Trafficking Act of 1999, Committee on International Relations, House
DATE: Aug. 4, 1999**

N/A Contains transcript of Subcommittee on International Operations and Human Rights markup session on H.R. 1356 (text, amendment, p. 10-34), the Freedom from Sexual Trafficking Act of 1999- does not contain prepared statements or testimonies

3. Trafficking of Women and Children in the International Sex Trade

Committee on International Relations, House

DATE: Sept. 14, 1999

Testimony No. 1

Koh, Harold	Assistant Secretary, Democracy, Human Rights and Labor, Department of State
Loar, Theresa	Director, President's Interagency Council on Women

Testimony No. 2

Bhattarai, Anita	Sexual Trafficking Survivor
Lederer, Laura	Director, Protection Project, Harvard University
Haugen, Gary	President, International Justice Mission

Statements:

Smith, Chris	R-NJ
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4. International Trafficking in Women and Children

Committee on Foreign Relations, Senate

DATE: Feb. 22, Apr. 4, 2000

Testimony No. 1

2/22/2000

Loy, Frank	Under Secretary, Global Affairs, Dept. of State
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Testimony No. 2

2/22/2000

<i>*Inez</i>	<i>Trafficking Survivor</i>
Lederer, Laura	Director, Protection Project, Harvard University
Haugen, Gary	Director, International Justice Mission
Ralph, Regan	Executive Director, Women's Rights Division, Human Rights Watch

Testimony No.3 4/4/2000

Yeomans, William R.	Chief of Staff, Civil Rights Division, Dept. of Justice
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Testimony No. 4,

4/4/2000

Speakers:

Brownback, Sam	Senator, R-KS
Ashcroft, John	Senator, R-MO
Smith, Gordon	Senator, R-OR
Grams, Rod	Senator, R-MN
Thomas, Craig	Senator, R-WY
Wellstone, Paul	Senator, D MN

Torricelli, Robert	Democrat, D-NJ
Sarbanes, Paul	Democrat, D-MD
Witnesses:	
Bethell, Laurant	Director, New Life Center
Coto, Virginia	Supervising Attorney, Florida Immigrant Advocacy Center
Khodyreva, Natalia	President, Angel Coalition; Crisis Center for Women
Testimony No. 5	
Gupta, Ruchira	Journalist
Lederer, Laura	Director, Protection Project, Harvard University
<i>*Marsha</i>	<i>Trafficking Survivor</i>
<i>*Olga</i>	<i>Trafficking Survivor</i>
<i>*Maria</i>	<i>Trafficking Survivor</i>
Coto, Virginia	Supervising Attorney, Florida Immigrant Advocacy Center
<i>*Rosa</i>	<i>Trafficking Survivor</i>
<i>* Trafficking victims or survivors are not included in the list of prospective informants</i>	

It is important to note that the subsystem players should not be exclusively legislators or administrative agency officials. A policy subsystem is made up of legislators and agency officials, but in addition it includes interest and other groups, scholars, media reporters, and non governmental organizations (Sabatier & Jenkins-Smith, 1993).

Overview of the Interview Research Technique

Interviews as a General Research Technique

The goal of conducting interviews is for a solid understanding of what is being studied (Rubin & Rubin, 2005). In-depth qualitative interviews allow for the understanding of and reconstruction of experiences and events in which the researcher did not participate (Rubin & Rubin, 2005). As Shkedi (2005, p. 59) mentions, “at the root of in-depth interviewing is an interest in understanding the experience of other people in the meaning they make of their experience”.

One way to gain significant insight into the human trafficking policy subsystem is to conduct in-depth topical interviews of the key players involved in the subsystem. As

Rubin and Rubin, 2005, p. 3 note, “qualitative interviewing projects are especially good at describing social and political processes”.

Topical interviews explore what, when, how, and why something happened (Rubin & Rubin, 2005). The goal of topical interviews is to work out a coherent explanation of events that occurred by piecing together what different people have said, while recognizing that people construct their own events and have different perceptions of an event (Rubin & Rubin, 2005).

In-Depth Interviews

As mentioned, phase one of the research design was to conduct in-depth interviews of key policy players in the human trafficking policy subsystem who were involved in the making of human trafficking legislation during the 1995-2000 time-period. There were four reasons for conducting the interviews: 1) it allowed for an in-depth understanding of the human trafficking policy subsystem, which was necessary for the development of the coding sheet and to be able to code relevant passages of text for the analysis of congressional hearings; 2) it allowed for the elaboration of a narrative which describes the events that took place prior and during the passage of the TVPA legislation and details the emergence of human trafficking as an issue on the congressional agenda; 3) it also allowed for the development of a thorough and in-depth understanding of the fundamental value priorities driving the policy players within the policy subsystem, which is necessary to explore the research question and hypotheses; and 4) the interviews assisted in the identification of additional critical players within the human trafficking policy subsystem.

Steps Taken to Conduct In-Depth Interviews

In order to conduct the in-depth interviews, in addition to identifying the policy subsystem players as discussed above, the following steps were taken: 1) the interview protocol was developed, 2) a plan for recruitment of informants was drafted, 3) IRB approval was sought and granted, and 4) finally, the interviews were carried out.

IRB Approval

All research involving human subjects must be approved by the Virginia Commonwealth University's Institutional Review Board (IRB) prior to the study being conducted. The purpose of the IRB is to protect research participants from undue harm. Because the first phase of this study's methodology involves personal and telephone interviews of human subjects, IRB approval was necessary.

After it was determined that this study was subject to IRB review and approval, an IRB proposal was submitted for expedited review. The study qualified for an expedited IRB review, in which the proposal was reviewed by one member of the full IRB board, because it was determined that the study presented no more than minimal risk to the research participants. The dissertation chair acted as the principal investigator (PI) for the study. After written notification of approval from the IRB was received, the prospective informants were contacted, the interviews were completed, and the interview data was analyzed.

Interview Protocol Development

The interview protocol (see appendix A) was developed in order to gain extensive insight into the human trafficking policy subsystem, as well as to assist in the exploration of the research question and hypotheses. In developing the interview protocol, I reviewed and revised the questions multiple times with the assistance of several dissertation committee members. Great care went into the wording and sequencing of the interview questions.

The questions included in the protocol were designed to find out more about the informants' involvement in human trafficking as a legislative issue and also to explore the forces and factors which led to the making of the TVPA. In order to limit interviewer effects and biases, standardized open-ended interview questions were used. The protocol included three sets of questions. The first set of eight questions was related to human trafficking as an issue, in general, the second set of six questions was related to beliefs related to trafficking legislation, and the third set of seven questions was related to the making of the TVPA specifically. One additional question "is there anything else on this issue that I should be asking about?", was also included in the protocol. Additional questions related to policy preferences not listed on the interview protocol were asked if additional information and clarification was necessary to motivate the informant to elaborate or clarify or to explain the reasons behind an answer.

The themes that were included in the interview protocol included issue emergence in history (triggering events, focusing events, and early activities surrounding human trafficking as an issue), beliefs including those relating to points of debate during the

making of the TVPA legislation, and difficulties and roadblocks that occurred among individuals or organizations during the making of the TVPA legislation.

Recruitment of Informants

After IRB approval, a recruitment letter (see Appendix B) explaining the study and requesting the individual's participation was sent to each person included in the target population. The target population included all who participated in congressional hearings on human trafficking during the 1995-2000 time period, with the exception of trafficking victims, as discussed above.

Either a personal or telephone interview was requested of each prospective informant. All prospective informants located within a three hour driving distance from Richmond, VA were asked to participate in a personal interview. Due to logistical and time constraints, all prospective respondents located further than a three hour driving distance from Richmond, VA were asked to participate in a telephone interview. Those declining a personal interview were asked to participate in a telephone interview.

The initial letters that were mailed to all prospective informants were followed up with a telephone call or email. If the individual agreed to participate in an interview, a meeting time and place or telephone interview appointment was arranged.

In addition a snowball sample technique was used, in which informants were asked to identify other key players involved in the human trafficking policy subsystem during the time period under investigation (1995-2000). Utilizing the snowball technique allowed for an identification of additional critical players, who may have been working on human trafficking as an issue, but did not publicly testify (such as congressional staffers). These

additional prospective informants were asked to participate in an interview, in the same manner as the initial set of prospective informants.

Pilot Interview

After IRB approval and after several role-plays of mock personal interviews with my dissertation chair, a pilot interview was conducted with a chosen informant. The informant chosen for the pilot was a policy player included in the target population who was viewed as being more on the periphery of the issue, in case major revisions to the interview instrument might be required and the data could not be used. Even though this policy player was on the periphery of the issue, he was informed of the issue enough to be able to give insight to the appropriateness of the questions, understandability of the questions, and flow of the interview protocol.

The informant chosen was contacted and subsequently agreed to an interview. The interview was then conducted. After the interview, it was determined that nothing was out of order and that no revisions of the interview protocol were needed, i.e. the informant understood the questions being asked, the interview “flowed” well. Since no revisions to the instrument were needed, the data from the pilot interview was included in the study and no changes were made to the interview protocol.

The Interviews

The remaining 20 interviews were conducted during the summer 2006, for a total of 21 interviews. Of the 27 initial prospective respondents identified through the congressional hearings (trafficking victims testifying were not prospective respondents), 12 granted personal or telephone interviews. Two of the prospective informants referred

me to their assistant or another person affiliated with their organizations. These referred players were considered to be part of the policy subsystem. One prospective respondent could not be successfully contacted. The remaining nine individuals who were interviewed were referred by the initial informants and were identified as being key players in the human trafficking policy subsystem.

Interview Data Transcription

The interviews were recorded using a micro-cassette recorder and transcribed. For the telephone interviews, a telephone micro-cassette recorder was used. In addition to full transcriptions, field notes of key concepts and ideas were also taken during each one of the interviews. There was a considerable benefit to transcribing the interviews myself. It allowed for a through emersion in the content of the interviews and allowed me to review and connect with the data, which was critical for the process of data analysis.

Analysis of Interviews

As discussed, each informant was asked a set of interview questions related to the participant's policy positions on human trafficking and on the events that occurred during the making of the TVPA. The data was categorized and organized by key topics and themes (comprehensive discussion in Chapter Five). From categorizing and comparing topics and themes, larger themes emerged that advanced understanding of the human trafficking policy subsystem and the impetus for the legislation. In addition the interviews assisted with the development of the coding sheet and assisted with the actual coding of the text data in the content analysis phase of the study.

The coding of data began at the point when I noticed similarities and differences between data segments (Grimmell, 1997). As I read and reread the data, I connected similar meaning units together as categories. As Rubin and Rubin, 2005 p. 201 mention, “analysis in the responsive interviewing model proceeds in two phases. In the first, you prepare transcripts; find, refine, and elaborate concepts, themes and events; and then code the interviews to be able to retrieve what the interviewees have said about the identified concepts, themes, and events. In the second phase . . . you can compare concepts and themes across the interviews”.

Research Findings: In-depth Interviews

In-depth Interviews

The human trafficking policy subsystem is enormously complex. The interviews were essential as they provided an understanding of the development of the human trafficking policy subsystem, the impetus for the development of U.S. human trafficking legislation, and the deliberate coalition development involved in the making of the TVPA legislation.

Twenty-one in-depth interviews were conducted with key policy players. Twelve were conducted with individuals testifying in hearings related to human trafficking during the 1995-2000 time period, the time period under investigation. Nine other individuals, who were key stakeholders, but did not publicly testify, were also interviewed. These individuals were identified through a snowball technique, in which other informants mentioned them as being critical players within the human trafficking policy subsystem and essential for the TVPA’s development. Nine of the interviews were conducted in-person either at the informant’s home, office, or in a corner of a coffee

shop or cafeteria. The remaining 12 interviews were conducted via telephone. Some of the interviews occurred over several telephone conversations, with one occurring over three separate telephone conversations.

The average length of interviews was 1.5 hours. With the exception of two interviews, which lasted approximately 35-40 minutes, the interviews ranged from over one hour to 4.5 hours.

The informants were representative of those involved in the human trafficking policy subsystem and included a range of governmental officials, key congressional staffers, human rights organization representatives, feminist organization representatives, other NGO representatives, Christian organization members, members of research institutes, and academics.

Table 3: Categories of Informants Participating in In-depth Interviews

Category of Informant	# of completed interviews
Government officials consisting of elected and appointed officials, congressional staffers, and others working within the federal government	9
NGO officials representing human trafficking NGOs, feminist NGOs, human rights NGOs, religious based NGOs, and policy based NGOs	9
Independent academic researchers	2
Journalist	1

As mentioned, a wealth of knowledge was gathered through the process of conducting the in-depth interviews. Below is the account of the making of human trafficking legislation based on the 21 interviews that were conducted with individual players:

Impetus for Development of TVPA Legislation

Each informant was asked about what put human trafficking on the radar screen for him or her, for their organizations, and for the federal government in general. No one focusing event seemed to have occurred, but there were a multitude of important events which occurred around the 1995-1998 time period, including the 1995 Fourth Beijing Conference on Women and the development of the President's Interagency Council on Women, the negotiations of the United Nations Palermo Protocol, increased media coverage on human trafficking as an issue, several especially heinous high profile cases of trafficking in the U.S., the momentum of a coalition formed to pass a religious liberty bill, and people being "on the trafficking scene" at the same time. Informant #17 from an NGO described the various events as "a magical coalescing that was divine". In the next section each of these events will be described in greater detail.

The 1995 Beijing Conference on Women and the Development of the President's Interagency Council on Women Put Trafficking on the Radar Screen

In August 1995 President Clinton established the President's Interagency Council on Women, to be chaired by Secretary of State Madeleine Albright, in preparation for the United Nations Fourth World Conference on Women in Beijing, China. Some of the informants saw the development of this Council as being a first step towards the development of trafficking legislation in the U.S. The role of the Council was to coordinate the implementation of the Beijing Conference agreements and also to develop initiatives in order to achieve the agreements established at the Conference. During this conference, the "Platform for Action" to address trafficking was formed. The

Interagency Council later coordinated the U.S. government's initial response to trafficking.

Some of the informants mentioned that in the "early days" of quiet discussions of human trafficking, First Lady Hillary Clinton played an important role in bringing attention to human trafficking as an issue of concern. During the Fourth Beijing Conference on Women, Hillary Clinton (1995) referred to the problem of human trafficking when she said, "it is a violation of human rights when women and girls are sold into the slavery of prostitution" during a speech that she gave at the Conference (Clinton, 1995).

Based on a number of interviews, it seems that Hillary Clinton played a large role in getting human trafficking on the Federal Government's radar screen. According to several informants, Hillary Clinton was responsible for the formation of the President's Interagency Council on Women. One informant mentioned that she was very much involved in [the trafficking] issue and was instrumental in getting the 1998 U.S. Government Wide Anti-Trafficking Strategy in place. In November 1996 Hillary Clinton visited a nonprofit agency working with trafficking victims in northern Thailand, The New Life Center. Secretary of State Madeline Albright visited Thailand and met with representatives from the New Life Center in March 1998, to discuss trafficking, HIV, and child prostitution.

Others also raised human trafficking as an issue at the 1995 Beijing Conference. As informant #13 who was a government official mentioned, "the people who had been involved in the Beijing Conference on Women in 1995 had been quietly talking about

human trafficking”. One American academic’s research on international laws on human trafficking and sexual exploitation was presented at the Beijing Conference. After the Conference she received numerous letters from conference participants stating that trafficking was a tremendous problem in their various countries.

The President’s Executive Memorandum Put Trafficking on the Radar Screen for Some Policy Players

On March 11, 1998, on International Women’s Day, President Clinton (1998) released an Executive Memorandum in which he “directed the Secretary of State, the Attorney General, and the President’s Interagency Council on Women to continue to expand their work to combat violence against women in this country and around the world. President Clinton (1998) directed the President’s Interagency Council on Women to coordinate the United States Government’s response on trafficking in women and girls, in consultation with non-governmental groups in the areas of: Prevention of Trafficking, Protection of and Assistance to the Victims and Prosecution of the Traffickers”. Informant # 14 mentioned that, “the word trafficking starts bubbling and finally for International Women’s Day in 1998, the White House decided that they were going to do something on trafficking”.

This memorandum was important for the development of the TVPA legislation, as it was the first public document to outline the Three P framework: Protection, Prevention, and Prosecution, that was later used in the TVPA legislation. The crafter of the Three P framework developed the model after looking at the European Union’s model and the information that had come out of the 1995 Beijing Conference on Women. Informant

#13 said, “there was no structure or language for trafficking, people thought of drug trafficking or arms trafficking, and so just forming and shaping what the policy should be was important. So, that’s why we came up with the Three P’s, Protection, Prevention, and Prosecution”.

The United Nations Protocol Was a Factor for the Quick Development of the TVPA

In 1999 the international community began to draft the *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children* in conjunction with the U.N. Convention Against Transnational Organized Crime. The draft protocol was introduced in January 1999 by the U.S. and Argentina. On November 15, 2000, the U.N. General Assembly adopted the Protocol on Trafficking as part of the Convention on Transnational Crime. The protocol was signed by the U.S., as well as 120 other nations in Palermo, Italy, in December 2000.

Many of the informants pointed to the Palermo Protocol negotiations as being critical for the development of the TVPA. The Protocol can be seen as a motivating factor for the quick development of the TVPA, as they were both being negotiated simultaneously and various coalition groups were attempting to influence both the national and international trafficking legislation; one was fueled by the other.

The purposes of the Protocol are to prevent trafficking in persons, especially women and children, as well as to hunt down and punish international traffickers; boost cooperation among nations to combat trafficking more effectively; protect trafficking victims and help them return safely to their own or a third country; and inform the public about trafficking and its negative consequences for both traffickers and victims.

Informants noted that the debates around the definition of trafficking for the TVPA legislation and the debates around the definition of trafficking used in the Palermo Protocol were occurring in tandem and that many of the players involved in the making of the TVPA were also engaged in the debates surrounding the Palermo Protocol. Some individuals who were interviewed were more/less satisfied with the outcome of the Palermo Protocol negotiations than with the outcome of the TVPA legislation, because the definition of a trafficking victim used in the Protocol varies from the definition used in the TVPA. The definition of human trafficking in the Protocol follows: “(a) ‘Trafficking in persons’ shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation” (United Nations, 2000).

As informant # 7 mentioned, there is a UN Interpretive Note to the Palermo definition, which is that the reference to the abuse of a position of vulnerability is understood to refer to any situation in which the person involved has no real and acceptable alternative but to submit to the abuse involved (Jordan, 2002).

As Jordan (2002) explains, “Thus, the official explanatory note contained in footnote 13 explains the compromise language and recognizes the existence of both coerced participation and non-coerced participation in adult sex work. It explains that the

Trafficking Protocol takes no position on the treatment of non-coerced adult sex work and explicitly leaves its legal treatment to the discretion of individual governments”.

Media Coverage of the Issue Put Attention on Human Trafficking as an Issue

Informants saw the media as playing a vital role for the development of the TVPA legislation. The international media started reporting on human trafficking as an issue, several years before the U.S. media started reporting on human trafficking. As informant #6 mentioned,

it was about the early 1990s that the media started to pick up on the story and especially the European media first . . . From my perspective it was the media [paying attention to trafficking as an issue], then as the story got out into the media then the government started to pay attention to this . . . then slowly, slowly, slowly countries started passing laws. The U.S. media picked up much later on this story. It was towards the middle/late 1990's the U.S. media started coming to me and interviewing us about the story.

According to interviewees, the U.S. media started covering trafficking as an issue several years later than the international media. However, there were several U.S. media stories that captured most of the informants' attention (although most had already been working on or at least aware of the issue). Informant #14 noted, “there was a media blitz, [trafficking] was becoming an accessible issue”. Informant # 7 said,

well I think that at that moment in time there was a global recognition of the issue and of the severity of the problem . . . and it was the same time period as the Vienna negotiations over the Palermo Protocol. So there were international negotiations going on at the same time with lots of discussion and focus on trafficking. Hillary Clinton had made it a big issue at the Beijing Conference on Women in 1995. I think that there was a lot of public discussion, it was an area that just caught on fire.

The following are the media events that seemed to attract the most attention to human trafficking as an issue, according to the informants:

1. The Kadana Case Served as a Focusing Event for Human Trafficking as an Issue

Informants mentioned the 1997 Kadana Case as being important to bringing attention to human trafficking as an issue. This Florida case received widespread media coverage and is still cited often. In this case, a pair of Mexican brothers smuggled girls from Mexico into the country for the purposes of forced prostitution. The girls, some as young as 14 years old, were held captive in a trailer park in Florida and were forced to work as prostitutes, and to have sex with as many as fifteen to twenty men per day. In addition, they were raped, beaten, and drugged and were forced to have abortions. At the time of this case, there was no federal law to protect the victims involved in the case. The authorities, unsure what to do with the victims, held them in a prison facility. Eventually, a nonprofit organization was able to gain access to the girls and to get them into a domestic violence women's shelter. This especially heinous case received widespread media coverage and captured the attention of governmental decision makers, after the involvement of federal prosecutors from the DOJ. Several of the informants named this case as being particularly important for a federal government response to trafficking.

2. The Deaf Mexicans Case Served as a Focusing Event for Human Trafficking as an Issue

Informants saw another key event as being the Deaf Mexicans in New York case, which became international news. As one informant noted, "it was front page in the *New York Times* for weeks during the summer and fall of 1997 . . . these two cases [the deaf Mexicans case and the Kadana case] were such high profile cases that Janet Reno was involved in these cases". In this particular case, deaf/mute Mexicans were lured into the

country by a trafficker, who had connections with them back in Mexico. They were forced to sell trinkets on the streets. The trafficker kept the earnings made from selling the trinkets and abused the deaf Mexicans, who were kept in a filthy apartment under lock and key for years.

3. The January 1998 *New York Times* Article (Specter, 1998) on the Trafficking of Slavic Women to Israel for Prostitution Served as a Focusing Event for Human Trafficking as an Issue

A representative from an NGO who had been investigating human trafficking into Israel sent her notes to Specter, who wrote a story, which was on the front page of the *New York Times*. As one informant mentioned, “this article caused a stir . . . Madeline Albright went to Israel”. This article was about large numbers of Slavic women being lured to Israel and then finding themselves in situations in which they were forced to be prostitutes. The women’s passports were destroyed by traffickers and the women were told that they were owned by the traffickers/pimps. They were held against their will and forced to have sex; the traffickers would keep the profits. Israeli officials seemed unresponsive to the problem at the time.

4. Global Survival Network’s *Bought and Sold* (1997) Documentary Served as a Focusing Event for Human Trafficking as an Issue

Gillian Caldwell, working with Global Survival Network, produced a grainy, edgy documentary called *Bought and Sold* in 1997, in which Caldwell and a partner went undercover pretending to be traffickers in Russia. The documentary focused on sex trafficking and received widespread media attention and was also presented at a State

Department conference on criminal justice issues and the international exploitation of women and children. As informant #7 mentioned, “there was a wake up call largely due to Gillian’s research . . . A huge number of NGOs had been working on it for some time. Gillian brought the issue to life in the way that had not been seen before”. This informant also noted, “when suddenly the victims were tall, blond and white, the issue got momentum”.

NGO Involvement in Human Trafficking as an Issue- NGOs Were Involved in Trafficking Earlier than Government Players

Although there were clearly events that caused people to start paying attention to human trafficking as an issue in the late 1990s, NGO representatives interviewed had been working on human trafficking as an issue quite a bit earlier. One informant was introduced to human trafficking in 1994 in Russia. This informant (#4) mentioned, “the first time I knew about [human trafficking was] in 1994, and the first case was in Russia. Several girls were brought to an apartment for Finnish tourists. These girls were kept in this apartment for three days and were raped every day. In 1996 there was a German organization who informed [the informant’s organization] about a lot of Russian women that suffered in Germany”. Another informant also worked in Russia and saw the trafficking problem early on in 1989. By 1995 she noticed that it had become a serious problem. This informant (#5) explained, “I worked in Russia and I saw this problem early on in 1993 . . . It was just so pervasive . . . It was everywhere in 1989 and by 1993, I was an academic who was defining [the human trafficking] problem. By 1995 when I started working on it, it had become so serious”. For another informant, the first time she

got involved in human trafficking as an issue was when she visited villages in Nepal in 1994. She mentions that “they didn’t have any girls or women from age 15-45, and when I began to ask, ‘where are the girls, where are the women?’, some men just laughed or smiled sheepishly and said, ‘don’t you know they are all in Bombay’ [working as prostitutes]”.

Table 4: Key Events

Date	Event
Late 1980s-Early 1990s	NGO’s notice international human trafficking occurrences
1995	United Nations Trafficking Protocol debates begin
November 1995	Fourth Beijing Conference on Women in which Hillary Clinton mentioned forced slavery as an issue
November 1996	Hillary Clinton visits trafficking NGO in Thailand
Fall 1997	High profile U.S. trafficking case: The Kadana Smuggling Ring
Fall 1997	High profile U.S. trafficking case: The Deaf Mexicans in New York
1997	Global Survival Network releases <i>Bought and Sold</i> Documentary on human trafficking in Russia
January 1998	The <i>New York Times</i> Article on the trafficking of Slavic women to the Israel for prostitution
March 1998	International Women’s Day: President Clinton released an Executive Memorandum in which the Three P Framework to combat trafficking is laid out
March 1998	Secretary of State Madeline Albright visits Thailand to discuss trafficking, HIV/AIDS, and child prostitution
1998	U.S. Government Wide Anti Trafficking Strategy established by President Clinton
January 1999	Draft Protocol to Prevent, Suppress, and Punish Trafficking in Persons introduced to the U.N. by the U.S. and Argentina
October 2000	The Trafficking Victims Protection Act signed by President Clinton
November 2000	U.N. Protocol to Prevent, Suppress, and Punish Trafficking in Persons adopted by U.N. General Assembly

The Coalitions

Based on the in-depth interviews conducted, there were several key people, organizations, and coalitions that started focusing on human trafficking as an issue for governmental action around the same time period, independently. However, one coalition in particular focused on human trafficking as an issue, and the other players were forced to put more focus on human trafficking in response to the actions of this coalition (more discussion of this follows). It seems that the media blitz in general did put several independent major players in action with the human trafficking issue at the same time.

It is necessary to first note that the coalitions that will be described below are somewhat fluid and that the individual players and organizations may have drifted between coalitions or off of the scene altogether. It is also worth noting that some coalitions, especially the most powerful one, included members who did not agree on all of the points of debate on the issue and in the making of the legislation, but were members of the coalition to get the legislation passed. Some members left coalitions during the making of the legislation or at some point after the passage of the legislation, due to disagreements over particular points in the legislation, or due to disagreements in ideologies, in general. Many of the informants mentioned that there was a large amount of “infighting” on this particular issue, and the relationship among certain coalition members was tenuous, at best.

The coalitions that were identified based on the in-depth interviews are as follows (a detailed discussion of each coalition is included below): 1) an ideologically based liberal feminist coalition (Coalition One), 2) a pragmatic coalition (Coalition Two), 3) a

left/right mega coalition (Coalition Three), which was primarily responsible for the legislation's passage.

Coalition One: A Small Coalition of Government Players and Liberal Feminists

A small coalition that was on the trafficking scene during the mid to late 1990s included several feminist academics, organizations, human rights groups, and government players, including the President's Interagency Council on Women. This coalition's members saw a clear distinction between prostitution and human trafficking, and one of their concerns was protecting the rights of women who choose sex work. The impetus for the development of this coalition was Hillary Clinton's interest in trafficking as an issue and the development of the President's Interagency Council on Women.

Several academics and feminist organizations became involved in this coalition and had great influence on the coalition's ideologies. One informant (#10) who was not involved in this coalition felt that the President's Interagency Council on Women's position on trafficking as an issue was shaped by liberal academic feminists and others who had a very ideological perspective. This informant explained,

I'll be very honest because I don't have any reason not to be. In my view [the President's Interagency Council on Women] got set up and early on, its thinking was shaped by [liberal academic feminists] and people like that who had a very ideological perspective and they put their stamp on the early workings of that and groups like ours which were too small and too far away to be dealing with that policy level on-going thing, we got pulled into this [other] coalition and we ended up playing a useful role. We weren't in the Washington scene. When trafficking first hit the Washington scene these people really helped shape the policies that were coming out of the State Dept. and I don't think there was any serious understanding inside of the State Dept., I know that's a horrible thing to say . . . they were government people who cared a lot, but they didn't really understand the debate, and somebody like [a feminist academic] is just running circles around them. She knows where she wants to go, and she really put a stamp on it and you could feel their influence on all of the State Department's documents . . . by the

time we got in . . . their idea of the definition of trafficking had already been solidified and we had to undo or try to undo some of the thinking that we felt was problematic. The definition had been thrown at them, and there wasn't a real debate, because we weren't there . . . nobody was really there. That was a little unfortunate, I think.

Another informant who was part of the above coalition felt that Coalition Three members were twisting the stance of Coalition One members on the trafficking bill and that some Coalition Three members, who were from the conservative portion of the Republican party, were trying to dominate human trafficking as an issue, and trying to dominate human rights, in general. This informant (#7) said,

we set down and we said we've got to get a response because they [other coalitions] are twisting where we are coming from on this bill . . . it became forced prostitution very quickly and the kind of conservative, conservative, conservative, portion of the Republican party was beginning to increasingly dominate mainstream human rights issues that the liberals, Democrats, and moderates had generally stewarded . . . I think . . . from the International Religious Freedom Act where the kind of mainstream human rights groups like Human Rights Watch and Amnesty International all had ground turf battles but also conceptual battles . . . and it was like, Oh my God, they are going to take this issue, and that's what actually happened. I mean they won. They won. So, it was early and since then a number of bills have gone through that have had mixed aspects to it. The worst in many ways has been the trafficking bill in terms of ideological impact.

Coalition One had some impact on the legislation's final outcome (the two tiered definition of trafficking, for example, which will be discussed at length), but the coalition and its members have since lost control over the trafficking issue (as noted by an informant above).

Coalition Two: A Pragmatic Coalition

A second coalition in existence during the making of the TVPA legislation was a pragmatic coalition made up of several government players and NGOs. This coalition

was very loose and focused on particular pieces of the legislation that they felt were important, such as protecting victims of labor trafficking and severe labor exploitation. This loose coalition of players weren't so much into the ideological debate surrounding prostitution vs. sex trafficking, but it seems that they just wanted to see a "good" piece of legislation passed in order to help victims of trafficking.

Informant #14, who was part of Coalition Two mentioned,

I don't buy that thing that the sex worker types push, that every woman has the capacity [to make her own choices] and doesn't need to be protected. I also don't buy the things that the abolitionists or 'Rad Fems' say about [prostitution] being all rape and all trafficking, because I know enough trafficking victims, so that pisses me off on their behalf . . . what [our part of] the law tries to do is steer this middle ground where you have to try to do something good for real victims.

The same member from the pragmatic coalition wanted to see criminal provisions and employer liability provisions in the trafficking legislation. He also wanted sentencing guidelines for labor violations, and an alternative method for keeping people in the country. He noted that most of the provisions for which he was in favor, were written into the TVPA legislation. This informant (#14) said,

by and large the criminal provisions are exactly what [we] had written, the one thing that was not included was the employer liability provisions. They were taken out. We wanted to go after the people that are benefiting and hold them criminally liable . . . we wanted a servitude provision; we got a servitude provision; we wanted sentencing guidelines for labor violations; we got them. We wanted an alternative method for keeping people in the country; we got that.

Apparently, some members of this coalition wanted trafficking legislation to pass mainly because the U.S. Supreme Court Kozminsky case (UNITED STATES v. KOZMINSKI, 487 U.S. 931 (1988)) had negatively effected what the Civil Rights Division had been trying to accomplish in regards to prosecuting modern slavery cases. According to

several informants, before the Kozminsky case, the federal government had success in the late 1970s and early 1980s prosecuting trafficking cases when it was assumed that the elements of involuntary servitude included a scheme, plan, or pattern designed to make a person feel that they had no reasonable opportunity to leave the service of the master, including psychological harm or threats of intimidation. In the Kozminsky case, the Supreme Court mandated that force, threat of force, or threat of legal coercion that is the equivalent of incarceration needed to be proven and that psychological manipulation was not included.

The TVPA effectively put psychological coercion back into one of the prongs of the TVPA.

Informant #14 explains,

the Kozminsky case had cut the legs out from what the Civil Rights Division had been trying to accomplish in regards to prosecuting modern slavery cases. Before the Kozminsky case, the [federal government] had success in the late 1970s and early 1980s prosecuting trafficking cases, before the Supreme Court's Kozminsky case. Before this case, it was assumed that the elements of involuntary servitude included a scheme, plan, or pattern designed to make somebody feel that they had no reasonable opportunity to leave the service of the master. This could be psychological harm or threats of intimidation, etc. The Supreme Court said that the type of coercion that needs to be shown needs to be force, threat of force, or threat of legal coercion that is the equivalent of incarceration. Psychological manipulation was not included. The TVPA effectively put psychological coercion back into one of the prongs of the TVPA—section 1589. Later we got it passed as section 1589 . . . the TVPA's victim protections which created new programs was specifically to deal with the 1996 Welfare reform law. There needed to be a way to put the umbrella back over alien victims.

The pragmatic coalition had some impact on the legislation's final outcome, such as labor trafficking having been included in the legislation but have since lost control of the trafficking issue to the left/right mega coalition.

Coalition Three: The Left/Right Mega Coalition

The left/right mega coalition can be considered to be the most powerful and vital for the passage of The TVPA. This coalition is still in existence today, but does not include the same members, as many have drifted from the coalition as the the hard-line members of the coalition continue to push what is seen by some informants as an neo-abolitionist agenda (a neo-abolitionist agenda can be defined as an agenda to eradicate legalized prostitution on a world-wide scale).

The primary players in this strong left/right coalition during the making of the TVPA legislation were faith-based NGOs, radical feminists, feminist academics, elected officials (and their Congressional staffers) both Democratic and Republican, some human rights groups, some NGOs working “on the ground” with trafficking victims, and some think tank representatives. This coalition’s origin is credited to Michael Horowitz of the Hudson Institute, who initially built a strong left/right coalition to pass the International Religious Freedom Act of 1998 (H.R. 2431) (this will be discussed in greater detail below). Apparently, Mr. Horowitz was a seasoned lobbyist and also an umbrella network organizer who used a lot of his contacts from the Republican side and also mobilized some NGOs to get Democratic support.

Based on the interview data, the larger goal of the left/right mega coalition was to get human trafficking legislation passed to protect victims of trafficking, to be able to prosecute victims of trafficking, and to prevent trafficking into the United States through various means (such as public information campaigns, and educational programs for would-be victims, before leaving their countries of origin). It must be noted that

according to informants, the members of this coalition did all not necessarily have the same goals or agendas, other than getting some form of trafficking prevention legislation passed. The debates and in-fighting within this coalition seem to have been, for the most part ideological and were based around the prostitution vs. human trafficking question. In other words, the strongest members of the coalition did not see a clear difference between prostitution and human trafficking and also wanted to focus primarily on victims of sex trafficking, as the focus for human trafficking legislation. Hard liners in this coalition use the words trafficking and prostitution interchangeably and seemed not to make a distinction. Informant #10 from this coalition criticized human rights groups, saying that “their position was that we need to separate out prostitution from trafficking”.

According to informants, the relationships among many members of this particular coalition seemed tenuous at best. As mentioned, some initial members of the left/right mega coalition did not agree with the hard-line coalition members on the definition of trafficking and other points of debate during the making of the legislation. According to informants, some members have since left the coalition and some have completely left working on human trafficking as an issue. Others remain in the coalition, but with a very strained relationship with the hard-line coalition members. The following is what informant #10 said about this powerful left/right mega coalition in action:

I felt like it was a very impressive coalition and at the same time it was difficult. I think what made it work was there were buffer zones and we in fact were a buffer zone. I think that a lot of the groups that we worked with wanted to stay away from other wings of the coalition because they really do have such disagreements and we would share those [disagreements]. But trafficking is a high priority for us, so I think because there was a consensus on that issue it was ok for us to work with people where we really had common ground on that particular issue. But for other groups who were just being supportive and it was not their main issue, but

the main issue that they worked on was completely diabolically opposed to these other groups' position. It was harder. It's almost like either the rings of a concentric circle or like a spoke . . . there was something about getting people farther away where they could still be supportive that worked really well . . . The women's groups that we worked with, they know violence against women. They do rape cases in court and they know how the law operates in a very practical way. So, this consent thing comes up all of the time for them. It wasn't hard for them to understand our issue and the whole exploitation and vulnerability piece of our vision of trafficking and so we had an easy, good, strong coalition at that time.

According to informants, the left/right mega coalition did not develop around the human trafficking issue in particular, but previously existed as the religious freedom coalition. The religious freedom coalition managed to get the International Religious Freedom Act of 1998 (H.R. 2431) and its amendment of 1999 (Public Law 106-55) passed. The Religious Freedom Act seeks to promote freedom of religion and conscience throughout the world as a fundamental right, assist religious and human rights NGOs in promoting religious freedom and to identify and denounce regimes that prosecute their citizens or others based on religious beliefs.

Interestingly enough, the Religious Freedom Act has some similarities with the TVPA legislation. For example, within the International Religious Freedom Act, the U.S. issues an annual report on International Religious Freedom. Within the report there is a description of the status of religious freedom in each of the 195 countries throughout the world. In addition, the Secretary of State may designate nations guilty of particularly severe violations of religious freedom as being "countries of particular concern".

According to informants, they had been working on the Religious Freedom Act and applied the same model to the TVPA.

Coalition's Issue Conversion: Religious Freedom to Human Trafficking

How did the religious freedom coalition convert to the mega left/right human trafficking coalition? Several informants mentioned that the religious freedom coalition was actively looking for a new issue to “take on”, based on their previous success with the religious freedom legislation. The religious freedom coalition had so much success with the development of the Religious Freedom Act, that they actively searched for new issues to take on as a coalition. The coalition specifically targeted human rights issues, which they perceived as being neglected by the left.

One informant mentioned that she remembered having conversations with other coalition members discussing what issue they might take on after the religious freedom legislation. The informant remembered asking, what are the human rights issues that the left are not picking up on? Why are they not picking up on human trafficking? Other informants believed that the trafficking movement had not taken off because of the feminists. From the informants' perspective, the liberal and radical feminists had been cannibalizing each other over the prostitution issue since the 1970s and that they were completely stymied over it. Informant #18 mentioned, “when coalitions go bad, they eat their own. These are highly ideological people and they just rip each other to shreds and won't stop at anything”. The religious freedom coalition was actively looking for an issue to take on that the liberal feminists were not addressing.

Apparently, the transfer of issues for the religious freedom coalition to the Sudan (and slavery in Sudan) issue, and then to human trafficking started with religious liberty, which was very specifically targeted to protect religious minorities. After the coalition

was able to get the legislation passed and after a lot of organizing, a left/right coalition consisting of conservative Christians, liberal Jews, and human rights groups was put together as an experiment. It appears that Michael Horowitz was the coalition builder and was the driving force behind it.

After the religious freedom legislation passed, according to informant # 18, “it established an appetite for building hard left/hard right coalitions and to get things done”.

This informant also said,

what we saw was that once you put together the hard left and hard right, you can capture the soft middle. [Then] we looked at the universe of the worst religious persecution scenarios, we were looking for another human rights issue to take on after the passage of the Religious Freedom Act . . . something to transport the coalition over. We chose Sudan. It was a good left/right issue. It was good for the left because of the genocide, and organizing against war, and peace building. It was good for the right because of the religious persecution in the South and the fact that [the Southern Sudanese] were being enslaved . . . here we had all the elements that would capture the left and the right . . . It was the perfect issue and that’s how we started out with the slavery issue . . . But the real activism [on the Sudan issue] was less legislative. The real talk was on ending slavery and ending the war. It actually transported over the people [coalition members] who had been activated by the first round. It continued the left/right single issue coalition. You could go across the country and hear pastors and rabbis talking about Sudan and ending the war against slavery . . . we thought, OK now is the time, we could do the trafficking legislation. We had successfully introduced the slavery in Sudan issue. It was time to introduce the trafficking issue. It was 1998. We thought, we can do this, we can start this movement.

According to informants, the reason that conservative Christians initially became involved in human trafficking as an issue is because of their involvement in the religious freedom coalition and their involvement in the Sudan issue.

Informant #11 said,

[human trafficking] was picked up by this fledgling coalition of mainly conservatives and faith based organizations that had had a success in the recent past in passing a law on religious liberty. They weren’t really looking for a new

project, but this one hit them. [Name withheld] brought that to his coalition, and they had decided that they wanted to do something . . . The lens that they were seeing this through was kind of like ‘what are the human rights issues that the progressives and the left are not picking up on?’. Why are [the liberals] so gung-ho on political rights and civil rights, but they are not speaking out when there is torture of priests? . . . they weren’t including it in their reports. And so the same thing with human trafficking. Why isn’t the progressive movement picking up on human trafficking and speaking out on it? It’s the same reason the women’s movement wasn’t. They had decided that this issue was not in their best liberal interest to push on . . . and so this fledgling group picked it up . . . We were strategizing over the long term and we said, well, we don’t have to bring them together as one happy coalition, in fact that will never work because they were too uneasy with one another over these other issues. The faith based organizations didn’t like the women’s organizations because of the pro-abortion stuff. The women’s organizations were absolutely adamant about all of this anti-abortion stuff. So we had to decide to set those two things aside and we decided the best way to do that was to have a loose coalition and one person would be the conduit for each one. . . . the first draft [of the legislation]. . . in 1998 changed over the next two years and there was a lot of compromising.

Conflicts during the Making of the TVPA

A number of interview questions related to conflicts that took place during the making of the TVPA legislation were asked of each informant. In addition to questions about specific conflicts, each informant was asked to generally discuss conflicts that took place during the development of the legislation. Informants saw some debates and conflicts as being more critical than others. Following is a discussion of the most vital debates:

Are Prostitution and Trafficking the Same Thing?

Based on the interview data, it seems that one debate (although perhaps not entirely above ground) during the making of the TVPA legislation was the ideological debate surrounding the difference between prostitution and trafficking. The central questions in this debate are the following: are all prostitutes that have been moved internationally for the purpose of prostitution, trafficking victims, even when they choose to be prostitutes

and are not being held against their will?; can prostitution be equated with slavery?; is prostitution a free choice or is there always an element of coercion involved?

Coalition One saw prostitution and human trafficking as being quite distinct. Members of this coalition saw prostitution as being a free choice for women to make. In addition, the coalition was interested in protecting the rights of women to be able to make this choice. Coalition Two saw prostitution and trafficking also as separate, but they did not have a focus on protecting the choice of women to be able to choose sex work and not be labeled as a trafficking victim. Coalition Three did not make a clear distinction between prostitution and human trafficking.

When informant #10 was asked about whether prostitution is forced or voluntary, she revealed her position of equating human trafficking with prostitution, stating that

I think that you're focusing on prostitution, and we're focusing on trafficking and what's the definition of trafficking. It wasn't really so much an issue of free or forced, but there is a spectrum. Coercion has many different levels of severity from what might look voluntary but actually be induced by factors like poverty but have some component of voluntariness. I think what we were looking at was, what's the role of the third party profiteer? What's that person's culpability in coming in and taking advantage of a situation to capitalize on by putting them into the commercial sex industry. That is the person we were looking at.

Reinforcing this perspective, other informants felt that prostitution and trafficking are two parts of the sex industry that are linked and that there is some overlap, but the difference is that trafficking is much more focused on the recruitment and transport of people in prostitution. Prostitution is more at the retail end point of the industry, and trafficking is equated to the manufacturer.

Informant #18 that did not equate human trafficking with prostitution but saw a clear distinction between slavery (chattel slavery) and prostitution stated, "I despise

prostitution, I don't support it as a right to work issue, I think it's inherently harmful also, but I cannot in good conscious equate it with slavery. I can't. It doesn't have the same coercive quality. Not when somebody can ultimately walk away. And in slavery, by definition, you cannot".

Informant #6 that appeared to be on the outside of the ideological debate said,

I don't see trafficking as being a black and white issue, it's all shades of grey . . . I've meet very few classic, sort of like the *Lifetime* [Network] kinds of women, who are trafficked, who are obviously deceived, who are obviously sold, who are obviously raped, and kept locked up. Most of the women I meet who have been trafficked or who are in prostitution may have been deceived to some degree or another, but they may know that they were going to be working in prostitution. But they feel so desperately in need of helping their families that they will do anything. So, I see it in many, many, many, many different shades, not just the ones that people would like to so clearly define as being trafficked victims or victims period.

Several informants felt that the prostitution vs. sex work debate was under the surface. The debate was there, but players were not openly discussing the issue.

However, now the debate is out in the open because of the anti-prostitution policy positions that the Bush administration has taken. As informant #11, who is part of Coalition Three noted,

the word prostitution, try to find it in the hearings, it's not there and it's because it's in the subtext that hadn't surfaced. We were trying to surface it, but the other side wanted it to stay below the surface because then it could look like we are only into trafficking . . . when in actuality within the larger anti trafficking community, there was this big split just like in the women's movement. There were never any 'out-in-the-open' debates. The reason the law is successful is because we were able to get a big enough tent.

There was clearly frustration expressed by a number of informants who felt as though the ideological debate between human trafficking and prostitution was going to prevent the passage of the legislation. Informant #18 expressed,

we just passed the largest anti-slavery bill since 1865, and for God's sake, now that you have a momentum going . . . it's the largest anti-slavery bill in the world . . . and now that you have a momentum going, you want to 'deep six' this thing [work on combating trafficking] by expanding it into this weird feminist agenda against prostitution? And I thought, 'you might as well put a gun to your head'. Right when you've got credibility, and traction, and motion on this thing . . . and now were going to completely 'deep six' it by equating prostitution with slavery.

The Abolitionist Movement (Trafficking Issue Hijack)

Informants voiced that they believed that human trafficking as an issue had been “high jacked” by the neo-abolitionist movement (the neo-abolitionist movement is the movement to eradicate all forms of legalized prostitution on a world-wide scale) starting during the making of the initial TVPA legislation and continuing today. Quite a number of informants used the wording “high jacked” in particular, during the interviews. For example, informant #13 said, “you create legislation, not in perpetuity. You create the legislation, you live through it . . . the whole debate has been high jacked off to another issue, so that you haven't really been able to look at the bloody legislation and the effectiveness of the legislation”.

Informants expressed that the human trafficking issue has become part of a political football. Informants felt that the issue of abolition and the debate of legalized and non-legalized prostitution had diverted any real discussion on human trafficking. Informant #6 said, “I'm not so interested in legalizing or not legalizing prostitution, as I am at looking at root causes and dealing with the wounds of the soul that lead women into prostitution. I don't like the abolition language, I don't like the abolition attitude, because it speaks to me like we may not like prostitution, but I certainly do like the prostitute and the women in prostitution”.

In addition to the prostitution vs. trafficking debate, other debates related to the abolitionist agenda ensued including the debate over trafficking legislation, addressing both sex trafficking and labor trafficking (as opposed to only sex trafficking) and the debate over what the definition of what a trafficking victim should be (e.g. should prostitutes be considered victims of human trafficking?). The debates will be discussed in greater length below.

Strife Within the Human Trafficking Policy Subsystem

Due to these debates, there was a large amount of internal strife between feminists, human rights organizations, academics and others. Some informants felt that the abolitionist movement diverted policy players from being able to carry on a deeper conversation about sexuality, sexual attitudes, about demand side, about economic depravity, and about economic injustice in the world. Informant #6 noted, “we would have a lot fewer prostitutes if we had economic justice in this world. It’s like we are punishing the victim all over again by being so terse in our abolitionist attitudes. It’s very elitist”.

The amount of strife was so great that key players who had been working on human trafficking as an issue have stopped working on trafficking or have left D.C. politics altogether.

Following are statements from a number of informants to illustrate the above point: “folks have left trafficking because of this”; “the debate rose to a high level of betrayal and personal attack”; “look at the demonization of the first Senior Advisor for Trafficking, who was not politically savvy enough to hold her own . . . people went after

her jugular”; “there have been players that think nothing of exaggerating . . . folks are no longer working in this issue or in this town because of this”; “that’s the nature of movement activism and politics. They have a mind of their own, and they go soft often. The same thing happened in the anti-slavery movement [in the 1800s], they were eating their own all of the time . . . there was a lot of slanderous stuff going on—some of the most hardball politics I’ve ever seen. People . . . the big guys. They will tell you the human trafficking movement is the meanest, most difficult movement as far as hurting their own. We have created a monster. Our humble little group has gotten a taste of getting something done and it has gotten mean. Majority Republican in both Houses and Bush came in. People became little kings after Bush came in”.

An informant reveals the friction between the players involved in human trafficking legislation. Apparently, the neo-abolitionist movement wanted to make all prostitution part of the anti- slavery movement. They joined together with some radical feminists who had been fighting legalized prostitution as exploitation of women since the 1960s and 1970s. This informant (#18) discusses situation from her perspective,

the neo-abolitionist movement—they wanted to make all prostitution [part of the] anti- slavery movement. This is an interesting thing because this is hard core . . . If you look at the 70’s movement . . . bra burning exercises . . . the most extreme ideologs were in the anti- prostitution camp. So what you got [within the human trafficking movement] was a group that would write you off if you said ‘forced prostitution’. Because all prostitution is forced. [Name withheld] is still carrying a torch on how all prostitution is forced . . . the movement was extremely oriented to all prostitution is illegal, which was really hard to sell to the mainstream. There was a lot of squabbling during the legislative crafting phase. Was it going to be prostitution or was it going to be labor and prostitution? Second, there was squabbling over how much you were going to come against prostitution as slavery. All your definition is forced or otherwise . . . there’s no appetite across the board to talk just about prostitution. This is where the crack in the wall started . . . some people just wanted it to be about sex trafficking and

my view was that you've got to have a balanced reflection of what modern day slavery looks like. You are over simplifying things and misrepresented sex slavery.

On the other side were those who did not want to equate all prostitution with human trafficking. Informant #19 mentioned,

they [the abolitionists] started accusing Madeline Albright of being pro-prostitution. There was no in-between, it was stunning to watch. [People] would drive really hard ideological lines in the sand, and a lot of people got slandered out. [People] had to go and say, 'listen I am not pro-prostitution'. [One player] would go into hysterics over the forced prostitution and I saw that it was getting weirder and weirder and weirder . . .

As informant #18 noted, "this is where the crack in the wall started . . . some people just wanted it to be about sex trafficking, and my view was that you've got to have a balanced reflection of what modern day slavery looks like. You are over simplifying things and misrepresenting sex slavery".

Debates Related to the Abolitionist Movement

The most severe debates that occurred during the making of the trafficking legislation were related to the abolitionist movement, including the debate over the legislation addressing sex trafficking only or labor trafficking and sex trafficking, the debate over the definition of trafficking (two tiered definition debate), and the Palermo Protocol debates. According to several informants, the bickering between coalitions and within coalitions over these issues almost cost the passage of the legislation. As informant #1 said,

Let me take a moment to tell you what almost derailed the whole god-damned thing [TVPA legislation], it was a division of views . . . of different views between two different women's organizations and you know about the big dispute we had between [the definition of trafficking] . . . it largely had to do with those groups that essentially wanted to use this occasion to outlaw prostitution and

those that were dealing with this more from a human rights point of view and I sense that the philosophical difference was that the former thought that all forms of prostitution were coerced the later believed that individuals chose that as a means of living.

The Sex Trafficking Vs. Labor Trafficking Debate

One of the debates that occurred during the making of the TVPA legislation was the debate over trafficking legislation addressing only sex trafficking or sex trafficking and other forms of trafficking, such as labor trafficking. Coalitions One and Two wanted victims of sex trafficking to be protected under the TVPA legislation and a great amount of debate ensued over this particular issue. Having protections for victims of labor trafficking within the final version of the TVPA legislation, can be seen as one of the “hand shakes” or compromises between coalitions.

Some players wanted the legislation to address only sex trafficking or wanted a separate bill addressing labor trafficking. Informant #10 explained the reasoning behind this,

we thought that all forms of trafficking were equally important but there was a false dichotomy created there. One of the reasons we focused on sex trafficking is because it has more of an impact on women and girls, so it's a natural thing for us to focus on. Which doesn't mean that we don't think that the other trafficking isn't equally important . . . the reason that we wanted [sex trafficking] to be separated from labor trafficking is because the end point of labor trafficking is forced labor and the end point of sex trafficking is prostitution and the problem with merging them is because it created this characterization of prostitution as a form of labor and as you know, it's quite different. Prostitution is illegal for example, and labor isn't. So forced prostitution and forced labor are not comparable in a way. The whole industry of prostitution is illegal, whereas the industry of labor is not. Labor is not the problem, it's the abuses that are problematic.

Other informants thought that there was too much focus on sex trafficking and others felt that it both sex trafficking and labor trafficking should be treated seriously and that it was not a competition between sex trafficking and labor trafficking.

The first trafficking bill, which was introduced by Congressman Chris Smith did address only sex trafficking. As informant #14 noted,

Chris Smith had a useless sex trafficking statute that he was pushing, which was the Mann Act [existing legislation] . . . it was just the Mann Act. It didn't even address sex trafficking as it is now thought of, as forms of coercion. I mean it really was just a restatement of the Mann Act . . . Meanwhile the shit is hitting the fan in Florida [with the Kadana case].

Those in the pragmatic coalition and the liberal feminist coalition were adamant about addressing labor trafficking in the legislation. Apparently some human rights organization representatives, feminist organization representatives, congressional staffers, and others held a meeting to discuss whether the legislation should address sex trafficking only or both sex and labor trafficking. Apparently a group of players sat down in a room together on a Friday night and went back and forth about whether the legislation should be about sex trafficking or whether it was going to be about labor trafficking and sex trafficking.

As informant #11 described,

Smith's version of the bill had been crafted to deal mainly with sex trafficking. [Name withheld] was saying you had to deal with labor trafficking and Chris said, 'we will do it but we will do it in another bill because they are different' and [name withheld] was saying, 'if you do it in another bill, it will never get done because you will have the Chamber of Commerce and all of these other groups coming in and they will just chomp it to bits'. [We said], 'So, you're saying that you want labor trafficking to ride in on the coat tails of sex trafficking?' and she said, 'that's right, that's exactly what I'm saying', and that's what happened.

To add to the debates around addressing labor trafficking in the TVPA legislation, according to informants, a business interest coalition became involved, in order to protect business' interests. Informant #18 noted that, "there were different coalitions at different times . . . [the business coalition] . . . would organize like crazy. They organized against the Religious Liberty bill . . . they tried to organize around the trafficking bill. The business coalition was successful and put the squeeze on . . .".

The Definition Debate

Another heated debate that took place during the making of the TVPA legislation was the debate around what the definition of a trafficking victim should be in the legislation. This debate caused a large amount of strife and seemed to be an issue that might have stalled the passage of the bill. In the end, the coalitions compromised by implementing a two-tiered definition of trafficking even though some people within the coalitions did not want this compromise. Several informants felt that they only had the choice of going with the two tiered definition or scrapping the legislation entirely. Informant #11 when asked about the two tiered definition said,

I would have liked there not to have been a two tiered definition, but from the beginning the role that I played was in bringing the solid information to the table, to the legislators and I was involved from the first draft on, and I could see that if we held out for the perfect law, with the perfect definition, we weren't going to have a law, and so by the time [name withheld] came up with this two tiered definition, I was convinced that it was the only way to go, that it was the right way to go, for now. And that it was enough and it has turned out to be enough, because then we were able with the next administration, to move the ball down the court through policy initiatives. It was enough to get the TVPA and then to duke it out at the policy level. On this last part, on what do we do about all of those acts that aren't force, fraud, or coercion but are still hurting people basically.

Within the two tiered definition of trafficking, a distinction is made between victims of trafficking and victims of severe forms of trafficking. According to informants, a two tiered definition was a compromise that was reached in order to get the TVPA legislation passed. Within the TVPA legislation (2000), sex trafficking is defined as the recruitment, harboring, transportation, or obtaining of a person for the purpose of a commercial sex act. Victims of sex trafficking cannot receive assistance under the TVPA legislation, unless they are victims of a severe form of trafficking in persons. The term “severe forms of trafficking in persons” means— (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 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. In other words, sex trafficking is defined in the legislation, but victims cannot receive any benefits unless they are victims of a severe form of trafficking, in which force, fraud, or coercion is used.

As informant #10 mentioned, “we felt that the two tiered definition of trafficking was a compromise. We wanted a broad definition of trafficking, the severe form definition is not a broad definition, but that’s where we ended up. What we wanted to do was make it clear that [a severe form of trafficking] wasn’t the whole universe of trafficking. That we weren’t going to find out the other part of the universe, which was the other end of the spectrum of pure force, where there is exploitation and different forms of coercion that may not fall into the severe category but would be in the universe

of trafficking. So, it [the two tiered definition] was a way of preserving that concept because we couldn't get it in the definition, but we would have liked to have seen it in the definition".

Although the two-tiered definition was a compromise by coalitions in order to pass the TVPA legislation, some players involved in the human trafficking policy subsystem were not satisfied with the outcome of the two tiered definition. Some feminist organizations dropped out of the bill negotiations because of the definition compromise.

The Palermo Protocol Debates

At the same time that coalitions were debating the U.S. trafficking legislation, other trafficking negotiations were occurring, such as the U.N. Palermo Protocol debates, that were previously mentioned in this chapter. In a *New York Times* article (Shenon, p. 2000) captured the debate around the protocol:

In a letter last week, the presidents of the National Organization for Women and the Planned Parenthood Federation of America, along with Gloria Steinem and other feminists, accused the administration of taking a position that was 'extremely detrimental to women' in negotiations over a new United Nations treaty on sex trafficking. They were referring to the administration's support for wording in the treaty that would define 'forced prostitution'—but not other types of prostitution— as a form of 'sexual exploitation' . . . State Department officials insist that American negotiators in Vienna, where the United Nations treaty is being drafted, are seeking a document that is as tough as possible in demanding punishment for criminals who transport women or children across borders for prostitution. But they said that the United States risked alienating other governments, and undermining international support for the treaty, if it pressed too hard for a definition of sexual exploitation that included all forms of prostitution.

Informant #11 lays out the story from her prospective, . . .

and around that time, President Clinton was president . . . Around that time is when the United Nations optional protocol on trafficking was being negotiated and so there were all sorts of terrible things happening in Vienna and Geneva

because the U.S., led by a Democratic President, with Democratic negotiators from the State Department pressed by these NGOs, these liberal, progressive, human rights and women's groups that had distilled this position that commercial sex work was fine, and trafficking was not. They and the U.S. began to lobby and they lobbied on the side of the Netherlands and Germany on that protocol . . . it was very intense lobbying with a couple of NGOs like the coalition against trafficking of women (CATW). We were in the situation in which we were drafting this [TVPA] law during an administration that was taking this position that really I believe is harmful to women and children . . . at first they tried to say that the U.S. was neutral, but as they got pressure from these NGOs and things began to shake down in kind of a partisan way, with the introduction of the law and negotiations on the definition of trafficking and particularly sex trafficking in our [TVPA] bill, it became clearer and the lines became more solidified around who is on one side and who is on the other. It was partisan in a way that people really don't understand. It was Democrat/Republican, for the most part. There were a couple who were brave souls, but not many. The State Department was sending people from the international narcotics and law enforcement, who were our official negotiators and that was because the largest convention was the Convention Against Transnational Organized Crime and the Protocol was attached to that.

As mentioned, the Palermo Protocol uses a broader definition of trafficking than the TVPA, but it leaves it up to each country to interpret the definition. Those that advocated for a broad definition of trafficking, as well as those who advocated for a narrow definition of trafficking, to some extent received what they wanted within the Palermo Protocol.

Political Arbitrators/Policy Brokers

According to Sabatier and Jenkins-Smith (1994) there are those within a policy subsystem who act as political arbitrators or policy brokers between coalitions, in order to get a bill passed. Based on the interviews, it seems that Congressman Chris Smith and his Congressional Staffers acted as policy brokers. It seems that Congressman Smith and

his staffers had separate meetings with everyone and took recommendations from all parties.

Although it seems as though a large coalition came together to pass the legislation, members from the other coalition groups had been working on legislation independently before passage of the TVPA. In the end, this made it necessary to have political arbitrators involved. Informant #19 tells this story from her perspective,

In 1998 we had been working on a resolution against trafficking. [Name withheld] got wind of it and then begin the drafting [of trafficking legislation] and we counter drafted to get our imprimatur of services, outreach . . . the kind of broad based relief. So, what happened was, they had a bill we had a bill, [name withheld] sat on the bill. [Name withheld] tried to get him to introduce the bill, but it was really rude in the Senate to do [to introduce the same type of bill at the same time]. In the end, we cut something in a broad based coalition effort. But that was after one year and a half of [a congressional staffer] not returning my phone calls . . . I mean because they were working with the right to develop their angle. [A congressional staffer] got in with [name withheld] and then we reached over to [a congressional staffer] in the House . . . we sat over a January and wrote our version of the bill to preempt them from introducing theirs . . . so much in the Senate is about intellectual theft-- stealing ideas and legislation. After [the *New York Times* article about the trafficking of Slavic women to Israel] we decided we would move quickly to do a resolution to give the imprimatur of us doing the issue. Everything was about that and so we introduced that resolution.

Quick Movement of the TVPA Legislation

When interviewees were asked about how the issue of human trafficking translated into legislative action so quickly, the informants had similar responses. The majority of responses addressed both the valence nature of the issue (who would be against protecting trafficking victims?) and the existence of the broad based coalition, with members from both the left and the right. Informants mentioned that it was a very easy issue for bipartisan cooperation compared with others and that a whole host of

organizations with fundamentally different points of view were all supporting trafficking legislation. There was an enormous consensus from the right and the left and that the general principle was that there was a trafficking problem that needed to be addressed.

Summary of Findings In-Depth Interviews

From conducting the in-depth interviews, six key points emerged:

1) Several different events occurred, which caused trafficking to get “on the radar screen” and on the congressional agenda. Several cases that received extensive media coverage were the cause for many of those in government to start paying attention to human trafficking as an issue. In fact, the left/right mega coalition (Coalition Three) was mobilized after the *New York Times* article on the trafficking of Slavic women to Israel for prostitution was released.

2) Three coalitions surfaced through conducting the in-depth interviews:

A) an ideologically based liberal feminist coalition, who was interested in protecting the rights of women to have power over their own bodies and the rights of sex workers to be able to choose sex work as an occupation.

B) a pragmatic coalition made up of government officials and non-profit organization representatives whose primary concern was creating legislation that would provide usable services to victims of trafficking, protect victims of trafficking, make sure that victims of sex trafficking as well as victims of labor trafficking received services, and prosecute traffickers effectively.

C) a left/right coalition who was responsible for the legislation’s passage. This coalition’s foundation was built on the coalition that existed during the making of

the International Religious Freedom Act. The left/right coalition included conservative Christians, Republicans, Democrats, feminist organizations, human rights groups, academics, and others. The core members of this Coalition were most interested in restricting prostitution, which they saw as being the equivalent to human trafficking.

- 3) Although members of Coalitions One and Two were already paying attention to human trafficking as an issue, the development of the Coalition Three, the left/right mega coalition, forced the other two coalitions into action on human trafficking as an issue.
- 4) The issue that caused the most contention between the coalitions was on the issue of legalized and non-legalized prostitution and on whether sex trafficking and prostitution were the same.
- 5) The largest compromises that occurred between the coalitions in order to pass the TVPA were compromises on the definition of trafficking to be used in the legislation, the protection of all forms of trafficking victims, not just sex trafficking victims, and the use of sanctions to regulate other countries' efforts in combating trafficking.
- 6) The left/right coalition was strong enough to work as the force to get the TVPA passed, however they did make concessions to the other coalitions. (which will be discussed in Chapter Five). In addition, some members of this coalition did not understand the entire goals of some of the core members of this coalition.

CHAPTER 5 CONTENT ANALYSIS METHODOLOGY AND FINDINGS

Content Analysis of Congressional Hearings

The second phase of the research design for this study consisted of an analysis of a secondary set of data, congressional hearings. For this phase of the study, all congressional hearings from the 1995-2000 time period related to human trafficking were systematically analyzed to explore the research question and hypotheses presented in Chapter Four. Additionally, the analysis was conducted to gain insight into the factors which led to the making of the Trafficking Victims Protection Act of 2000 (TVPA) in contrast to the insight provided by the interview data. As mentioned in Chapter Four, the research question for this study was: what advocacy coalitions existed in the human trafficking policy subsystem between 1995-2000 and what were the beliefs that differentiated these coalitions? The hypotheses are as follows:

H1: Advocacy coalitions existed in the human trafficking policy subsystem between the 1995-2000 period.

H2: A coalition of actors who believed that legalized prostitution should be abolished on a worldwide scale will be found in the human trafficking policy subsystem between the 1995-2000 period.

H3: A coalition of actors that believed women should have the right to choose sex work as an occupation will be found in the human trafficking policy subsystem between the 1995-2000 time period.

The goal of this phase of the research was to explore the advocacy coalitions that existed within the human trafficking policy subsystem between the years 1995-2000 through a content analysis of congressional hearings using the Advocacy Coalition Framework (ACF) as a guide. Several innovations were made to the ACF model in this study, as mentioned in Chapter Four. Other researchers using the ACF have used congressional hearings as a primary source of data because of the repeated expression of policy beliefs over time that often exist in the hearings (Jenkins-Smith & St. Clair, 1993). Jenkins-Smith & St. Clair (1993) used congressional hearings for their research on the politics of offshore energy and noted that congressional hearings were a particularly good source of data for the content analysis.

Content Analysis as a General Research Technique

As early as the 1940s researchers interested in studying policy used content analysis as a research technique. According to Riffe, et al (1998, p. 1)

in the late 1940s, researchers examined change in the international political system by looking at 60 years of editorials in five prestige [sic] world newspapers. They found two concurrent trends in the editorials' language—reflecting increasing nationalism and growth of proletarian doctrines—that seemed to support their hypothesis that international social revolution had been brewing for some time.

Krippendorff (1980, p. 21) describes content analysis as involving “specialized procedures for processing scientific data. Like all research techniques, its purpose is to provide knowledge, new insights, a representation of ‘facts’, and a practical guide to action. It is a tool”. Krippendorff (1980, pp. 29-31) described the unique qualities of

content analysis as: 1) an unobtrusive technique, 2) an analysis that accepts unstructured material, 3) a technique that is context sensitive and thereby able to process symbolic forms, and 4) a technique that can cope with large volumes of data”.

The Advantages of Content Analysis of Congressional Hearings

Jenkins-Smith and Sabatier (1993) maintain that the content analysis of public hearings and other public documents has numerous advantages including that it allows a detailed analysis of beliefs than can be captured through the hearings, that it is well suited to examine the changes in policy players’ beliefs over time, and that it does not require researchers to stay interested in a policy issue for a long time period because public hearings occurring over numerous years may be collected and analyzed in a relatively short time period. In addition, policy elites, as well as a variety of other interested individuals such as those from interest groups, may be studied because various types of individuals testify in public hearings. Furthermore, changes in expressed beliefs of policy players over time are revealed through the written data within congressional hearings.

Analysis of Congressional Hearings

In order to conduct the content analysis of congressional hearings for this study, seven steps were taken: 1) the congressional hearings to be included in the study were identified through Lexis Nexus as discussed in Chapter Four, 2) a coding sheet was developed in order to assist in the identification of expressions to be coded, 3) the congressional hearings included in the study were loaded into Atlas.ti software to assist with data management, 4) a code list was developed, 5) the statements and testimonies within the

congressional hearings were systematically reviewed and coded in an iterative manner, 6) the dissertation chair reviewed coded data to address reliability concerns, and 7) the final coded data was sorted in order to reveal findings. A discussion of these steps follows:

The Hearings

All congressional hearings (with statements and testimonies included) related to human trafficking during the time period under investigation were included in the study.

The hearings included in the study are as follows:

(please refer to Table 2 for more detailed information):

Table 5: Hearings Analyzed in Content Analysis

Hearings Analyzed:	Date:	# of written pages of text included in hearing	# of prepared statements or testimonies by individual policy players
1. <u>Sex Trade: Trafficking of Women and Children in Europe and the U.S.</u> , Commission on Security and Cooperation in Europe	June 28, 1999	70	6
2. <u>Trafficking of Women and Children in the International Sex Trade</u> Committee on International Relations, House	September 14, 1999	105	5
3. <u>International Trafficking in Women and Children</u> Committee on Foreign Relations, Senate	February 22, 2000 and April 4, 2000	107	30

A total of 282 pages of text were analyzed. The first hearing was 70 pages, the second hearing was 105 pages, and the third hearing totaled 107 pages. The first hearing included six statements or testimonies by policy players, the second hearing included five statements or testimonies by policy players, and the third hearing included 19 statements or testimonies by policy players. A total of 30 testimonies by individual players were analyzed for this study.

Policy Core Beliefs Coding Sheet

After identifying the congressional testimonies that were to be analyzed, the next step for phase two of the study was the development of the coding sheet to guide the analysis and coding of the text data. Only policy core beliefs, as defined by the ACF were coded because they are the beliefs that are pertinent to this study (see Table 6 below). Policy core beliefs are fundamental policy positions pertaining to approaches to achieving core values within a policy subsystem. The ACF assumes that the policy core beliefs are the principal “glue” that holds coalitions together and the most important of the three belief systems, in which the research question and exploratory hypotheses are based on the existence of coalitions within the human trafficking policy subsystem. According to the ACF, the agreement on policy core beliefs is one of the main defining features of an advocacy coalition (Sabatier, 1998, pp. 115–117).

Within the ACF, there are 10 illustrative components that make up the policy core belief system. Specifically within the illustrative components of the policy core beliefs, the players’ policy core policy preferences are thought to be the strongest among the policy core beliefs in binding players into coalitions.

Because only policy core beliefs espoused by players were to be coded, I developed a coding sheet to assist with the identification of beliefs that should be coded. Included on the coding sheet are the ten illustrative components represented within the policy core belief system. These ten components make up the policy core belief system. Also included on the coding sheet is a description of each illustrative component as it relates to the human trafficking policy subsystem and examples of the types of statements which represent the illustrative components. Any statement of a belief made by a player, that fell into one of the categories of illustrative components in Table 6 represented a policy core belief and therefore was coded.

Table 6: Policy Core Beliefs Coding Sheet

Illustrative components of the policy core:	Description of the illustrative components:	Examples of espoused ideas to code:
1. Orientation on basic value priorities within the policy subsystem	<ul style="list-style-type: none"> ▪ normative components translated to the policy core level ▪ deep core beliefs bounded topically and spatially to the policy core 	<ul style="list-style-type: none"> ▪ <i>trafficking is evil</i> ▪ <i>the sex trade is coercive (women do not have a choice)</i> ▪ <i>forced labor is a form of trafficking</i> ▪ <i>trafficking victims are slaves</i>
2. Identification of groups or other entities whose welfare is of greatest concern	<ul style="list-style-type: none"> ▪ may have normative components ▪ statements addressing protection from trafficking for certain consumers or citizens 	<ul style="list-style-type: none"> ▪ <i>female victims are the most vulnerable</i> ▪ <i>sex trafficking victims should receive special protections</i>
3. Overall seriousness of problem	<ul style="list-style-type: none"> ▪ may have empirical components ▪ statements addressing the severity of human trafficking as a policy issue of concern 	<ul style="list-style-type: none"> ▪ <i>trafficking is rapidly growing</i> ▪ <i>trafficking will continue to rise unless governments take action</i>
4. Basic causes of the problem	<ul style="list-style-type: none"> ▪ may have empirical components ▪ statements addressing the fundamental causes of human trafficking 	<ul style="list-style-type: none"> ▪ <i>trafficking is driven by poverty</i> ▪ <i>trafficking is driven by the low status of women world wide</i>
5. Proper distribution of authority between government and market	<ul style="list-style-type: none"> ▪ may have empirical components ▪ statements addressing role of government vs. role of private sector in addressing/combating trafficking as an issue 	<ul style="list-style-type: none"> ▪ <i>governments have a responsibility to do something about human trafficking</i>
6. Proper distribution of authority among levels of government	<ul style="list-style-type: none"> ▪ may have empirical components ▪ in the case of trafficking includes international governments ▪ statements addressing roles of various levels of government 	<ul style="list-style-type: none"> ▪ <i>eliminating trafficking requires coordination across the government</i>
7. Priority accorded various policy instruments (e.g. education programs)	<ul style="list-style-type: none"> ▪ more specific and empirical than policy core policy preferences (see number 10 below) ▪ spans the entire policy subsystem ▪ relates to a specific substantive sub-component of a policy subsystem 	<ul style="list-style-type: none"> ▪ <i>victims of trafficking should have legal protection</i> ▪ <i>trafficking legislation should include a prevention, protection, and prosecution framework</i> ▪ <i>law enforcement needs training</i>
8. Ability of society to solve the problem	<ul style="list-style-type: none"> ▪ statements indicating society's ability to combat human trafficking 	<ul style="list-style-type: none"> ▪ <i>eliminating trafficking will only be possible if all the countries of the world work together to fight against it</i>
9. Participation of public vs. experts vs. elected officials	<ul style="list-style-type: none"> ▪ statements indicating the role of public officials, NGOs, academics, the media, etc in combating trafficking 	<ul style="list-style-type: none"> ▪ <i>NGOs have a critical role in combating trafficking</i>
10. Policy core policy preferences	<ul style="list-style-type: none"> ▪ subsystem wide in scope ▪ predicted to be the stickiest of policy core beliefs in binding actors/organizations together into coalitions ▪ highly salient and a major source of cleavage ▪ more normative than empirical 	<ul style="list-style-type: none"> ▪ <i>protecting the rights of women who choose sex work is important</i> ▪ <i>all forms of trafficking should be protected under legislation</i>

Atlas.ti Software, the Code List and Coding the Congressional Hearing Data

Once the congressional hearings were loaded into Atlas.ti software, I set up a code list within the software. The code list included the name of each public player who testified in the congressional hearings included in the analysis. The code list also included the name of each illustrative component of the policy core belief system, numbered to match the numbering on the policy core beliefs coding sheet that was developed. The code list was the following:

Table 7: Atlas.ti Code List

Ashcroft
Bethell
Botti
Brownback
Coto
Galster
Grams
Gupta
Haugen
Khodyreva
Koh
Lederer
Loar
Loy
Ralph
Sarbanes
Shelley
Smith, C
Smith, G
Thomas
Torricelli
Wellstone
Yeomans
Young
1. orientation on basic value priorities
2. identification of groups whose welfare is of greatest concern
3. overall seriousness of problem
4. basic causes of trafficking

5. distribution of authority between government and market
6. distribution of authority among levels of government
7. priority accorded various policy instruments (ex. education programs)
8. ability of society to solve the problem
9. participation of public vs. experts vs. elected officials
10. policy core policy preferences

After the policy core beliefs coding sheet was developed, all of the hearings were loaded into Atlas.ti software as separate documents, and the code list was formed. I then began systematically analyzing and coding the data.

Using the coding sheet as a guide, I carefully and thoughtfully read and reviewed the testimonies and prepared statements of each policy player, analyzing each statement to see if it fit within one of the illustrative components of the policy core belief systems. If I determined that a statement was an expression of a policy core belief, as represented by the policy core beliefs coding sheet, I marked the passage of text that represented the expression of a policy core belief, and then coded it twice with 1) the name of the person who made the statement, and 2) the illustrative component that the statement fell under. For example, the statement *“The trafficking industry is one of the fastest growing and most lucrative criminal enterprises in the world”* (Loar, 1999) was marked with two codes: LOAR and 3.OVERALL SERIOUSNESS OF THE PROBLEM. This statement was coded because it indicated a policy core belief, the overall seriousness of the problem of trafficking. Each statement which represented a policy core belief was coded with two codes so that I would be able to search and group each coded expression by the player who said it and/or by the illustrative component that the statement represented. I was

also able to group each coded statement by the specific hearing, since all hearings were separate documents within Atlas.ti.

The coding of the congressional data was an iterative process in which all of the text to be analyzed was reviewed and re-reviewed five times. Every time a policy core belief was expressed by a player it was coded. Only the sentence or phrase that represented the policy core belief was coded with two codes, as mentioned above. Each passage of text coded is categorized under the illustrative component that it falls within. A listing of every passage of text that was coded is included in Appendix C.

I carefully read each of the congressional hearings five times and amended coding or re-coded statements, as necessary. As Jenkins-Smith and Sabatier (1993, p. 242) note, “coding frames typically go through several iterations as their preliminary applications to the material under investigation repeatedly uncover new items or positions that merit inclusion or refinement”. In this study, five iterations were necessary because more subtle statements expressing policy core beliefs were not easily found during the first or second reading of the hearings.

In coding the hearings, much of the text was left uncoded simply because I was looking for expressions of policy core beliefs *only*. First, the statement needed to be a statement of a belief about something, such as a statement indicating one’s belief about the seriousness of human trafficking like, “*The trafficking industry is one of the fastest growing and most lucrative criminal enterprises in the world*” (Loar, 1999). Secondly, the stated beliefs had to be policy core beliefs, according to the policy core belief coding sheet.

Other beliefs were expressed, such as normative beliefs or secondary aspects. A detailed discussion of both normative beliefs and secondary aspects is included in Chapter Three of the dissertation. These beliefs were not coded however, because it was beyond the scope of this study to do so. Because the policy core beliefs are thought to be the primary glue holding coalitions together, which is why I focused on the policy core beliefs for this particular study.

Much of the congressional hearings consisted of anecdotal stories about trafficking victims, estimates pertaining to the number of victims, accounts of work that NGOs and others have done to protect victims and combat trafficking. These expressions were not coded because they did not represent a policy core belief. For example, in relaying a story about trafficking victims, Lederer states, “[t]hey arrested the young women and charged them with working without a visa. They arrested the brothel manger and charged him with procuration, but he was later released. They didn’t attempt to arrest the brothel owners or to identify the traffickers” (Lederer, 1999). This statement was not coded, because it doesn’t express a policy core belief, but relays an incident.

Validity and Reliability Concerns

In content analysis, there is usually a concern with the validity of the coded results because the researcher does not know if the speakers are expressing their “true” opinions. Sabatier and Jenkins-Smith (1993) note that a player’s likelihood of altering stated beliefs to fit an audience is reduced when a player is speaking before a narrow set of policy players rather than to the general public (such as in congressional hearings). According to Jenkins-Smith & St. Clair (1993), there are reasons that subsystem players do not

misrepresent their beliefs in congressional hearings. Hearing participants are representatives of government agencies or interest groups and are most likely expected to express the beliefs of their organizations and players. They will lose credibility if their stated beliefs are inconsistent over time.

After I went through the five iterations of coding the text, I applied a criteria of selection, to address reliability concerns (Berg, 1989). The criteria of selection according to Berg (1989)

used in any given content analysis must be sufficiently exhaustive to account for each variation of message content and must be rigidly and consistently applied so that other researchers or readers, looking at the same messages, would obtain the same or comparable results. (p. 106)

The chair of my dissertation committee reviewed the coded passages of text listed under each illustrative component, while referring to the coding sheet. She was given a list of all of the coded pieces of text under each of the ten illustrative components. She then reviewed the codes to make sure that she was in agreement with each piece of coded text. In other words, had she been the initial coder, she would have coded each piece of text under the same illustrative component.

Grouping the Data to Explore Findings

Finally, the data was sorted and organized. Although the data was already coded with the player's name and the illustrative component that the statement represented, I had to further sort the data in several ways. Within each belief statement that represented an illustrative component, a specific belief or multiple specific beliefs were expressed. For example, referring to the basic causes of trafficking, Smith says, "[t]rafficking is induced by poverty, lack of economic opportunities for women, the low status of women in many

cultures, and the rapid growth of sophisticated and ruthless international organized crime syndicates”(Smith, 1999). This statement expresses beliefs related to illustrative component #4, “basic causes of trafficking” and shows that Smith believes that the basic causes of trafficking are poverty, lack of economic opportunity, low status of women, and organized crime. Therefore this single statement was categorized in the following manner:

- Smith, C.
- 4. poverty/lack of economic opportunity
 - 4. low status of women
 - 4. organized crime networks

Under each player, I listed each of the specific beliefs that s/he expressed, along with the illustrative component in which the expression fit, as illustrated above. I also grouped the data by hearings in order to ascertain which coalitions had the greatest strength of expressions during each particular hearing. Finally, I grouped the data by coalitions in order to explore the research question and hypotheses. Single statements may espouse more than one specific belief, and therefore the number of expressions might be larger than the number of statements made.

Advocacy Coalitions

A total of 15 players espoused policy core beliefs through congressional hearings. Each player espousing policy core beliefs was grouped into a coalition using the interview data as a framework. Each player was grouped into: 1) an ideologically based liberal feminist coalition (Coalition One), 2) a pragmatic coalition (Coalition Two), or 3) a left/right mega coalition (Coalition Three). Coalition One had three spokespersons who espoused policy core beliefs, Coalition Two had six spokespersons who espoused policy

core beliefs, and Coalition Three had six spokespersons who espoused policy core beliefs.

Research Findings: Content Analysis of Congressional Hearings

As mentioned, each player who espoused a policy core belief in the congressional hearings was grouped into a coalition based on the interview data. in order to explore the research question and hypotheses. This led to greater insight regarding the impetus for the TVPA legislation and using the ACF as a model as a framework to explore a human rights issue. Since my research question and hypotheses are related to the existence of advocacy coalitions, I was curious to ascertain if the coalition groups that were created by me through the interview analysis would “hold up” in the content analysis of congressional hearings. I also wanted to explore if any of the players would appear to be in different coalitions based on the content analysis. In other words, were the coalition groupings from the interviews a good fit? Does anyone fall into a different coalition based on the content analysis? Was it unclear where each player fits based solely on the content analysis?

As mentioned, 15 policy players espoused policy core beliefs through the congressional hearings. Using the ACF framework, these policy players are considered to be coalition spokespersons. Whereas Heclo (1978) and others viewed individuals within a policy subsystem as being autonomous, the ACF contends that individuals within a policy subsystem are part of a particular advocacy coalition. Coalition One had three spokespersons, Coalition Two had six spokespersons and Coalition Three had six spokespersons.

The following is a discussion of the findings based on the content analysis:

The Illustrative Components of the Policy Core Belief System

1. Orientation on basic value priorities:

Twenty eight passages of text were coded with illustrative component #1 “orientation on basic value priorities”. Spokespersons from each of the three coalitions expressed beliefs relating to this illustrative component. The beliefs that were expressed are as follows:

<i>Illustrative Component #1 orientation on basic value priorities:</i>	expressions from coalition 1 players (n=3)	expressions from coalition 2 players (n=6)	expressions from coalition 3 players (n=6)	total expressions
trafficking is slavery	2	2	3	7
trafficking is a severe human rights abuse	4	3	6	13
trafficking is a uniquely brutal practice	0	0	1	1
trafficking is not a women’s issue, but a global issue	1	0	0	1
the sex trade is coercive by nature	0	0	1	1
trafficking is evil	1	0	1	2
we (society) must do something about trafficking	1	1	2	4
TOTAL EXPRESSIONS FROM EACH COALITION:	9	6	14	29 total expressions

As can be seen, illustrative component #1 does not show a huge variation among the three coalitions. Beliefs such that “*trafficking is a human rights abuse*” or “*trafficking is slavery*” is common among spokespersons of all three coalitions.

All players are in agreement that the trafficking of human beings is a human rights violation that must be stopped. The basic value priorities related to human trafficking were beliefs in which all of the players were in agreement, therefore players did not

spend their time publicly debating these beliefs. Illustrative component #1 therefore does not offer much insight in determining the differences between the coalitions. It is worth noting however that the belief that “*we must do something about trafficking*”, was expressed two times by spokespersons of Coalition Three. As previously mentioned in Chapter Four, Coalition Three can be credited with actually getting the legislation, the TVPA of 2000, passed, and the expression of this belief illustrates the commitment to human trafficking as an issue of concern.

It is also worth noting that a Coalition Three spokesperson also mentioned that “*the sex trade is coercive by nature*” eluding to the belief that all prostitution is a form of trafficking.

2. Identification of groups or other entities whose welfare is of greatest concern:

Seventeen passages of text were coded with illustrative component #2, “identification of groups whose welfare is of greatest concern”. Spokespersons from each of the three coalitions expressed beliefs relating to this illustrative component. The beliefs that were expressed are as follows:

<i>Illustrative Component #2 Identification of groups whose welfare is of greatest concern:</i>	expressions from coalition 1 players (n=3)	expressions from coalition 2 players (n=6)	expressions from coalition 3 players (n=6)	total expressions
women and children as one category	3	1	2	6
women and girls as one category	0	1	0	1
children as a category	0	0	6	6
girls as a category	0	0	1	1
women as a category	1	0	0	1
the powerless and vulnerable	0	0	1	1
trafficking victims with HIV/AIDS	0	0	1	1
TOTAL EXPRESSIONS FROM EACH COALITION:	4	2	11	17 total expressions

Spokespersons from all three coalitions believed that women, girls, and all children required special protection from human trafficking. Spokespersons of Coalition Three also expressed that the powerless and vulnerable and trafficking victims with HIV/AIDS required special protection and all expressions of beliefs relating to the welfare of children are from Coalition Three spokespersons. It is interesting that Coalition Two, the pragmatic coalition, did not have as many expressions related to groups whose welfare is of greatest concern. Coalition Three spokespersons most strongly express that women, girls, and children need special protection. This seems to be in agreement with the overall values of Coalition Three, a coalition of radical feminists, religious conservatives, and others who were interested in restricting prostitution, in which women, girls, and children are generally the victims.

3. Overall seriousness of human trafficking as a problem:

Twenty nine passages of text were coded with illustrative component #3, “overall seriousness of human trafficking as a problem”. Spokespersons from each of the three

coalitions expressed beliefs relating to illustrative component #3. The beliefs that were expressed are as follows:

<i>Illustrative Component #3</i> <i>Overall seriousness of problem</i>	expressions from coalition 1 players (n=3)	expressions from coalition 2 players (n=6)	expressions from coalition 3 players (n=6)	total expressions
trafficking has grown exponentially/is increasing	1	8	6	15
trafficking is at crisis level/millions are suffering	1	0	1	2
trafficking funds other organized crime	0	1	0	1
trafficking is the world's most serious/enormous problem/cannot overstate	1	2	2	5
trafficking is the most lucrative criminal enterprise	2	2	1	5
trafficking is increasing within the U.S. specifically	1	0	1	2
TOTAL EXPRESSIONS FROM EACH COALITION:	6	13	11	30 total expressions

All three coalitions expressed the belief that trafficking was on the rise and that it was a serious problem worldwide. Each coalition expressed this belief fairly equally. Coalition One only has three spokespersons whereas the other coalitions have six spokespersons each. Therefore six expressions from Coalition One spokespersons is on par with the strength of expressions from Coalition Two and Coalition Three. Illustrative component #3 is another example of an illustrative component in which the coalitions were in general agreement. All players involved in the making of the TVPA saw human trafficking as being a worldwide problem. Illustrative component #3 does not provide much insight into the differences among coalitions.

4. *Basic causes of the problem:*

Thirty-nine passages of text were coded with illustrative component #4, “basic causes of human trafficking”. Spokespersons from each of the three coalitions expressed beliefs relating to this illustrative component. The beliefs that were expressed are as follows:

<i>Illustrative Component #4 Basic causes of human trafficking</i>	expressions from coalition 1 players (n=3)	expressions from coalition 2 players (n=6)	expressions from coalition 3 players (n=6)	total expressions
poverty/lack of economic opportunity	5	3	6	14
low status of females	3	4	5	12
Organized crime	1	2	2	5
weak law enforcement/laws	2	1	5	8
corruption	0	1	0	1
refugee crises	0	1	0	1
high profit/low risk enterprise	0	1	0	1
lack of education	0	1	1	2
collapse of former Soviet Union	0	1	0	1
globalization	0	2	0	2
economic policies	0	0	1	1
no regard for human rights	1	0	1	2
war/natural disasters	0	0	1	1
discrimination	0	0	1	1
legalized/tolerated prostitution	0	0	11	11
TOTAL EXPRESSIONS FROM EACH COALITION	12	17	34	63 total expressions

Spokespersons of all three coalitions expressed beliefs that poverty, the low status of women, organized crime networks, and weak law enforcement/laws contributed to human trafficking. What is most striking about the expressions in this illustrative component, is

that Coalition Three spokespersons expressed eleven times that legalized and/or tolerated prostitution is a basic cause of human trafficking, while no other spokespersons from the other coalitions expressed this idea. This is a clear example of how Coalition Three saw human trafficking as being related to prostitution and also eludes to some Coalition Three spokespersons' desire to eradicate legalized prostitution (a lengthier discussion of this is in Chapter Six).

5. Distribution of authority between government and market:

Six expressions were coded with illustrative component # 5, the “distribution of authority between government and market”. Spokespersons from Coalition One and Coalition Two expressed beliefs relating to this particular illustrative component. The beliefs that were expressed are as follows:

<i>Illustrative Component #5 Distribution of authority between government and market</i>	expressions from coalition 1 players (n=3)	expressions from coalition 2 players (n=6)	expressions from coalition 3 players (n=6)	total expressions
law enforcement cooperation with telecommunications companies is needed to combat trafficking	0	3	0	3
combating trafficking is part of the government's commitment to eliminate violence against women	1	0	0	1
the U.S. government is committed to combating trafficking	0	1	0	1
it is governments' responsibility to take the problem seriously	1	0	0	1
TOTAL EXPRESSIONS FROM EACH COALITION	2	4	0	6 total expressions

It seems from reading the congressional hearings, that all policy players understood that it was governments' responsibility to handle trafficking as a human rights issue. There was no expression either inferred or directly stated that human trafficking should

be handled entirely by the market or any other private entity. Again, the low numbers of expressions and lack of expressions by Coalition Three are because the distribution of authority between governments and market was not an expression that was important to state because there was general agreement that trafficking is governments' responsibility.

6. Distribution of authority among levels of government:

Sixteen passages of text were coded with illustrative component #6, "distribution of authority among levels of government": The beliefs that were expressed are as follows:

<i>Illustrative Component #6 Distribution of authority among levels of government</i>	expressions from coalition 1 players (n=3)	expressions from coalition 2 players (n=6)	expressions from coalition 3 players (n=6)	total expressions
Immigration and Naturalization Service (INS) shares responsibility	0	1	0	1
Organization for Security and Cooperation in Europe (OSCE) excellent venue to tackle trafficking problem	1	0	0	1
embassies share a responsibility	0	1	0	1
coordination across the U.S. government is needed	1	0	0	1
U.S. needs to lead other governments	1	0	3	4
requires cooperation among international governments	2	2	0	4
U.S. Congress has a role	1	1	0	2
Congress should not impose structure to address trafficking	1	0	0	1
President's Interagency Council on Women has a role	2	0	0	2
international governments need legislation	1	0	0	1
TOTAL EXPRESSIONS FROM EACH COALITION	10	5	3	18 total expressions

Coalition One spokespersons expressed substantially more beliefs relating to the authority among levels of government to combat human trafficking as a problem than the

other Coalition spokespersons, especially considering that there were ½ the spokespersons from Coalition One expressing policy core beliefs than from the other two coalitions. This is mostly because a government official, representing the President's Interagency Council on Women was part of Coalition One and was trying to express the need for their involvement in trafficking as an issue.

7. Priority accorded various policy instruments:

One hundred twenty passages of text were coded with illustrative component #7, "priority accorded various policy instruments". Spokespersons of all three coalitions expressed beliefs relating to this particular illustrative component. The beliefs that were expressed are as follows:

<i>Illustrative Component #7 Priority accorded various policy instruments</i>	expressions from coalition 1 players (n=3)	expressions from coalition 2 players (n=6)	expressions from coalition 3 players (n=6)	total expressions
traffickers need to face prosecution	3	6	5	14
protection of victims needed	9	12	5	26
public awareness/public education programs needed	3	8	0	11
skills/employment training programs needed	1	1	1	3
economic opportunities (grants, loans) to women needed	2	4	0	6
emphasis on civil/human rights treaties needed	1	0	0	1
change/review immigration laws to favor victims of trafficking	2	2	1	5
restitution to victims needed	1	1	0	2
U.S. investigations of visa fraud needed	0	2	0	2
link international law enforcement	0	3	1	4
train relevant government personnel (law enforcement, etc)	1	3	2	6
register/secure refugees at the onset of a refugee crisis/special protection of refugees	0	6	0	6
offer legal assistance to victims	1	0	1	2
involve NGOs in service delivery	0	2	0	2
offer asylum/resettlement/visas to victims	2	6	2	10
offer grants/help set up international programs	1	2	0	3
legislation should have the "Three P" framework: prevention, protection, prosecution	0	0	3	3
place pressure on international governments	0	0	1	1
child victims should have special assistance	0	0	1	1
foster efforts by other countries	0	1	0	1
U.S. policy should have a combination of carrots and sticks (pro sanction)	0	0	2	2
economic sanctions in trafficking legislation would be counterproductive	3	15	0	18
sanctions are necessary to get governments to act	0	0	3	3
naming countries who do not cooperate with the U.S. in combating trafficking provides an incentive for countries to cooperate	0	2	0	2
TOTAL EXPRESSIONS FROM EACH COALITION	30	76	28	134 total expressions

All coalitions expressed that traffickers need to face prosecution, that protection of victims is needed, that public awareness/education programs are needed, that victims should be offered restitution/asylum/resettlement/visa opportunities, that relevant government personnel needed to be trained, and that federal legislation should have the “Three P Framework”.

Some division in coalition expression can be seen in this illustrative component. First, Coalition Two expressed many more beliefs relating to the priority accorded various policy instruments than the other coalitions. This fits with how I categorized Coalition Two as being a pragmatic group of players interested in the protection of trafficking victims of all types. It makes sense that the pragmatic coalition expressed an abundance of beliefs relating to policy instruments in order to combat the problem of trafficking and to protect trafficking victims.

Another interesting point is that Coalition Two spokespersons expressed (strongly) that they believed economic sanctions in the legislation would be counterproductive, and Coalition Three spokespersons expressed that economic sanctions are necessary to get governments to act (though not as strongly).

8. Ability of society to solve the problem:

Ten passages of text were coded with illustrative component #8, “ability of society to solve the problem”. Spokespersons of all three coalitions expressed beliefs relating to this particular illustrative component. The beliefs that were expressed are as follows:

<i>Illustrative Component #8 Ability of society to solve the problem</i>	expressions from coalition 1 players (n=3)	expressions from coalition 2 players (n=6)	expressions from coalition 3 players (n=6)	total expressions
countries lack protection for victims	0	0	1	1
some governments have abdicated responsibility to address trafficking crisis	0	0	1	1
eradicating trafficking will only be possible if countries work together	0	1	0	1
law enforcement is not motivated to address the problem	0	1	0	1
we must get a global consensus that trafficking is unacceptable	1	1	0	2
no one wants to confront human trafficking	0	0	2	2
government efforts to combat trafficking have been inadequate	1	0	1	2
TOTAL EXPRESSIONS FROM EACH COALITION	2	3	5	10 total expressions

In this illustrative component there were no ideas that were expressed by all three coalitions simultaneously. This illustrative component is similar to illustrative component #5 “distribution of authority between government and market”, in which there are not many expressions by the coalition spokespersons. As with illustrative component #5, this is because beliefs around the ability of society to solve the trafficking problem were not diverse and so there was no need for coalitions’ to repeatedly express their beliefs.

9. Participation of public versus experts versus elected officials:

Thirteen passages of text were coded with illustrative component #9, “participation of public versus experts versus elected officials”. All three coalitions expressed beliefs within illustrative component #9. The expressed beliefs are as follows:

<i>Illustrative Component #9 Participation of public vs. experts vs. elected officials</i>	expressions from coalition 1 players (n=3)	expressions from coalition 2 players (n=6)	expressions from coalition 3 players (n=6)	total expressions
governments need to work with non governmental organizations to combat trafficking	4	7	1	12
mobilization of people (public, government, etc) everywhere is needed	1	0	0	1
TOTAL EXPRESSIONS FROM EACH COALITION	5	7	1	13 total expressions

All three coalitions expressed that NGOs have a role in combating human trafficking.

Coalition One and Coalition Two expressed this belief more frequently than it was expressed by Coalition Three.

10. Policy core policy preferences:

Thirty nine passages of text were coded with illustrative component #10, “policy core policy preferences”. All three coalitions expressed beliefs relating to this particular illustrative component. The expressed beliefs are as follows:

<i>Illustrative Component #10 Policy core policy preferences</i>	expressions from coalition 1 players (n=3)	expressions from coalition 2 players (n=6)	expressions from coalition 3 players (n=6)	total expressions
U.S. policy should not be limited to sex trafficking alone	5	2	0	7
all labor (sex, sweatshop, domestic) victims are trafficking victims	0	3	0	3
the definition of trafficking should include deception, coercion, and debt bondage	1	5	1	7
a sex worker is NOT a trafficked woman	0	2	0	2
forced prostitution is a form of forced labor	0	1	0	1
a pimp is not a trafficker	0	1	0	1
some mail order brides should be considered to be trafficking victims	1	0	0	1
sex trafficking is only one part of a broader phenomenon/is only one form of trafficking	2	2	0	4
any scenario in which a minor is involved is trafficking	0	1	0	1
we cannot limit our efforts to one form of trafficking over another	0	1	0	1
legislation should promote women's human rights	2	0	0	2
trafficking should be defined to encompass all forms of forced labor and servitude	1	1	0	2
profiting from a sex act involving persons who have been coerced should be treated as rape	0	0	1	1
sex trafficking should be addressed in a separate bill	0	0	2	2
focusing on sex trafficking in legislation will be more effective	0	0	2	2
sex trafficking should be defined differently than labor trafficking	0	0	2	2
the definition of trafficking should be limited to situations involving coercion, in recognition of people's ability to make voluntary decisions	1	0	0	1
TOTAL EXPRESSIONS FROM EACH COALITION	13	19	8	40

Illustrative component #10 is thought to be among the stickiest of the illustrative components in the policy core belief system in binding coalitions together, therefore particular attention should be given to the expressions made within illustrative component #10.

The belief that trafficking legislation should not be limited to sex trafficking only was expressed by spokespersons of Coalition One and Coalition Two. This belief was not expressed by spokespersons of Coalition Three. Coalition Three focused on sex trafficking.

The beliefs that a sex worker is not a trafficking victim and that a pimp is not a trafficker were expressed by Coalition Two. It would seem that Coalition One spokespersons would have expressed this belief rather than Coalition Two spokespersons.

The belief that sex trafficking is only one form of the many forms of trafficking is expressed by spokespersons of Coalition One and Coalition Two. This is in line with my findings related to the beliefs of Coalition One spokespersons: Coalition One players saw a clear distinction between prostitution and human trafficking and one of their concerns was protecting the rights of women who choose sex work. In addition, Coalition One spokespersons wanted to recognize victims of labor trafficking, as well as victims of sex trafficking.

The belief that victims of sex trafficking, sweatshop labor, domestic servitude and other forms of forced labor are all victims of trafficking was expressed by Coalition Two. This also fits with my assessment of Coalition Two as a pragmatically based coalition that is interested in protecting all victims of trafficking, not just victims of sex trafficking.

Coalition Three shows its focus on sex trafficking and prostitution through the following belief statements: 1) sex trafficking should be addressed in a separate bill, 2) focusing on sex trafficking in legislation will be more effective, and 3) sex trafficking should be defined differently than labor trafficking.

The belief that the definition of trafficking should be limited to situations involving coercion, in recognition of people's ability to make voluntary decisions, was expressed by Coalition One. This fits with my findings from the interviews that Coalition One is interested in protecting the rights of sex workers.

The Individual Hearings

In addition to sorting the data by coalition, I also sorted the data by individual hearings. The reason for doing this was to gain insight into which coalition dominated the hearings, what beliefs were expressed during each hearing, what policy core beliefs coalitions expressed over time, and what policy core beliefs coalitions expressed across hearings. See Appendix D to review the expressions from each coalition included in each hearing.

Table 8: Strength of Coalitions at Individual Hearings

Hearings Analyzed:	Date:	# of coded expressions from coalition one (n=3 players)	# of coded expressions coalition two (n=6 players)	# of coded expressions coalition three (n=6 players)	
1. Sex Trade: Trafficking of Women and Children in Europe and the U.S, Commission on Security and Cooperation in Europe	June 28, 1999	16	72	24	112
2. Trafficking of Women and Children in the International Sex Trade Committee on International Relations, House	September 14, 1999	38	0	31	69
3. International Trafficking in Women and Children Committee on Foreign Relations, Senate	February 22, 2000 and April 4, 2000	22	69	49	140
*total		76	141	104	321

What is most notable concerning Hearing One is that Coalition Two expressed an abundance of beliefs relating to the priority accorded various policy instruments and

policy core policy preferences. Coalition Two was labeled as being the pragmatic coalition and the abundance of expressed beliefs in Hearing One demonstrates that Coalition Two wanted their beliefs relating to policy choices in order to protect victims heard. Coalition Three did not express any beliefs relating to policy core policy preferences in Hearing One.

In Hearing Two, Coalition One expressed more beliefs relating to the priority accorded various policy instruments than were expressed by Coalition One in Hearing One. Coalition Two spokespersons did not express any beliefs relating to policy core beliefs in Hearing Two. In fact, no spokespersons of Coalition Two testified in the second hearing. Coalition Three spokespersons expressed notably more beliefs related to the priority accorded various policy instruments in Hearing Two than in Hearing One.

In Hearing Three, Coalition One spokespersons expressed similar beliefs as in Hearing Two. They do however, express more beliefs relating to policy core policy preferences than in the other hearings. Coalition Two spokespersons express similar beliefs in Hearings One and Three, focusing on the priority accorded various policy instruments in both hearings in which they participated. Coalition Three expresses more beliefs in Hearing Three than in the other two hearings.

In examining the beliefs expressed by coalitions across hearings, it seems that Coalition Two members had the strongest expression of beliefs in each hearing in which Coalition Two spokespersons participated. Coalition One also had strength in their expressions, considering that they had half the number of coalition spokespersons as the other coalitions. This is interesting because although Coalition Three is the coalition that

can be credited for getting the issue of human trafficking on the congressional agenda, they were forced to make concessions to both Coalition One and Coalition Two, such as the negotiation on the definition of trafficking, and the negotiation on protecting all forms of human trafficking in the trafficking legislation. It can be seen through the hearings that the spokespersons of Coalitions One and Two expressed their policy core beliefs more frequently than Coalition Three members.

Summary of Findings Content Analysis

From the analysis of the congressional hearings seven key points emerged:

- 1) Overall, the content analysis of the congressional hearings does not provide strong evidence of coalition existence. This is primarily because human trafficking is a valence issue, in which players are in general agreement. Most of the coalition spokespersons were in agreement concerning issues on basic value priorities within the human trafficking policy subsystem, therefore it was difficult to separate out coalition members based on their stated expressions.
- 2) Illustrative components #1, #3, #5, #8, #9 did not provide adequate evidence of coalition existence.
- 3) Illustrative component #2, somewhat illustrates that Coalition Three was more vocal about expressing beliefs related to the identification of groups whose welfare was of greatest concern than the other coalitions.
- 4) Illustrative component #4, shows that Coalition Three spokespersons expressed repeatedly the belief that legalized and/or tolerated prostitution is a basic cause of human trafficking, while the other coalition members did not express this belief.

- 5) Illustrative component #5 shows that Coalition One spokespersons expressed substantially more beliefs than Coalitions Two or Three regarding the distribution of authority among levels of government.
- 6) Illustrative component #7 shows that Coalition Two expressed substantially more beliefs relating to the priority accorded various policy instruments than the other coalitions.
- 7) Illustrative component #10 provides the most evidence of coalition existence. This illustrative component which is policy core policy preferences, is thought to be the most binding of the illustrative components in holding coalitions together. Illustrative component #10 shows that both Coalition One and Coalition Two spokespersons expressed that other forms of trafficking, in addition to sex trafficking, should be protected. Coalition Three expressed the belief that sex trafficking should be addressed in a separate bill, that a focus on sex trafficking would be more effective, and that sex trafficking should be defined differently than labor trafficking

Discussion of Research Question Using both Data Sets

Earlier, I discussed the findings of each of the research methodologies used in this study, in-depth interviews and a content analysis of congressional hearings. Now, in order to triangulate the interview data and the content analysis data, I will examine my research question and exploratory hypotheses using the findings previously presented. The research question that guided this study was: what advocacy coalitions existed in the human trafficking policy subsystem between 1995-2000 and what were the beliefs that differentiated these coalitions? Based on the findings outlined in Chapter Four and Five

of the dissertation, that there were several different coalitions of players who acted with some degree of coordination in order to get their policy objectives passed. Data show that three coalitions of players did exist, as outlined in the Chapter Four and Chapter Five: a ideologically based feminist coalition (Coalition One) a pragmatic coalition (Coalition Two), and a left/right mega coalition (Coalition Three). However, the data supporting this finding are not as clear in the content analysis of congressional hearings as it is in the interview data. Coalition Three does emerge as a distinct coalition in the content analysis, and Coalition Two certainly focuses more on pragmatic issues, such as policy preferences, but the general distinction between Coalitions One and Two is not clear from the content analysis of congressional hearings. This distinction is clear in the in-depth interviews.

The most obvious differentiation of beliefs is Coalition Three's equation of prostitution with human trafficking. This belief is clearly expressed by Coalition Three members both in the in-depth interviews and also within the content analysis of congressional hearings. Coalition One's interest in protecting a woman's right to choose sex work was much more apparent within the in-depth interviews than in the content analysis, but does exist in the content analysis in illustrative component #10, when Coalition One expresses the belief that the definition of trafficking should be limited to situations involving coercion in recognition of people's ability to make voluntary decisions.

Coalition Two's beliefs can be seen both in the in-depth interviews and in the content analysis of congressional hearings. Coalition Two focuses on pragmatically based issues

such as policy core policy preferences both during the interviews and in the content analysis. Coalition Two had many more expressions relating to pragmatic concerns than the other coalitions.

According to the ACF, the formation and domination of coalitions within the human trafficking subsystem should demonstrate which coalition or coalitions had the most influence in the final outcome of the TVPA, thus giving insight into this piece of legislation. Although Coalition Three was a strong coalition and the dominating coalition, they didn't necessarily have the most influence on the final outcome of the TVPA. Coalition Three members acquiesced to some of the policy preferences of Coalition One and Coalition Two in order to get the legislation passed. There seems to have been a significant amount of coordination among coalitions with different belief systems in order to pass a version of the TVPA in which various competing groups would be satisfied.

One interesting point, in analyzing the interview data is seemed that the coalitions were fiercely debating the use of sanctions in order to compel other countries to comply with our set of minimum standards set forth in the TVPA legislation. However, in the content analysis it shows that although Coalition Two strongly expressed their disapproval of the use of sanctions and Coalition Three's support of sanctions was not voiced as strongly, sanctions were included in the legislation.

Discussion of Hypotheses

For this study, I developed three exploratory hypotheses. It must be noted that the hypotheses were developed in order to facilitate a qualitative study of coalition existence,

using the ACF model as a guide, but these hypotheses were merely a “jumping off point”. The discussions of the findings included in the dissertation, based on the qualitative data that I collected, goes well beyond the exploratory hypotheses. The hypotheses are as follows:

H1: Advocacy coalitions existed in the human trafficking policy subsystem between the 1995-2000 period.

H2: A coalition of actors who believed that legalized prostitution should be abolished on a worldwide scale will be found in the human trafficking policy subsystem between the 1995-2000 period.

H3: A coalition of actors that believed women should have the right to choose sex work as an occupation will be found in the human trafficking policy subsystem between the 1995-2000 time period.

H1: It is clear through both the in-depth interviews and through the content analysis that advocacy coalitions did exist in the human trafficking policy subsystem. As I stated above, I found the existence of three distinct coalitions.

H2: I did not find a coalition of actors who believed that prostitution should be abolished on a world wide scale. Instead I found through both the in-depth interviews and the content analysis, a subset of actors within the left/right mega coalition, who wanted to abolish prostitution on a world wide scale. Data show that there was a neo-abolitionist coalition within a larger coalition.

H3: Coalition One can be considered to be a coalition of actors that believed women should have the right to choose sex work, however some of the actors that I categorized

within Coalition Two, based on their focus of protecting victims, also expressed this belief. Likewise, Coalition One members expressed pragmatic concerns for victims of trafficking.

In-Depth Interviews vs. Congressional Hearings

The in-depth interviews included collecting data from informants who were involved in the making of the TVPA legislation, but who were not necessarily coalition spokespersons. The hearings included official statements by players who can be considered to be coalition spokespersons. When comparing the data of the in-depth interviews with the data from the content analysis, it is interesting to note that the content analysis does not reveal a good deal regarding what actually occurred during the making of the legislation. This information was revealed during the in-depth interviews and provided me with the most insight regarding coalition existence. Much of the debates that occurred on human trafficking legislation were occurring “behind closed doors” rather than out in the open or in congressional hearings. These debates were vital to the human trafficking policy subsystem. Due to these debates, there was a large amount of internal strife between feminists, human rights organizations, academics and others. Some informants felt that the abolitionist movement diverted policy players from being able to carry on a deeper conversation about sexuality, sexual attitudes, about demand side about economic depravity and about economic injustice in the world.

Informants voiced that they believed that human trafficking as an issue had been “high jacked” by the neo-abolitionist movement starting during the making of the initial TVPA

legislation and continuing today. This was not made clear through the content analysis of congressional hearings, but was again revealed through the in-depth interviews.

CHAPTER SIX CONCLUSION

Introduction

Why Study Human Trafficking Legislation?

Shortly after starting my Ph.D. studies in 2002, I became interested in human trafficking as an issue. I eventually focused on the Trafficking Victims Protection Act (TVPA) of 2000 legislation, specifically. In the early stages of formulating my dissertation study, my initial interest was in the legislation's protection of victims through its victim certification and T-visa programs. I wanted to explore why a well funded and seemingly comprehensive piece of legislation was not protecting victims of trafficking, as it had intended. By the year 2003 only 450 victims of human trafficking were certified under the TVPA to receive the benefits that the legislation provided and only 172 victims of human trafficking had received the T visa.

After exploring numerous ways in which I might investigate this issue, I ultimately decided to focus on the making of the Trafficking Victims Protection Act. I thought that one way to explore the lack of efficacy of the legislation, was to find out more about how and why the legislation was passed, and what players and organizations were behind its passage. As I mentioned in the first chapter, one method of gaining insight into why the legislation has not had the impact that might have been expected by outside observers is to understand the motivations of the key players who were involved in the passage of the legislation. Perhaps the stated purpose of the legislation does not reflect the motivations of the actors involved in its making.

Studying the making of the legislation was also intriguing to me at the time because it seemed as if a relatively obscure, little known human rights abuse (human trafficking) suddenly received policy players' attention even before it received widespread media attention. Although many are familiar with human trafficking at this time due to widespread attention, little seemed to be known by the general public about human trafficking less than a decade ago. Of additional interest, the legislation was pushed by a group of seemingly unlikely coalition players, passing quickly with almost unanimous support in the House and Senate.

Discussion about the Human Trafficking Legislation Debate

Through the course of my preliminary research, I began to realize that while some policy players were interested in protecting victims of human trafficking, other players seemed to have had additional hidden objectives and were using the issue of human trafficking as a vehicle to reach them. The underlying agenda of some players seemed to be to abolish all legalized prostitution on a world-wide scale, as part of a wider moral agenda. Human trafficking seemed to be an issue taken on by the faith-based movement as part of the take over of the global human rights agenda from the left.

I anticipated, that one of the coalitions found through my research would be a group of players that clearly wanted to abolish legalized prostitution on a world wide scale. What I found from completing my research was that the neo-abolitionist agenda was much more nuanced and subtle and that the real issue of abolishing prostitution was just too volatile to be discussed in an open forum or in congressional hearings on human

trafficking during that time period. In fact, one of my informants mentioned that the prostitution vs. sex worker debate was under the surface; it was never above the surface and that the debate was about trafficking. This informant also said, “we all knew what we were about but we weren’t ever having these discussions out loud”.

The Interviews Revealed a Wealth of Additional Information

I focused my research on the making of the TVPA through the lens of the Advocacy Coalition Framework, therefore in my analysis, I was interested in examining the coalitions and their beliefs that existed during the making of the legislation. However, through the process of conducting the in-depth interviews, I learned a wealth of additional information about the inside politics of the human trafficking policy subsystem, both during the making of the legislation and currently. I will discuss these additional findings below.

Coalition Members Feeling Duped

It would have seemed that all of the players involved in the left/right mega coalition, that can be credited for the passage of the legislation, would have shared the moral agenda of the major players within the coalition. Through conducting the interviews, that is not what I found. Several players involved in the left/right coalition joined the coalition because they thought that the primary interest of all of the coalition members was about protecting victims of trafficking and putting together a solid piece of legislation in order to reach this goal. They were not entirely aware of the larger neo-abolitionist goals of the strongest coalition members. Apparently some members of the left/right coalition worked to keep the abolitionist debate under the surface. Some informants, including some in the

left/right coalition, were bitter at the time that they were interviewed; more than one player mentioned feeling “duped” by some players in the left/right coalition. As one informant (21) noted, “the place where you start seeing this prostitution whirlwind was after the legislation passed. The people working at the Trafficking in Persons office were really zealous”.

According to informants, since the passage of the legislation, former human trafficking policy subsystem players were “forced” to leave working on human trafficking as an issue, and some were compelled to leave the federal government altogether. One informant said, “look at the demonization of the first Senior Advisor for Trafficking, who was not politically savvy enough to hold her own . . . people went after her jugular”. The person to which the informant was referring was forced to leave the Trafficking Office.

The Neo-Abolitionist Agenda Came to the Surface After the Bush Administration Came to Power

Since the passage of the TVPA and its reauthorization in 2003 and 2005, the neo-abolitionists have gained a large amount of power and the neo-abolitionist discussion has come out into the open, much of this is due to the support of the Bush administration of the neo-abolitionist stance. As one informant said,

This is the current under the anti-trafficking work . . . and you have a White House that is held captive because of the Christian right . . . The political current is being governed by the hardcore ideologs that say that prostitution is slavery and it is the position that the Bush administration has adopted because that line appeals to the hard Christian right and the hard feminist left, which originally were among the major movers of this coalition. They managed to behave themselves while the legislation was being passed.

Another informant speaking about the Bush administration's embracing of human trafficking as an issue said,

I think it's an easy issue for [Bush]. I think it fits into his idea . . . it's like women in Afghanistan is an easy issue for him. Maybe that sounds too cynical but I think that it's easier to talk about women in Afghanistan than women in Saudi Arabia. He was looking for women's issues. The beginning look at trafficking came out of the Clinton administration, but the legislation only came into force when Bush came in and picked it up and he ran with it. I think it's the kind of thing that any smart administration, or not even a smart administration, would run with. It's a good issue. It has a lot of public support. It's like fighting the bad guys and it's almost like a no down side issue.

According to several informants, after the passage of the legislation, any policy players who were involved with human trafficking that did not take the stance of the neo-abolitionists were "hounded out of town", as one informant described it. One informant noted that "there was a lot of slanderous stuff going on—some of the most hardball politics I've ever seen . . . the big guys . . . they will tell you the human trafficking movement is the meanest, most difficult movement as far as hurting their own.

Concern over the Grant Monies Issued by the Trafficking in Persons Office

Other players that I interviewed were concerned about the grants given through the legislation since its passage. Several informants felt that grant funds were being used mostly to push the neo abolitionist agenda, and not to protect victims of trafficking. One policy player interviewed said,

you know the State Department has steered millions of dollars of very questionable contracts to this group of people [neo-abolitionists] . . . everybody kept on saying, 'well you don't actually have research that shows that every prostitute is a slavery victim and so they then gave the very people who were pushing that position [that every prostitute is a trafficking victim], grants to write research papers that they could cite. So all of the research papers that they cite are by [the academics pushing the neo-abolitionist agenda]. It is disingenuous science is what it is . . . every dollar that gets spent on a bullshit grant to put up a

crony [is money that is being taken away from helping victims] . . . they ain't done shit as far as we can tell.

The debate became particularly intense after the federal government said in 2004 that it would use the \$50 million it had earmarked for anti-trafficking efforts to impose its anti-prostitution position. Apparently, some NGOs and other social service organizations working with trafficking victims and prostitutes had their funding cut for not taking a strict neo-abolitionist stance. Furthermore, any players who did not join in with the neo-abolitionists were painted as being pro-sex according to informants. To augment this point, Allen Hertzkie, a conservative political scientist who embraces the neo-abolitionist agenda stated that

[t]he response to this grotesque trade [human trafficking] by some international NGOs and AIDS prevention programs *has not included* [emphasis original] attempting to set the victims free. Instead, young girls have been treated as 'sex workers' given 'solidarity' with each other and better relations with their pimps, and taught how to 'negotiate' condom use with foreign customers. Astonishingly, some of these programs were funded or promoted by agencies of the U.S. government, a practice that began in the Clinton administration but lingered into 2003, when activists calling themselves "New Abolitionists" against slavery finally quashed it. An alternative approach is now emerging in the United States and abroad. (2004, p. 316)

Why Policy Players Have Not Spoken Out Against the Neo-Abolitionist Agenda

Although some of the informants inside of the government disagree with the neo-abolitionist agenda and the distribution of grant funds, some people have been hesitant to openly speak out against the movement. One informant explained why from her prospective, some players have not spoken out against the movement, but have instead quietly joined:

There are people who hate prostitution [but are not neo-abolitionists]—they don't want to draw the heat so it's better to take the path of least resistance . . . If you

take this on [the neo-abolitionist movement], you are basically taking on the Bush administration . . . There are a lot of people like [names withheld] who are like, 'sure, we will take this on'. But at the same time, if you come out against it [prostitution], you are some ways cheapening the hellish ways of slavery. People [other policy players] are another reason that [one] would be reluctant to stand against it [the abolitionist movement]. They've seen what has happened to people who have been intellectually honest, people don't want to stand against the movement, it's too costly . . . There are good people who are not engaging in slander but who are allowing it [the abolitionist movement] to happen . . . the political current is being driven by the hardcore ideologs. It appeals to the hard Christian right and the hard feminist left, and for many political reasons, they did not really know what they were getting into but they mouthed it anyway. They are a bit removed, but they say if that's the thinking we will go with it. They were manipulated by the people who take a harder and harder stand. They are not going to take a principled stand on this.

Several other policy players interviewed mentioned having felt as if it was dangerous to their careers to speak out against the neo-abolitionist movement.

The Advocacy Coalition Framework as a Model

As previously discussed, in-depth interviews and a content analysis of congressional hearings were both used to explore the research question and to test the hypotheses. The ACF seemed like an appropriate model to use because it assumes that agency officials, academic researchers, and journalists are potential members of advocacy coalitions that engage in coordinated activity to reach common policy objectives (Sabatier & Jenkins-Smith, 1997).

Human trafficking is a Valence Issue Which Posed a Challenge in Using the ACF

Human trafficking is a valence issue, a widely acknowledged public evil, in which players tend to be in agreement. No one is going to come out in favor of the trafficking of persons or in support of the perpetrators who traffic victims. That the human

trafficking policy subsystem was a subsystem in which the issue of concern was a valence issue posed a challenge in using the ACF as a model to study it. The primary users of the ACF model and other researchers who have utilized the ACF tend to focus on the environmental policy arena and other such arenas in which players come down on either side of an issue. The human trafficking policy subsystem is quite different.

To clarify this point, I focused on the policy core belief system for the content analysis piece of my study. All of the players were in agreement on several of the policy core belief's illustrative components, such as their orientation on basic value priorities, and the overall seriousness of human trafficking as a problem. This made it difficult to distinguish players into different coalitions.

Since most of the variation of beliefs was on illustrative component #10, policy core policy preferences, I focused on this particular illustrative component for my analysis and to group players into coalitions. Fortuitously, this component seems to be the stickiest (like glue) among the illustrative components within the policy core in binding coalition players together.

In addition, in explaining the origin of subsystems, Sabatier (1993) contends that

the most likely reason for the emergence of new subsystems is that a group of actors become dissatisfied enough with the neglect of a particular problem by existing subsystems to form their own. For example, dissatisfaction with the laissez-faire approach to food safety (e.g., meat inspections) by the agriculture subsystem became so intense in the early 1900s that a new subsystem—centered around what was to become the Food and Drug Administration (FDA)—gradually separated from the agricultural subsystem over a period of several decades (Nadel, 1971: 7-17). Whereas this case involved a minority coalition breaking away to form its own subsystem, in other cases a new subsystem is essentially the product of a subset of a dominant coalition becoming large and specialized enough to form its own; an example would be the emergence of a housing

subsystem out of the urban policy subsystem during the 1960s (Farkas, 1971).
(p.24)

In this particular case, coalitions did not emerge because of a need to focus on human trafficking as a problem issue. A left/right coalition took on human trafficking as an issue, because they were actively looking for an issue on which to focus. The other coalitions developed as a reaction to the left/right coalition.

The Addition of Interviews as an Added Research Technique

Another major shortcoming that I found with the ACF as a model is its reliance on congressional hearings as the only source of data. I found that I received much more discerning information from interviewing the key policy players than from conducting the content analysis. The interviews were more nuanced, deeper and insightful than the content analysis and provided a much clearer picture of the impetus which lead to the making of the legislation, the conflicts that arose during the making of the legislation and the media coverage of the issue that served as focusing events. Had I relied only on the congressional documents for my analysis I would have received a much different and incomplete picture of the factors which lead to the making of the TVPA. In fact, some of the most heated issues around the TVPA were not mentioned in the congressional hearings.

Some of the Most Valuable Interviews Were Not of Players who Testified in Hearings

Not only would I have not gotten the wealth of data that I received from the interviews had I neglected to do them, but I would not have had the opportunity to hear the voices of the many “behind the scenes” people, who did not testify in congressional hearings but were central to the human trafficking policy subsystem and to the passage of the

Trafficking Victims Protection Act. This is another shortcoming of the ACF model. I used a snowball sample technique to identify and interview other critical players; I found that the most insightful interviews were those in which the informants were identified through the snowball technique. In other words, some of the most valuable interviews were not interviews of those testifying in public hearings related to human trafficking but were the interviews of those players who were identified by the initial informants (those testifying). These critical behind the scenes players were congressional staffers and others who did not testify.

These players were much more informed about human trafficking as an issue and of the discussions and debates that occurred during the making of the legislation. Some of the players that I interviewed who testified in hearings were much less knowledgeable about human trafficking as an issue and about the making of the TVPA than the informants who were identified through the snowball sample. Some of the testifiers read prepared statements and did not have a thorough understanding themselves of the impetus for the legislation, and seemed quite removed from the process overall. Most of the insight was offered by behind the scenes coalition builders and staffers. In fact the main coalition builders were not any of the people who testified on human trafficking as an issue.

Limitations and Future Research

Several limitations exist in using the ACF model and also in my study. Within the ACF other than the major limitation of relying on congressional documents as a data source, one limitation is the reliability issues that exist for any researcher using the ACF

model. In order to effectively code the congressional data, a sound knowledge of the policy subsystem is needed so that the researcher will be able to ferret out expressions of beliefs from the other statements. Sometimes the expressions of beliefs are quite subtle which is why a working knowledge of the policy subsystem is necessary. It would be unlikely that two individual researchers would consistently code the data in the same manner, which raises reliability issues.

In my particular study, intersubject reliability tests were not practical, because the members of my committee did not have an understanding of the policy subsystem under investigation. I did however use a criterion of selection to address reliability, as discussed in Chapter Four.

Another limitation is that I found it difficult to operationalize the illustrative components of the policy core belief system and to develop operational definitions of the policy core beliefs that ensured strong construct validity.

A limitation of the content analysis is that I was not able to capture the magnitude of each expression. No matter how long or short each policy players expression, the same credit was given. A policy belief that was espoused may have been a paragraph or a few words, and it was still considered to be one expression of a policy core policy belief, regardless.

Other limitations exist in my study. I was not able to examine coherence among policy players within the human trafficking policy subsystem because I examined a short period of time, 1995-2000. Although it was out of the scope of this particular study, it would have been interesting to have examined a greater time period, such as 1995-2005.

It seems that after the passage of the trafficking legislation, some coalition members fell out of the left/right coalition members and others joined. It would be fascinating to examine the coherence within the coalitions after the passage of the legislation and during the 2003 and 2005 reauthorization acts.

As I mentioned before, human trafficking is a valence issue in which there is widespread agreement among policy players. Little research on valence issues has been done using the ACF as a model. Further research on valence issues using the ACF model would be useful in refining the ACF model, and to examine how the ACF holds up in valence issues.

In addition, it would have been interesting to use another perspective to examine the making of human trafficking policy, particularly Debra Stone's perspective of political decision making that she outlines in her text *Policy Paradox: The Art of Political Decision Making*. In this work, Stone disputes the rational-policy-analysis model, which maintains that rational steps are used to make policy decisions. Stone proposes an alternative view in which there is a fundamental paradox of policy formation in which "problem definition is a matter of representation because the description of a situation is a portrayal from only one of many points of view" (Stone, 1997, p. 133). Stone maintains that players will portray issues strategically to promote a particular course of action. In doing this, players will use different types of stories, language, and rhetoric used to define the issues.

During the course of my research I was struck with how policy players defined human trafficking as an emergency situation here in the United States despite very few

documented cases of pure human trafficking. The majority of the evidence of human trafficking within the United States was based on several particularly heinous cases which received widespread media coverage. Clearly, human trafficking was being represented and defined as a problem despite empirical evidence supporting this belief. Using Stone's perspective to analyze the formulation of human trafficking legislation would have provided a much different perspective than the ACF.

I would also be interested in examining coalition building in large social movements as a general topic. I found it fascinating that members of a religiously based coalition actually looked for another issue (human trafficking) to take on after the passage of the religious freedom legislation. The embracing of human trafficking as an issue was clearly part of a larger social movement of the religious right to become increasingly involved in human rights issues worldwide.

Practical Significance of This Study

What is the practical significance of this research? The issue of most blatant practical and pragmatic significance is that human trafficking legislation is not about protecting victims of trafficking necessarily. Rather it has a strong ideologically driven purpose. Similar to the "white slavery" legislation passed in the U.S. during the progressive era, perhaps the TVPA legislation was fueled by fears of immigration, morality, and social anxieties concerning gender roles, rather than for more pragmatic purposes. Victim centered policies should be developed in order to effectively protect human trafficking victims in the U.S.

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APPENDIX A

Interview Protocol

The Interview Questions:

Part I: Background

The following questions are designed to find out more about your interest and involvement in human trafficking as a federal legislative issue and also about the forces and factors which led to the development and early implementation of the Trafficking Victims Protection Act (TVPA) of 2000. The first set of questions is related to human trafficking as an issue in general, and the second set of questions is related to the Trafficking Victims Protection Act, specifically.

The first set of questions is related to your involvement in the issue of human trafficking.

1. I asked you participate in this interview because of your early involvement in human trafficking as in issue. Why did you get involved in this issue?

Probe: Are you involved in this issue because of your professional affiliation or is this an issue of personal interest?

2. How did you (your organization) initially become interested in the issue of human trafficking?

Probe: How did this issue get on your (your organization's) radar screen?

Probe: When was that?

3. Sometimes there are triggering events that cause public officials to focus on a particular issue. For example, within days of the recent mining disasters in West Virginia, federal government officials began to focus on mining safety as an issue. Do you recall any triggering events like this related to human trafficking?

4. Let's think back to when you (your organization) first became interested in this issue.

How would you rate the level of interest at that time on a scale of 1-5 with 1 being not that interested and 5 being extremely interested. Where would you rate your level of interest currently using the same scale?

5. What were some of the early activities during this time that you (your organization) engaged in surrounding this issue?

6. Have you (your organization) been consistently involved in this issue from the time of initial interest until now?

Probe: Has your interest ebbed and flowed?

7. Over the time that you've been involved with human trafficking as an issue, what people or organizations stand out as key players?

8. Generally, there are people who agree with what should be done around a particular issue and those who don't. Who did you see as being core partners with you (your organization) on this issue? Who had different perspectives?

Part II. Beliefs

Now let's talk specifically about the Trafficking Victims Protection Act.

First, How would you rate your familiarity of the legislation on a scale of 1-5 with 1 being not that familiar and 5 being extremely familiar?

Ok, now I'd like to talk to you about some of the specific points of debate that, based on my background research, seem to have occurred during the making of the TVPA. I am going to give you these questions on cards so that you can follow along because they are fairly lengthy.

1. During the making of the legislation, there was some debate over the definition of trafficking that should be used in the TVPA. The legislation includes a two-tiered definition of trafficking and distinguishes between severe forms of trafficking and trafficking that does not involve force. Some people wanted to broaden the definition of trafficking to include all forms of prostitution, whether forced or voluntary.

What was your (your organization's) stance on the definition of a trafficking victim during the formation of the TVPA?

2. Some involved in the human trafficking *definition* debate argued that women are in no way free to choose sex work or prostitution, but the supposed choice is actually forced due to oppressive societal factors and that all prostitution is ultimately forced. Where did you (your organization) stand on this point during the formation of the legislation?

3. Another point of debate during the making of the legislation was on the question of eligibility for services to victims of trafficking. Some felt that protection and benefits to victims under the legislation should be limited to victims of "severe forms of trafficking" and require that victims prove that they are in the United States as a direct result of trafficking. Critics argued that the line between pure victims and those who have a degree of complicity in being brought to the United States may be difficult to draw. Where did you (your organization) stand on this?

4. During the making of the legislation, some focused on protecting only victims of sex trafficking and others focused on protection for victims of sex trafficking, as well as other forms of human trafficking such as labor trafficking and forced domestic servitude. Where did you (your organization) stand on this?

5. Within the TVPA, there is a visa program that allows certain certified victims of trafficking to be eligible for a “T” visa. There was some debate over this visa program during the making of the legislation. Proponents believed that for a trafficking victim to have legal status within the US is one of the most important steps to free victims from their bondage. Some critics feared that such an exception from general immigration rules would set a precedent for abuse of the system. Others saw the 5,000 ceiling on visas as being arbitrarily restrictive. Where did you (your organization) stand on this during the making of the TVPA?

6. In the TVPA legislation, the U.S. is authorized to issue sanctions against foreign governments that do not comply with its minimum set of standards to combat human trafficking. The Clinton administration argued that sanctions are unnecessary and counterproductive since very few, if any, governments favor or support trafficking.

What was your (your organization’s) stance on the issue of sanctions during the making of the legislation?

Part III. The making of the TVPA

Now, I’d like to ask you some questions around the making of the legislation.

1. How would you describe your (your organization’s) level of involvement in the making of the TVPA?

2. In my background research, I noticed that human trafficking legislation passed relatively quickly. For example, in the spring of 1998, President Clinton issued a directive establishing a U.S. government-wide anti-trafficking strategy and by October of 2000, a major piece of federal legislation, the Trafficking Victims Protection Act, had passed. Why do you think that this problem translated into legislative action so quickly?

3. From your point of view, who were the players (individuals or organizations) involved in the development of the TVPA?

Probe: Was anybody else that you can think of involved?

4. How did these key people or organizations exert their influence?

Probe: What did they do?

5. What types of difficulties or roadblocks did you (your organization) encounter during the development of the TVPA?

Probe: What were some of the disagreements over what should be done to combat human trafficking?

6. What were some of the conflicts that took place during the development of the legislation?

7. Who were the people and/or organizations that helped to build consensus between those involved in the making of the legislation?

Were there specific things that you expected to happen after the passage of the TVPA?

Probe: How have these expectations played out?

Probe: In what ways were they realized?

Probe: How have they fallen short?

Other Misc. questions

1. Is there anything else on this issue that I should be asking about?

APPENDIX B

Recruitment Letter

Dear _____,

I am a doctoral student in the Wilder School of Government at Virginia Commonwealth University. As part of the requirements for my Ph.D. degree, I am conducting a dissertation research project on federal human trafficking legislation, specifically the Trafficking Victims Protection Act of 2000 (TVPA). The particular aim of my dissertation research project is to gain insight into the forces and factors which led to the formation and implementation of the TVPA. For part of the project, I will be interviewing key players involved in the human trafficking policy arena.

The purpose of this letter is to request your participation in my research project. You have been identified as a prospective respondent based on your participation in one or more congressional hearings related to human trafficking during the years under investigation for my research.

I would like to meet with you to ask you a set of interview questions related to your involvement in the making of federal human trafficking legislation and also about your views and policy preferences related to human trafficking legislation. I anticipate that the interview will take less than an hour and I would like to schedule the interview with you sometime within the next several months.

This piece of my dissertation research project is a vital piece of the research. As there are only a small number of people that are eligible to participate in this piece of the project, your participation is extremely important to me and I will try to make it as convenient as possible to you to meet with me.

I will telephone or email you sometime soon to set up a time when I would be able to interview you at the time and place most convenient to you.

In the meantime, if you would like to contact me regarding my project, my cellular telephone number is '_____. My email address is _____.

Thank you for your assistance with my dissertation project and I look forward to meeting with you.

Regards,

Nicole Footen

APPENDIX C

Coded Text Data

315 quotation(s) for codes: * 01. ORIENTATION ON BASIC VALUE PRIORITIES, * 02. IDENTIFICATION OF GROUPS WHOSE WELFARE IS OF GREATEST CONCERN, * 03. OVERALL SERIOUSNESS OF PROBLEM, * 04. BASIC CAUSES OF TRAFFICKING, * 05. DISTRIBUTION OF AUTHORITY BETWEEN GOVERNMENT AND MARKET, * 06. DISTRIBUTION OF AUTHORITY AMONG LEVELS OF GOVERNMENT, * 07. PRIORITY ACCORDED VARIOUS POLICY INSTRUMENTS (EX. EDUCATION PROGRAMS), * 08. ABILITY OF SOCIETY TO SOLVE THE PROBLEM, * 09. PARTICIPATION OF PUBLIC VS. EXPERTS VS. ELECTED OFFICIALS, *10. POLICY CORE POLICY PREFERENCES
Quotation-Filter: All

P 1: sex-trade_6.28.99.doc - 1:1 [This appalling trade has grown..] (133:133) (Super)
Codes: [# Smith, C] [* 03. overall seriousness of problem]
No memos

This appalling trade has grown exponentially over the ensuing decade.

P 1: sex-trade_6.28.99.doc - 1:2 [Trafficking in human beings is..] (112:113) (Super)
Codes: [# Smith, C] [* 01. orientation on basic value priorities]
No memos

Trafficking in human beings is a form of modern-day slavery.

P 1: sex-trade_6.28.99.doc - 1:3 [When a woman or child is traff..] (113:119) (Super)
Codes: [# Smith, C] [* 01. orientation on basic value priorities]
No memos

When a woman or child is trafficked or sexually exploited by force, fraud, or coercion for commercial gain, she is denied the most basic human rights enumerated in the Universal Declaration of Human Rights and numerous international human rights agreements. namely, her rights to liberty and security of person, her right not to be held in slavery or servitude, and her right to be free from cruel or inhumane treatment.

P 1: sex-trade_6.28.99.doc - 1:5 [Trafficking is induced by pove..] (134:137) (Super)
Codes: [# Smith, C] [* 04. basic causes of trafficking]
No memos

Trafficking is induced by poverty, lack of economic opportunities for women, the low status of women in many cultures, and the rapid growth of sophisticated and ruthless international organized crime syndicates.

P 1: sex-trade_6.28.99.doc - 1:6 [Suffering from extreme poverty..] (143:147) (Super)

Codes: [# Smith, C] [* 04. basic causes of trafficking]

No memos

Suffering from extreme poverty and the lack of economic opportunities, these individuals are easy prey for sophisticated traffickers, most of whom are linked to national and international crime networks which, deceptively, promise women good jobs, new homes, and opportunities to travel abroad.

P 1: sex-trade_6.28.99.doc - 1:8 [Moreover, most countries, incl..] (184:185) (Super)

Codes: [# Smith, C] [* 08. ability of society to solve the problem]

No memos

Moreover, most countries, including our own, lack adequate protections for the rights of victims.

P 1: sex-trade_6.28.99.doc - 1:9 [Inexcusably, it seems that som..] (186:191) (Super)

Codes: [# Smith, C] [* 08. ability of society to solve the problem]

No memos

Inexcusably, it seems that some governments in the OSCE region have abdicated their responsibility to address the trafficking crisis; and the only effective initiatives are being advanced by courageous, non-governmental organizations and private sector activists. Nongovernmental organization (NGO) activists throughout the OSCE are literally putting their own lives on the line in their work

P 1: sex-trade_6.28.99.doc - 1:10 [While I heartily applaud the e..] (205:207) (Super)

Codes: [# Smith, C] [* 09. participation of public vs. experts vs. elected officials]

No memos

While I heartily applaud the efforts of NGOs who have taken on this issue, the time has come for the governments of the United States and others to do more to stop trafficking.

P 1: sex-trade_6.28.99.doc - 1:11 [We will treat the traffickers ..] (212:216) (Super)

Codes: [# Smith, C] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

We will treat the traffickers exactly as we do those who commit rape. I think the time has come to put a line in the sand and say, .You cannot continue doing business as usual. You will go to jail. In some cases, you will go jail for the rest of your life..

P 1: sex-trade_6.28.99.doc - 1:12 [Of all the human rights abuses..] (269:272) (Super)

Codes: [# Botti] [* 01. orientation on basic value priorities]

No memos

Of all the human rights abuses to which the international community has turned its attention, the trafficking of human beings, predominantly women and children, is clearly one of the most egregious violations of our time.

P 1: sex-trade_6.28.99.doc - 1:13 [As stated, the problem of traf..] (273:276) (Super)

Codes: [# Botti] [* 03. overall seriousness of problem]

No memos

As stated, the problem of trafficking is not new. It has been endemic in South and South East Asia for decades. Now the countries of the former Soviet Union and Eastern Europe are experiencing a regional crisis in trafficking.

P 1: sex-trade_6.28.99.doc - 1:14 [There has been a dramatic incr..] (276:281) (Super)

Codes: [# Botti] [* 04. basic causes of trafficking]

No memos

There has been a dramatic increase in the trafficking of women and children from the former Soviet Union and Eastern Europe in recent years because of the large number of unemployed women and the proliferation of organized crime organizations lured to the business by high profits, weak laws, and penalties for traffickers.

P 1: sex-trade_6.28.99.doc - 1:16 [Although this hearing focuses ..] (307:309) (Super)

Codes: [# Botti] [* 01. orientation on basic value priorities]

No memos

Although this hearing focuses on trafficking into the sex industry, it is clear that it is merely one component of the world of trafficking of

women and children.

P 1: sex-trade_6.28.99.doc - 1:17 [United States policy is not li..] (309:310) (Super)

Codes: [# Botti] [* 10. policy core policy preferences]

No memos

United States policy is not limited to addressing trafficking in the context of the sex trade alone.

P 1: sex-trade_6.28.99.doc - 1:18 [Placing women and children int..] (310:312) (Super)

Codes: [# Botti] [* 01. orientation on basic value priorities]

No memos

Placing women

and children into slavery-like conditions in any context is an intolerable human rights violation and an evil that will not be ignored.

P 1: sex-trade_6.28.99.doc - 1:21 [Men are also trafficked, parti..] (330:332) (Super)

Codes: [# Botti] [* 02. identification of groups whose welfare is of greatest concern]

No memos

Men are also trafficked, particularly into forced labor, but we emphasize trafficking in women and children because they are basically the targets of the criminal activity.

P 1: sex-trade_6.28.99.doc - 1:22 [Eradicating trafficking will o..] (334:338) (Super)

Codes: [# Botti] [* 08. ability of society to solve the problem]

No memos

Eradicating trafficking will only be possible if countries of origin, transit, and destination are committed to working together cooperatively to find economic alternatives for women, legal remedies, and reintegration and protection programs for victims of trafficking.

P 1: sex-trade_6.28.99.doc - 1:23 [Achievement of progress on eli..] (357:358) (Super)

Codes: [# Botti] [* 06. distribution of authority among levels of government]

No memos

Achievement of progress on eliminating trafficking requires cooperation among States.

P 1: sex-trade_6.28.99.doc - 1:24 [As you can see, I believe the ..] (373:374) (Super)

Codes: [# Botti] [* 06. distribution of authority among levels of government]

No memos

As you can see, I believe the OSCE offers an excellent venue to tackle the problem of trafficking.

P 1: sex-trade_6.28.99.doc - 1:25 [Improving protection will enab..] (382:385) (Super)

Codes: [# Botti] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Improving protection will enable States to do a better job in preventing victims from repeated human rights violations and making victims more willing to cooperate in the prosecution of traffickers.

P 1: sex-trade_6.28.99.doc - 1:26 [Women and children in post-con..] (405:407) (Super)

Codes: [# Botti] [* 02. identification of groups whose welfare is of greatest concern]

No memos

Women and children in post-conflict situations, those displaced from their homes and particularly in refugee camps, are extremely vulnerable to trafficking.

P 1: sex-trade_6.28.99.doc - 1:27 [Our goal, ultimately, is to mo..] (411:414) (Super)

Codes: [# Botti] [* 09. participation of public vs. experts vs. elected officials]

No memos

Our goal, ultimately, is to mobilize people everywhere so that trafficking in human beings is met by a stop sign visible around the equator and from pole to pole..

P 1: sex-trade_6.28.99.doc - 1:28 [.working collectively with sou..] (483:489) (Super)

Codes: [# Botti] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

.working collectively with source, transit, and destination countries to see how to reintegrate these people. Not all of them, obviously, are going to be staying in the countries that they have been trafficked to. So it.s important, and I think the country is very interested in this, to work with us on how we can collectively work on setting up programs to successfully reintegrate them.

P 1: sex-trade_6.28.99.doc - 1:29 [But to your question, one of t..] (515:520) (Super)

Codes: [# Botti] [* 09. participation of public vs. experts vs. elected officials]

No memos

But to your

question, one of the ways that I think has been most effective is to utilize the NGOs, the non-governmental organizations, I think that in allowing them to carry the message, whether it be La Strada, or a local group, of MiraMeds you know on the ground, talking with these people. This I think is the most effective way of doing this.

P 1: sex-trade_6.28.99.doc - 1:30 [I do believe that if they fall..] (593:597) (Super)

Codes: [# Botti] [*10. policy core policy preferences]

No memos

I do believe that if they fall within the construct of our definition, regardless of whether they are or are not a mail-order-bride, they may be considered trafficked. I think it's important here to realize that this does go on and has gone on but has not in our review raised to the level of the magnitude that we're seeing for trafficking.

P 1: sex-trade_6.28.99.doc - 1:33 [However, our investigations re..] (765:768) (Super)

Codes: [# Galster] [*10. policy core policy preferences]

No memos

However, our investigations

revealed that the victims of sexual trafficking, sweatshop labor, domestic servitude, and other forms of forced labor are all victims of the same kind of labor and human rights abuses.

P 1: sex-trade_6.28.99.doc - 1:34 [I led this investigation but b..] (785:788) (Super)

Codes: [# Galster] [*10. policy core policy preferences]

No memos

I led this investigation but before summarizing what I saw, let me clarify that the definition we use for trafficking is the same definition that you heard from Ms. Botti, including the use of deception, coercion, debt bondage, or some combination.

P 1: sex-trade_6.28.99.doc - 1:35 [Finally, the fourth type are t..] (805:809) (Super)

Codes: [# Galster] [*10. policy core policy preferences]

No memos

Finally, the fourth type are those women who were adequately informed of the type of work they would be doing, in fact had control over their own movements and their earnings and were not controlled by a trafficker or pimp. Under our definition of trafficking that.s not a trafficked woman.

P 1: sex-trade_6.28.99.doc - 1:36 [This is an enormous problem th..] (859:860) (Super)
 Codes: [# Galster] [* 03. overall seriousness of problem]
 No memos

This is an enormous problem that cannot be tackled overnight.

P 1: sex-trade_6.28.99.doc - 1:37 [Effective public awareness eff..] (864:866) (Super)
 Codes: [# Galster] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

Effective public awareness efforts should be channeled through grassroots organizations and via mass media outlets that reach far and wide.

P 1: sex-trade_6.28.99.doc - 1:38 [U.S. foreign aid to NIS countr..] (874:878) (Super)
 Codes: [# Galster] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

U.S. foreign aid to NIS countries should emphasize economic opportunities for women. U.S. grants and loans should have a stipulation that overseas implementors have an equal voice in how programs are designed and how the money is spent

P 1: sex-trade_6.28.99.doc - 1:39 [emphasize civil rights laws an..] (880:883) (Super)
 Codes: [# Galster] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

emphasize civil rights laws and human rights treaties in anti-trafficking enforcement activities. Sex workers are people and are just as entitled to civil and human rights protection as the next person.

P 1: sex-trade_6.28.99.doc - 1:40 [Fourth, apply these civil and ..] (890:891) (Super)
 Codes: [# Galster] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Fourth, apply these civil and human rights laws and treaties to immigration laws too. Traffickers benefit from most immigration laws.

P 1: sex-trade_6.28.99.doc - 1:41 [A more humane, and I believe e..] (896:899) (Super)

Codes: [# Galster] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

A more humane, and I believe effective, response to trafficking would provide a victim with a stay of deportation for at least the period during which the investigation and potential trial against the trafficker takes place.

P 1: sex-trade_6.28.99.doc - 1:42 [In the case of sex trafficking..] (899:902) (Super)

Codes: [# Galster] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

In the case of sex trafficking, during her stay the woman should be provided with shelter, food, and counseling, and be allowed to apply for asylum if she can demonstrate that she risks facing physical danger by returning home.

P 1: sex-trade_6.28.99.doc - 1:43 [Fifth, recognize forced prosti..] (903:910) (Super)

Codes: [# Galster] [*10. policy core policy preferences]

No memos

Fifth, recognize forced prostitution as a form of forced labor instead of treating it in a separate category. Regardless of a nation's laws on prostitution, a woman or girl who is lured into a forced prostitution situation is enticed, trapped, and abused the same way a woman, girl, man, or boy is trafficked to work as a domestic servant or sweatshop worker. They are all deceived about their pay, they are all kept under tight control with no practical recourse for help because they're illegal, and they're all robbed of their human rights.

P 1: sex-trade_6.28.99.doc - 1:44 [Finally, train governmental pe..] (911:914) (Super)

Codes: [# Galster] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Finally, train governmental personnel in the realities of and appropriate responses to trafficking. These personnel should include police, immigration, domestic violence hotline operators, and embassy

personnel.

P 1: sex-trade_6.28.99.doc - 1:46 [Trafficking helps perpetuate s..] (933:936) (Super)

Codes: [# Shelley] [* 03. overall seriousness of problem]

No memos

Trafficking helps perpetuate system¹⁷

atic government corruption; it helps fund the expansion of other organized crime activities as traffickers are often also engaged in trafficking in arms and drugs.

P 1: sex-trade_6.28.99.doc - 1:47 [Law enforcement, except in a f..] (966:967) (Super)

Codes: [# Shelley] [* 08. ability of society to solve the problem]

No memos

Law enforcement, except in a few distinct cities in Europe, is not particularly motivated to address the problem of trafficking in women.

P 1: sex-trade_6.28.99.doc - 1:48 [So I would summarize the main ..] (1032:1040) (Super)

Codes: [# Shelley] [* 04. basic causes of trafficking]

No memos

So I would summarize the main features of the trafficking problem as the following; one, the heavy involvement of organized crime, and this has been mentioned before, but I would also reiterate that there is a level of coercion not previously used against women that are being used by organized crime groups from the former Soviet Union.

19

And this had been done, particularly in Western Europe, to maintain or achieve a foothold in the lucrative prostitution markets that have been controlled by other organized crime groups previously.

P 1: sex-trade_6.28.99.doc - 1:49 [Law enforcement in the region ..] (1042:1046) (Super)

Codes: [# Shelley] [* 04. basic causes of trafficking]

No memos

Law enforcement in the region has not been trained in combating trafficking in women and children. Much of the recruitment of trafficked women is going on in regions where law enforcement has no possibility of following up on the international groups which are trying to recruit women.

P 1: sex-trade_6.28.99.doc - 1:50 [Third, complicity and corrupti..] (1047:1054) (Super)

Codes: [# Shelley] [* 04. basic causes of trafficking]

No memos

Third, complicity and corruption in law enforcement, passport services, and consular divisions. The corruption of law enforcement, passport services and consular divisions, which facilitates the trade in women, is not confined to the NIS or Eastern Europe but exists in other countries as well. Investigators at the U.S. State Department found that a foreign national working in the visa division of our embassy in Prague was issuing visas for Czech traffickers to bring women to the United States.

P 1: sex-trade_6.28.99.doc - 1:52 [Six, develop legislation to pr..] (1104:1107) (Super)

Codes: [# Shelley] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Six, develop legislation to promote protection of trafficking victims and protection for cooperative witnesses in trafficking cases. While this is being done in the U.S., it also needs to be done in other OSCE member countries.

P 1: sex-trade_6.28.99.doc - 1:53 [First, encourage links among l..] (1089:1095) (Super)

Codes: [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

First, encourage links among law enforcement from the United States, Western and Eastern Europe, NIS States and Asia. This can be done through network meetings. ILEA, the law enforcement training academy, can be used to facilitate such meetings. Two, enhance training to ensure that law enforcers know how to investigate trafficking in women and understand the links between organized crime and trafficking in women.

P 1: sex-trade_6.28.99.doc - 1:55 [Two, enhance training to ensur..] (1093:1095) (Super)

Codes: [# Shelley] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Two, enhance training to ensure that law enforcers know how to investigate trafficking in women and understand the links between organized crime and trafficking in women.

P 1: sex-trade_6.28.99.doc - 1:56 [support development assistance..] (1096:1098) (Super)

Codes: [# Shelley] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

support development assistance to provide women financial alternatives, such as a Gameen bank, because many of the women are educated and could profit if there were financial alternatives.

P 1: sex-trade_6.28.99.doc - 1:57 [Fourth, support educational an..] (1099:1100) (Super)
Codes: [# Shelley] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Fourth, support educational and media programs.this has been mentioned earlier.

P 1: sex-trade_6.28.99.doc - 1:58 [Five, continue U.S. investigat..] (1101:1103) (Super)
Codes: [# Shelley] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Five, continue U.S. investigations of fraud in the visa and passport branches of overseas embassies. Encourage organized crime strike forces to focus on these issues.

P 1: sex-trade_6.28.99.doc - 1:60 [More needs to be done to promo..] (1114:1116) (Super)
Codes: [# Shelley] [* 05. distribution of authority between government and market]
No memos

More needs to be done to promote international cooperation and cooperation within Europe between telecommunications companies and law enforcement.

P 1: sex-trade_6.28.99.doc - 1:63 [he United States really does n..] (1320:1321) (Super)
Codes: [# Smith, C] [* 06. distribution of authority among levels of government]
No memos

he United States really does need to take the lead, and we need to lead by example. And certainly that means tangible legislation.

P 1: sex-trade_6.28.99.doc - 1:64 [As you pointed out, it.s impor..] (1322:1326) (Super)
Codes: [# Smith, C] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

As you pointed out, it.s important to make expressions at places like the upcoming OSCE Parliamentary Assembly; but I think it.s far

more important that we have a product that will give law enforcement the tools and prosecution strategy to go after rapists who are exploiting women around the globe.

P 1: sex-trade_6.28.99.doc - 1:65 [The topic of today.s hearing, ..] (1346:1349) (Super)

Codes: [# Young] [* 03. overall seriousness of problem]

No memos

The topic of today.s hearing, The Sex Trade: Trafficking of Women and Children in Europe and the U.S., is, unfortunately, an increasingly prevalent phenomenon around the world that carries tragic results for its victims

P 1: sex-trade_6.28.99.doc - 1:66 [In general terms, refugee cris..] (1358:1359) (Super)

Codes: [# Young] [* 04. basic causes of trafficking]

No memos

In general terms, refugee crises are fertile ground for trafficking in women and children.

P 1: sex-trade_6.28.99.doc - 1:67 [Despite the lack of data, dist..] (1387:1390) (Super)

Codes: [# Young] [* 03. overall seriousness of problem]

No memos

Despite the lack of data, disturbing reports of abuses against women and children are emerging, including stories of women and girls caught up in the trafficking network that was already thriving in the region, particularly in Albania.

P 1: sex-trade_6.28.99.doc - 1:68 [So how do we combat the abilit..] (1411:1420) (Super)

Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

So how do we combat the ability of traffickers to exploit refugee communities which already suffer from extreme hardship and trauma? The Women.s Commission would like to offer the following recommendations. First, aggressively undertake registration of refugees at the onset of a refugee crisis. Registration is critical to effective identification of at-risk populations within refugee camp settings, including single heads of household, war widows, children, adolescents and the elderly. Timely identification of these populations is essential to establishing programs to prevent trafficking and other abuses before they start.

P 1: sex-trade_6.28.99.doc - 1:69 [Second, make the security of r..] (1421:1424) (Super)
 Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

Second, make the security of refugee camps a top priority. In most refugee settings, there is an appalling lack of UNHCR protection officers and other trained security personnel assigned to protect refugees from abuse and exploitation, including trafficking.

P 1: sex-trade_6.28.99.doc - 1:70 [Third, develop programs to spe..] (1428:1433) (Super)
 Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

Third, develop programs to specifically address the protection and assistance needs of refugee women and children. Perhaps the most effective way to deter trafficking in refugee settings is to provide options to women and children so that they do not have to resort to alternative sources of income and are less vulnerable to being lured by the false promises of traffickers.

P 1: sex-trade_6.28.99.doc - 1:71 [These programs should include ..] (1434:1438) (Super)
 Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

These programs should include micro-enterprise development and skills training with an emphasis on literacy and education. Too often, the specific needs of refugee adolescents are neglected. Education and skills training programs should actively address their needs. In addition, programming to prevent sexual violence must also be provided.

P 1: sex-trade_6.28.99.doc - 1:72 [Fourth, involve local non-gove..] (1439:1444) (Super)
 Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

Fourth, involve local non-governmental organizations in service delivery. The United Nations and other international organizations must continue to support and build up Kosovar and local organizations that are working with the refugee population. These organizations are often best positioned to recognize and address the needs of women and children.

P 1: sex-trade_6.28.99.doc - 1:73 [Fifth, provide third country r..] (1445:1446) (Super)
 Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

Fifth, provide third country resettlement opportunities and access to the U.S. asylum system for refugee victims of trafficking.

P 1: sex-trade_6.28.99.doc - 1:74 [The United States must follow ..] (1446:1449) (Super)
 Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

The United States must follow the model of Denmark, Canada, Australia, and others and formally implement a responsive women-at-risk resettlement program.

P 1: sex-trade_6.28.99.doc - 1:75 [In addition, the United States..] (1449:1450) (Super)
 Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

In addition, the United States must address the protection needs of trafficking victims smuggled into the United States.

P 1: sex-trade_6.28.99.doc - 1:76 [ixth, take active and direct s..] (1457:1460) (Super)
 Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

ixth, take active and direct steps to prevent trafficking in refugee camps. This includes monitoring and assessing the extent of trafficking as well as reaching out to refugee women and girls to educate them about the dangers of trafficking.

P 1: sex-trade_6.28.99.doc - 1:77 [. I think that.s a very good t..] (1528:1530) (Super)
 Codes: [# Galster] [*10. policy core policy preferences]
 Memos:[ME - 12/18/06]

. I think that.s a very good thing, and I think it should be expanded to all victims of trafficking.sexual trafficking or other types.

P 1: sex-trade_6.28.99.doc - 1:80 [So that there needs to be more..] (1552:1555) (Super)
 Codes: [# Shelley] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

So that there needs to be more education, more awareness, more training on the local level because otherwise they just leave this case and just don't pursue all the links that follow.

P 1: sex-trade_6.28.99.doc - 1:81 [there needs to be different ev..] (1569:1572) (Super)
 Codes: [# Shelley] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

there needs to be different evaluation of performance criteria and there needs to be more done, more cooperation so that local and federal law enforcement can have successes and are willing to devote the resources for this. So it's a multifaceted problem.

P 1: sex-trade_6.28.99.doc - 1:82 [Some of this trafficking is go..] (1583:1586) (Super)
 Codes: [# Shelley] [* 06. distribution of authority among levels of government]
 No memos

Some of this trafficking is going from the Far East through Asia and also into the United States, but there's not been much cooperation among NIS, Asian and American law enforcement, and we need to be thinking about regional strategies that way.

P 1: sex-trade_6.28.99.doc - 1:83 [Well I think we need to be muc..] (1594:1602) (Super)
 Codes: [# Shelley] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

Well I think we need to be much more careful in our embassies of who we're having involved in these visa sections, and I think that that's something as we're dealing and making this an OSCE issue, that we need to be much more careful also in emphasizing that other member States need to be more careful in their visa sections. Because I have heard of so many cases of how these visa situation has exploited, or particularly as Steve was talking about, through travel agencies that obtain group visas and traffic women through travel agencies.

P 1: sex-trade_6.28.99.doc - 1:84 [I think there's also much more..] (1603:1605) (Super)
 Codes: [# Shelley] [* 06. distribution of authority among levels of government]
 No memos

I think there's also much more that INS can do in the investigative

area. They've not done that many INS investigations in the trafficking area.

P 1: sex-trade_6.28.99.doc - 1:85 [First, I think a lot of inform..] (1612:1619) (Super)

Codes: [# Galster] [* 06. distribution of authority among levels of government]

No memos

First, I think a lot of information can be provided to potential victims through embassies. In fact, one of the things our organization did was to work with the State Department to create a brochure for several embassies in the East European region, and then to encourage applicants to come and apply for the visa themselves so they can get this information. At least to equip them with this kind of awareness of what they may be getting into.

P 1: sex-trade_6.28.99.doc - 1:86 [Remember that stricter immigra..] (1621:1629) (Super)

Codes: [# Galster] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Remember that stricter immigration laws, however well intended they are, usually feed into the hands of traffickers because you may have a woman who at first is intending to go to Germany from the Ukraine or the United States by herself or with a friend, to get job, and because the immigration laws that are set up to prevent victims like that falling into a trap, she ends up having to go to a trafficker who can get them through because law enforcement efforts, however good they are, are not always going to get all the traffickers in the first sort of swipe of your net.

P 1: sex-trade_6.28.99.doc - 1:88 [But that.s something that coul..] (1836:1841) (Super)

Codes: [# Lederer] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

But that.s something that could be done pretty much immediately in many laws to tighten up the statutes and would also encourage women to prosecute. Because police tell, you know, that prosecution of a procurer or trafficker is almost impossible unless you have guns or drugs or something else that you can add on to the charge.

P 1: sex-trade_6.28.99.doc - 1:89 [Laura, you've looked at it and..] (1900:1906) (Super)

Codes: [# Smith, C] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Laura, you've looked at it and perhaps all of you have taken a look at the legislation and might offer suggestions as to whether or not the sanctions are sufficient to the crime. Of course, there will be much more discussion on this as we go through subcommittee and full committee on it, but it seems to me that we really need to throw the book at them and stop penalizing the victims.

P 1: sex-trade_6.28.99.doc - 1:90 [And then to move quickly to a ..] (1925:1929) (Super)
Codes: [# Smith, C] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

And then to move quickly to a successful prosecution of these people, and that's a matter of prosecution strategy. One, we need the tools; second, we need a mind set that goes after them, and I think that's something where Congress, working with the Executive Branch, needs to be very proactive.

P 1: sex-trade_6.28.99.doc - 1:91 [think you're hitting the nail ..] (1941:1951) (Super)
Codes: [# Galster] [* 10. policy core policy preferences]
No memos

think you're hitting the nail right on the head. I think, while you're doing it, it would be great to widen the head of the nail because, as I said in my Statement, there's many forms of trafficking and I'll be the first to admit when I got into this issue in the beginning, I was very focused on the sexual
36
trafficking and thought this was the most horrendous thing in the world. And it is horrendous. And it's hard to believe that victims of other forms of trafficking could be, you know, having the same kinds of psychological or physical abuse inflicted on them whether they're women, men or boys.

P 1: sex-trade_6.28.99.doc - 1:92 [Advertisements and soliciting ..] (1972:1978) (Super)
Codes: [# Shelley] [* 03. overall seriousness of problem]
No memos

Advertisements
and soliciting women for these activities on the Web, offering children, and there needs to be much more thinking in this area because

as we're planning and as all of us have said, this phenomenon is not going away, it's growing. And we've got to think of the ways that it's going to grow and develop in the future, and what we need to do is to plan a strategy that's proactive.

P 1: sex-trade_6.28.99.doc - 1:93 [just remember that there's a d..] (1981:1986) (Super)

Codes: [# Galster] [*10. policy core policy preferences]

No memos

just remember that there's a difference between sometimes a difference between a pimp and a trafficker, and we have to remember our definition of coercion or force, in which case the person who's controlling the woman would, of course, meet the standards that you've depicted in which case they should be prosecuted.

P 1: sex-trade_6.28.99.doc - 1:94 [However, our own investigation..] (2222:2226) (Super)

Codes: [# Galster] [*10. policy core policy preferences]

No memos

However, our own investigations into human trafficking operations revealed that the victims of sexual trafficking, sweatshop labor, domestic servitude, and other forms of forced labor, are all victims of the same kinds of labor and human rights abuses.

P 1: sex-trade_6.28.99.doc - 1:96 [Often the word .trafficking. i..] (2260:2265) (Super)

Codes: [# Galster] [*10. policy core policy preferences]

No memos

Often the word .trafficking. is used to describe a situation when an independent, albeit poor woman pays someone to help get her from one country to another where she can find work as a sex worker, while controlling her own movements and earnings. That is not trafficking, in our view; that is facilitated migration.

P 1: sex-trade_6.28.99.doc - 1:97 [Still, I think more can be don..] (2426:2430) (Super)

Codes: [# Galster] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Still, I think more can be done faster, so long as enough resources are made available, resources are

used more effectively, and law enforcement authorities are enabled to negotiate with victims in good faith, in order to successfully investigate and prosecute traffickers.

P 1: sex-trade_6.28.99.doc - 1:98 [Equipping women and girls at r..] (2434:2437) (Super)
Codes: [# Galster] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Equipping women and girls at risk with information about the nature and dangers of trafficking is a vital part of combating trafficking. Traffickers prey on those who are cut off from the realities beyond their own neighborhood, much less their national borders.

P 1: sex-trade_6.28.99.doc - 1:99 [Effective public awareness eff..] (2439:2444) (Super)
Codes: [# Galster] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Effective public awareness efforts should be channeled through grassroots organizations and via mass media outlets that reach far and wide. USIA and USAID grants can, and are now, being made available for this kind of work. I would like to see more of the public awareness design work, and money for these programs, being controlled by local organizations.

P 1: sex-trade_6.28.99.doc - 1:100 [Traffickers also prey on econo..] (2447:2447) (Super)
Codes: [# Galster] [* 02. identification of groups whose welfare is of greatest concern]
No memos

Traffickers also prey on economically desperate women and girls.

P 1: sex-trade_6.28.99.doc - 1:101 [US government grants and loans..] (2452:2456) (Super)
Codes: [# Galster] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

US government grants and loans should also focus on developing local capacity to shelter, counsel, and train victims and potential victims of trafficking. Again, these grants and loans should have a stipulation that overseas implementors have an equal voice in how programs are designed and how the money is spent.

P 1: sex-trade_6.28.99.doc - 1:103 [Regardless of a nation.s laws ..] (2510:2519) (Super)
Codes: [# Galster] [*10. policy core policy preferences]

No memos

Regardless of a nation's laws on prostitution, a woman or girl who is lured into a forced prostitution situation is enticed, trapped and abused the same way a woman, girl, man or boy is trafficked to work as a domestic servant, or sweatshop worker. They are all deceived about their pay, they are all kept under tight control with no practical legal recourse for help, and they are all robbed of their human rights as a person and a worker .legal or illegal. Furthermore, each of these types of victims are subject to similar psychological and physical abuses, and they are often trafficked through similar channels, sometimes by the same networks.

P 1: sex-trade_6.28.99.doc - 1:104 [The illegal movement or .traff..] (2541:2544) (Super)

Codes: [# Shelley] [* 03. overall seriousness of problem]

No memos

The illegal movement or .trafficking. of human beings-particularly women and children-across national borders for the purposes of prostitution, pornography, domestic servitude, and sweatshop labor is a growing global phenomenon.

P 1: sex-trade_6.28.99.doc - 1:105 [Much of the problem is tied to..] (2566:2569) (Super)

Codes: [# Shelley] [* 04. basic causes of trafficking]

No memos

Much of

the problem is tied to the collapse of the economy in the region and the absence of alternatives for women in societies that once guaranteed jobs, child care and health benefits.

P 1: sex-trade_6.28.99.doc - 1:106 [Trafficking in women is organi..] (2679:2686) (Super)

Codes: [# Shelley] [* 04. basic causes of trafficking]

No memos

Trafficking in

women is organized by both larger and smaller organized crime groups. Groups from the NIS states often work with their colleagues in Eastern Europe to traffic women to Europe. Groups in the Russian Far East work with Japanese and Korean organized crime to transport women to Far East countries. Few countries have managed to break any of these organized crime rings despite violence and even killing of women.

P 1: sex-trade_6.28.99.doc - 1:107 [Encourage links among law enfo..] (2758:2764) (Super)

Codes: [# Shelley] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Encourage links among law enforcement from the United States, Western and Eastern Europe, NIS States and Asia. This can be done through network meetings. ILEA, the law enforcement training academy in Budapest, can be used to facilitate meetings.
2. Enhance training to ensure that law enforcers know how to investigate trafficking in women and understand the links between organized crime and trafficking in women

P 1: sex-trade_6.28.99.doc - 1:108 [. Support development assistan..] (2765:2769) (Super)

Codes: [# Shelley] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

. Support development assistance to provide women financial alternatives. Gameen bank for women in the NIS and Eastern Europe would be very useful because women are educated and man would not be vulnerable to seductive advertisements if the had financial alternatives

P 1: sex-trade_6.28.99.doc - 1:109 [Support educational and media ..] (2770:2773) (Super)

Codes: [# Shelley] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Support educational and media programs that instruct women that organized crime controls much of this activity and they are selling themselves into debt bondage often accompanied by violence

P 1: sex-trade_6.28.99.doc - 1:110 [Develop legislation to promote..] (2777:2778) (Super)

Codes: [# Shelley] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Develop legislation to promote protection of trafficking victims and protection for cooperative witnesses in trafficking cases.

P 1: sex-trade_6.28.99.doc - 1:111 [Encourage cooperation between ..] (2783:2786) (Super)

Codes: [# Shelley] [* 05. distribution of authority between government and market]
No memos

Encourage cooperation between telecommunications companies and law enforcement investigations in the trafficking area particularly in the American-European-Eastern European-NIS area.

P 1: sex-trade_6.28.99.doc - 1:112 [More needs to be done to promo..] (2789:2792) (Super)

Codes: [# Shelley] [* 05. distribution of authority between government and market]
No memos

More needs
to be done to promote international cooperation and cooperation within Europe between telecommunications companies and law enforcement.

P 1: sex-trade_6.28.99.doc - 1:113 [Trafficking is a global human ..] (2805:2806) (Super)

Codes: [# Lederer] [* 01. orientation on basic value priorities]
No memos

Trafficking is a global human rights problem, of which the majority of victims are women and children.

P 1: sex-trade_6.28.99.doc - 1:115 [The best legislation would cov..] (2858:2861) (Super)

Codes: [# Lederer] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

The best
legislation would cover what we call .the three P.s..prevention of trafficking, prosecution of traffickers, and protection (social services and other programs) for trafficking victims.

P 1: sex-trade_6.28.99.doc - 1:118 [Trafficking often originates i..] (3401:3402) (Super)

Codes: [# Lederer] [* 04. basic causes of trafficking]
No memos

Trafficking often originates in countries with poverty, few opportunities for women, and few laws to prosecute traffickers.

P 1: sex-trade_6.28.99.doc - 1:119 [Women and children are traffic..] (3402:3405) (Super)

Codes: [# Lederer] [* 04. basic causes of trafficking]
No memos

Women and children are trafficked to countries where prostitution is legal or tolerated, and where there are few protections for children or women who have been trafficked.

P 1: sex-trade_6.28.99.doc - 1:120 [Based on our preliminary findi..] (3405:3407) (Super)
 Codes: [# Lederer] [* 03. overall seriousness of problem]
 No memos

Based on our preliminary findings, we expect that trafficking will continue to increase in the absence of specific, enforceable laws aimed at prevention, prosecution, and protection.

P 1: sex-trade_6.28.99.doc - 1:122 [The topic of today.s hearing, ..] (3441:3444) (Super)
 Codes: [# Young] [* 03. overall seriousness of problem]
 No memos

The topic of today.s hearing, .The Sex Trade: Trafficking of Women and Children in Europe and the United States,. is unfortunately an increasingly prevalent phenomenon around the world that carries tragic results for its victims.

P 1: sex-trade_6.28.99.doc - 1:123 [In general terms, refugee cris..] (3452:3453) (Super)
 Codes: [# Young] [* 02. identification of groups whose welfare is of greatest concern]
 No memos

In general terms, refugee crises are fertile ground for trafficking in women and children

P 1: sex-trade_6.28.99.doc - 1:124 [. Aggressively undertake regis..] (3516:3517) (Super)
 Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

. Aggressively undertake registration of refugees at the onset of a refugee crisis.

P 1: sex-trade_6.28.99.doc - 1:125 [. Develop programs to specific..] (3538:3539) (Super)
 Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

. Develop programs to specifically address the protection and assistance needs of refugee women and children.

P 1: sex-trade_6.28.99.doc - 1:126 [. Involve local nongovernmenta..] (3552:3553) (Super)

Codes: [# Young] [* 09. participation of public vs. experts vs. elected officials]

No memos

. Involve local nongovernmental organizations in service delivery.

P 1: sex-trade_6.28.99.doc - 1:127 [. Provide third country resett..] (3563:3564) (Super)

Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

. Provide third country resettlement opportunities and access to the U.S. asylum system for refugee victims of trafficking.

P 1: sex-trade_6.28.99.doc - 1:128 [In addition, the United States..] (3570:3572) (Super)

Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

In addition, the United States must address the protection needs of trafficking victims smuggled into the United States

P 1: sex-trade_6.28.99.doc - 1:129 [. Take active and direct steps..] (3583:3584) (Super)

Codes: [# Young] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

. Take active and direct steps to prevent trafficking in refugee camps.

P 1: sex-trade_6.28.99.doc - 1:130 [Trafficking is a global human ..] (1157:1158) (Super)

Codes: [# Lederer] [* 01. orientation on basic value priorities] [* 02. identification of groups whose welfare is of greatest concern]

No memos

Trafficking is a global human rights problem of which the majority of victims are women and children

P 1: sex-trade_6.28.99.doc - 1:131 [he best legislation would cove..] (1262:1266) (Super)

Codes: [# Lederer] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

he best legislation would cover what we call the Three-P.s, and I think Ms. Botti

mentioned this, too. Prevention of trafficking, prosecution of traffickers, and protection.that is social services and other programs for the trafficking victims.

P 1: sex-trade_6.28.99.doc - 1:132 [trafficking often originates i..] (1288:1289) (Super)

Codes: [# Lederer] [* 04. basic causes of trafficking]

No memos

trafficking often originates in countries with poverty, few opportunities for women, and few laws to prosecute the traffickers.

P 1: sex-trade_6.28.99.doc - 1:133 [Based on our preliminary findi..] (1291:1294) (Super)

Codes: [# Lederer] [* 03. overall seriousness of problem]

No memos

Based on our preliminary findings, we expect that trafficking will continue to increase in the absence of specific enforceable laws aimed at prevention, prosecution, and protection.

P 1: sex-trade_6.28.99.doc - 1:134 [many countries are looking for..] (1306:1313) (Super)

Codes: [# Lederer] [* 06. distribution of authority among levels of government]

No memos

many countries are looking for leadership from the United States. U.S. leadership is important, not only because of our human rights role, but also because it serves the American national interest. One of the hallmarks of the 21st century will be the emancipation of women worldwide, and the issue of commercial sexual exploitation of women and children is one that is perhaps last.but definitely not least.to be examined and addressed by our society.

P 2: intl_sextrade_9.14.99_lederer.doc - 2:4 [The best legislation would cov..] (39:39) (Super)

Codes: [# Lederer] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

The best legislation would cover what we call "The Three P's" -- prevention of trafficking, prosecution of traffickers, and protection (social services and other programs) for trafficking victims.

**P 2: intl_sextrade_9.14.99_lederer.doc - 2:5 [Trafficking is a global human ..] (26:26)
(Super)**

Codes: [# Lederer] [* 02. identification of groups whose welfare is of greatest concern]
No memos

Trafficking is a global human rights problem, of which the majority of victims are women and children

**P 2: intl_sextrade_9.14.99_lederer.doc - 2:8 [. Women and children are traff..] (44:44)
(Super)**

Codes: [# Lederer] [* 04. basic causes of trafficking]
No memos

. Women and children are trafficked to countries where prostitution is legal or tolerated, and where there are few protections for children or women who have been trafficked.

**P 2: intl_sextrade_9.14.99_lederer.doc - 2:9 [Based on our preliminary findi..] (44:44)
(Super)**

Codes: [# Lederer] [* 03. overall seriousness of problem]
No memos

Based on our preliminary findings, we expect that trafficking will continue to increase in the absence of specific, enforceable laws aimed at prevention, prosecution, and protection.

**P 2: intl_sextrade_9.14.99_lederer.doc - 2:10 [U.S. leadership is important n..] (46:46)
(Super)**

Codes: [# Lederer] [* 06. distribution of authority among levels of government]
No memos

U.S. leadership is important not only because of our human rights role, but also because it serves the American national interest

**P 3: intl_sextrade_9.14.99_Smith.doc - 3:1 [For example, the Administratio..] (29:29)
(Super)**

Codes: [# Smith, C] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

For example, the Administration and others contend that it is wrong or counterproductive to impose sanctions, or even threaten to do so, against foreign governments that condone sex trafficking. But nobody really believes that we should never sanction bad behavior by foreign governments.

**P 3: intl_sextrade_9.14.99_Smith.doc - 3:2 [Today's hearing is to investig..] (18:18)
(Super)**

Codes: [# Smith, C] [* 03. overall seriousness of problem]

No memos

Today's hearing is to investigate one of the modern world's most serious and most widespread human rights problems: the trafficking of women and children for the international sex trade.

**P 3: intl_sextrade_9.14.99_Smith.doc - 3:4 [Indeed, all the evidence sugge..] (19:19)
(Super)**

Codes: [# Smith, C] [* 03. overall seriousness of problem]

No memos

Indeed, all the evidence suggests that instances of forcible and/or fraudulent sexual trafficking are far more numerous than just a few years ago. Every day we read news accounts of women and girls who are abducted in places as diverse as Burma, Kosova, and Viet Nam, and sold into sexual slavery in countries from Thailand to Israel, from China to the United States.

**P 3: intl_sextrade_9.14.99_Smith.doc - 3:6 [The central principle behind t..] (21:21)
(Super)**

Codes: [# Smith, C] [*10. policy core policy preferences]

No memos

The central principle behind the Freedom from Sexual Trafficking Act is that a person who knowingly operates an enterprise that profits from sex acts involving persons who have been brought across international boundaries for such purposes by force or fraud should receive punishment commensurate with that given to one who commits forcible rape. This would be not only a just punishment, but also a powerful deterrent.

**P 3: intl_sextrade_9.14.99_Smith.doc - 3:10 [We believe this bill provides ..] (30:30)
(Super)**

Codes: [# Smith, C] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

We believe this bill provides a more balanced, moderate, and flexible approach than a bill that would provide all carrots and no sticks.

**P 3: intl_sextrade_9.14.99_Smith.doc - 3:11 [The problem with addressing al..] (31:31)
(Super)**

Codes: [# Smith, C] [*10. policy core policy preferences]

No memos

The problem with addressing all these evils in one bill is that they involve a wide range of different situations which may call for an equally broad range of solutions. So we decided to start by attacking the most brutal form of trafficking -- the use of force and deception in the systematic degradation of millions of women and children -and to single it out for swirl and certain punishment.

**P 3: intl_sextrade_9.14.99_Smith.doc - 3:12 [We believe that by focusing on..] (32:32)
(Super)**

Codes: [# Smith, C] [*10. policy core policy preferences]

No memos

We believe that by focusing on this particularly egregious practice --- the forcible or fraudulent trafficking of women and children for commercial sexual purposes --- we can stop it sooner than if we we tried to address a far broader range of evils.

**P 3: intl_sextrade_9.14.99_Smith.doc - 3:13 [I believe legislation to end s..] (33:33)
(Super)**

Codes: [# Smith, C] [*10. policy core policy preferences]

No memos

I believe legislation to end sexual trafficking will also command a far broader consensus in Congress, among the American people, and around the world than legislation that would ... address a much wider range of problems and then do a lot less about them.

**P 3: intl_sextrade_9.14.99_Smith.doc - 3:14 [Forcible and fraudulent traffi..] (33:33)
(Super)**

Codes: [# Smith, C] [* 01. orientation on basic value priorities]

No memos

Forcible and fraudulent trafficking of women and children for the commercial sex trade is a uniquely brutal practice and it cries out for its own comprehensive and immediate solution. We must act to end it, and we must act now.

**P 4: intl_sextrade_9.14.99_haugen.doc - 4:2 [International sexual trafficki..] (23:23)
(Super)**

Codes: [# Haugen] [* 04. basic causes of trafficking]

No memos

International sexual trafficking is driven by what is tolerated in the country of final sale - the country where the customer actually purchases sex for money. In other words, it is the country that effectively tolerates forced prostitution at the point of final sale that drives the market demand for international sexual trafficking.

P 4: intl_sextrade_9.14.99_haugen.doc - 4:3 [Whether forced prostitution is..] (24:24)
(Super)

Codes: [# Haugen] [* 04. basic causes of trafficking]

No memos

Whether forced prostitution is effectively tolerated is driven by the quality and vigor of local, street level, law enforcement.

P 4: intl_sextrade_9.14.99_haugen.doc - 4:4 [All efforts to combat internat..] (26:26)
(Super)

Codes: [# Haugen] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

All efforts to combat international trafficking are impacted by the victim's eagerness to seek help and to cooperate in prosecution - and the greatest obstacle to such cooperation is the immigration laws and authorities that treat the victims as criminals.

P 4: intl_sextrade_9.14.99_haugen.doc - 4:5 [International sexual traffickin..] (27:27)
(Super)

Codes: [# Haugen] [* 04. basic causes of trafficking]

No memos

International sexual trafficking is driven by what is tolerated in the country of final sale - the country where the customer actually purchases sex for money. Traffickers abduct and fraudulently transport women and children across national borders because they are confident there is a willing buyer to pay them for their effort.

P 4: intl_sextrade_9.14.99_haugen.doc - 4:6 [It is the sheer ease with whic..] (28:28)
(Super)

Codes: [# Haugen] [* 04. basic causes of trafficking]

No memos

It is the sheer ease with which forced prostitution operates in certain countries that creates the financial incentive for international traffickers

P 4: intl_sextrade_9.14.99_haugen.doc - 4:7 [Obviously, such a vast and bru..] (30:30)
(Super)

Codes: [# Haugen] [* 04. basic causes of trafficking]

No memos

Obviously, such a vast and brutal industry is able to operate only because it is tolerated by the civil authorities of the country.

**P 4: intl_sextrade_9.14.99_haugen.doc - 4:8 [Whether forced prostitution is..] (34:34)
(Super)**

Codes: [# Haugen] [* 04. basic causes of trafficking]

No memos

Whether forced prostitution is effectively tolerated is driven by the quality and vigor of local, street level, law enforcement.

**P 4: intl_sextrade_9.14.99_haugen.doc - 4:9 [International sexual trafficki..] (35:35)
(Super)**

Codes: [# Haugen] [* 04. basic causes of trafficking]

No memos

International sexual trafficking depends upon a flourishing local trade in forced prostitution, and you cannot combat forced prostitution at a distance.

**P 4: intl_sextrade_9.14.99_haugen.doc - 4:13 [As mentioned, however, there a..] (39:39)
(Super)**

Codes: [# Haugen] [* 07. priority accorded various policy instruments (ex. education programs)]

[*10. policy core policy preferences]

No memos

As mentioned, however, there are three primary forces working on local law enforcement: 1) political priorities of authorities at the top of the chain of command, 2) clarity and comprehensiveness of the law, and 3) local law enforcement resources and training. This is where an appropriate combination of carrots and sticks in U.S. policy can make a difference.

**P 4: intl_sextrade_9.14.99_haugen.doc - 4:14 [The victims of forced prostitu..] (41:41)
(Super)**

Codes: [# Haugen] [* 02. identification of groups whose welfare is of greatest concern]

No memos

The victims of forced prostitution generally come from the most powerless and vulnerable sectors of the society

**P 4: intl_sextrade_9.14.99_haugen.doc - 4:16 [Finally, even urgent law enfor..] (43:43)
(Super)**

Codes: [# Haugen] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Finally, even urgent law enforcement priorities cannot be vigorously and effectively pursued without clear and comprehensive criminal laws, or without resources and training that equips street level law enforcement to be effective. This is the carrot of U.S. policy.

P 4: intl_sextrade_9.14.99_haugen.doc - 4:18 [3. All efforts to combat force..] (45:45)

(Super)

Codes: [# Haugen] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

3. All efforts to combat forced prostitution are impacted by the victims' eagerness to seek help and to cooperate in prosecution.

P 4: intl_sextrade_9.14.99_haugen.doc - 4:19 [Unless U.S. policy places stro..] (47:47)

(Super)

Codes: [# Haugen] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Unless U.S. policy places strong pressure on foreign governments to prosecute vigorously and severely those police who participate in and profit from the sex trade, then one cannot reasonably expect much cooperation from the victims of that environment who are trafficked to our own shores.

P 4: intl_sextrade_9.14.99_haugen.doc - 4:20 [Secondly, victims must be prov..] (48:48)

(Super)

Codes: [# Haugen] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Secondly, victims must be provided a safe environment in which they can feel freely empowered to participate of their own volition in the justice system.

P 5: intl_sextrade_9.14.99_loar.doc - 5:4 [Although this hearing focuses ..] (39:39)

(Super)

Codes: [# Loar] [*10. policy core policy preferences]

No memos

Although this hearing focuses on trafficking into the sex industry, it is clear that this is merely one component of trafficking. Accordingly, U.S. policy is not limited to addressing trafficking solely in the context of the sex trade.

P 5: intl_sextrade_9.14.99_loar.doc - 5:5 [Thus, in the fight against tra..] (42:42) (Super)

Codes: [# Loar] [*10. policy core policy preferences]

No memos

Thus, in the fight against trafficking, there are practical reasons why the United States does not limit its efforts to one form of trafficking over another form.

P 5: intl_sextrade_9.14.99_loar.doc - 5:7 [Economic sanctions are inconsi..] (104:104) (Super)

Codes: [# Loar] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Economic sanctions are inconsistent with fighting the economic desperation of the potential victims.

P 5: intl_sextrade_9.14.99_loar.doc - 5:9 [Of all the human rights abuses..] (22:22) (Super)

Codes: [# Loar] [* 01. orientation on basic value priorities]

No memos

Of all the human rights abuses to which the international community has turned its attention, the trafficking of human beings, predominantly women and children, is clearly one of the most egregious violations of our time.

P 5: intl_sextrade_9.14.99_loar.doc - 5:10 [In addition, trafficking is on..] (22:22) (Super)

Codes: [# Loar] [* 03. overall seriousness of problem]

No memos

In addition, trafficking is one of the fastest growing and most lucrative criminal enterprises in the world.

P 5: intl_sextrade_9.14.99_loar.doc - 5:11 [We look forward to working clo..] (24:24) (Super)

Codes: [# Loar] [* 06. distribution of authority among levels of government]

No memos

We look forward to working closely with the House of Representatives and the Senate to begin to craft legislation that will support and advance the U.S. policy framework to prevent trafficking, fight traffickers and protect victims.

P 5: intl_sextrade_9.14.99_loar.doc - 5:12 [The President has directed the..] (26:26) (Super)

Codes: [# Loar] [* 06. distribution of authority among levels of government]

No memos

The President has directed the Council to lead the development and coordination of U.S. domestic and international policy on trafficking in women and children.

P 5: intl_sextrade_9.14.99_loar.doc - 5:13 [As Director of the Council, I ..] (26:26) (Super)

Codes: [# Loar] [* 05. distribution of authority between government and market]

No memos

As Director of the Council, I see the Council's work on trafficking as part of our government's broader commitment to eliminate violence against women around the world.

P 5: intl_sextrade_9.14.99_loar.doc - 5:15 [Our interagency approach refle..] (29:29) (Super)

Codes: [# Loar] [* 06. distribution of authority among levels of government]
No memos

Our interagency approach reflects the multi-faceted nature of this problem and the need for coordination across the government.

P 5: intl_sextrade_9.14.99_loar.doc - 5:16 [Trafficking in human beings, p..] (32:32) (Super)

Codes: [# Loar] [* 01. orientation on basic value priorities]
No memos

Trafficking in human beings, predominantly women and children, is a form of modern-day slavery. At its core, the international trade in women and children is about abduction, coercion, violence and exploitation in the most reprehensible ways.

P 5: intl_sextrade_9.14.99_loar.doc - 5:18 [Men are also trafficked, parti..] (34:34) (Super)

Codes: [# Loar] [* 02. identification of groups whose welfare is of greatest concern]
No memos

Men are also trafficked, particularly into forced labor, but we emphasize trafficking in women and children because they are the predominant targets of traffickers.

P 5: intl_sextrade_9.14.99_loar.doc - 5:21 [Although trafficking in women ..] (36:36) (Super)

Codes: [# Loar] [* 01. orientation on basic value priorities]
No memos

Although trafficking in women and children is sometimes characterized as a "women's issue" it is in fact a global issue, involving human rights, economics, migration, transnational and local crime, labor and public and individual health.

P 5: intl_sextrade_9.14.99_loar.doc - 5:22 [Subjecting women, men and chil..] (41:41) (Super)

Codes: [# Loar] [* 01. orientation on basic value priorities]
No memos

Subjecting women, men and children to slavery or slavery-like conditions in any context is an intolerable human rights violation and an evil that cannot be ignored.

P 5: intl_sextrade_9.14.99_loar.doc - 5:23 [What is it that drives traffic..] (51:51) (Super)

Codes: [# Loar] [* 04. basic causes of trafficking]

No memos

What is it that drives trafficking in women and children? Economic desperation is a primary cause.

P 5: intl_sextrade_9.14.99_loar.doc - 5:24 [For the women and girls who ar..] (51:51)

(Super)

Codes: [# Loar] [* 04. basic causes of trafficking]

No memos

For the women and girls who are the targets of the traffickers, poverty and lack of economic opportunity are major forces propelling the trafficking industry.

P 5: intl_sextrade_9.14.99_loar.doc - 5:25 [Traffickers capitalize on risi..] (51:51) (Super)

Codes: [# Loar] [* 04. basic causes of trafficking]

No memos

Traffickers capitalize on rising unemployment and lack of viable economic opportunities in countries of origin, as well as the low status of women in many countries.

P 5: intl_sextrade_9.14.99_loar.doc - 5:26 [The trafficking industry is on..] (53:53) (Super)

Codes: [# Loar] [* 03. overall seriousness of problem]

No memos

The trafficking industry is one of the fastest growing and most lucrative criminal enterprises in the world.

P 5: intl_sextrade_9.14.99_loar.doc - 5:27 [Trafficking in women and child..] (53:53)

(Super)

Codes: [# Loar] [* 03. overall seriousness of problem]

No memos

Trafficking in women and children is now considered the third largest source of profits for organized crime, behind only drugs and guns

P 5: intl_sextrade_9.14.99_loar.doc - 5:28 [The three elements of the U.S...] (57:57)

(Super)

Codes: [# Loar] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

The three elements of the U.S. policy framework are interconnected and it is crucial to implement policies that advance all of them.

P 5: intl_sextrade_9.14.99_loar.doc - 5:29 [An example of how these elemen..] (57:57) (Super)

Codes: [# Loar] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

An example of how these elements are interwoven is the fact that prosecutions are virtually impossible if the trafficked women do not receive protection and support so that they can overcome their legitimate fears and be witnesses.

P 5: intl_sextrade_9.14.99_loar.doc - 5:31 [The involvement of law enforce..] (74:74) (Super)

Codes: [# Loar] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

The involvement of law enforcement in developing and promoting protection of the victims of trafficking, even when the victims have crossed international borders and are in undocumented status, is groundbreaking and will be crucial to success in this area.

P 5: intl_sextrade_9.14.99_loar.doc - 5:34 [I would like to recognize the ..] (82:82) (Super)

Codes: [# Loar] [* 09. participation of public vs. experts vs. elected officials]
No memos

I would like to recognize the critical role played by NGO's in the efforts against trafficking and to affirm our intention to continue a close partnership with them as we develop U.S. programs and policy.

P 5: intl_sextrade_9.14.99_loar.doc - 5:36 [The NGO communities we have wo..] (85:85) (Super)

Codes: [# Loar] [* 09. participation of public vs. experts vs. elected officials]
No memos

The NGO communities we have worked with include human rights groups, service providers and faith groups. We have engaged with these communities in meetings across the United States and overseas and have benefited from this partnership.

P 5: intl_sextrade_9.14.99_loar.doc - 5:39 [Any legislative initiatives sh..] (88:88) (Super)

Codes: [# Loar] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Any legislative initiatives should be tailored to facilitate, provide assistance to permit the establishment of programs to educate potential victims and provide economic opportunities for those now lured into the vicious grasp of traffickers, protect the vulnerable and improve our country's ability to apprehend, prosecute and convict its perpetrators.

P 5: intl_sextrade_9.14.99_loar.doc - 5:40 [It is clear that trafficking e..] (90:90) (Super)
 Codes: [# Loar] [*10. policy core policy preferences]
 No memos

It is clear that trafficking extends to a broad range of slavery-like circumstances and that trafficking into the sex industry is only one part of a broader trafficking phenomenon.

P 5: intl_sextrade_9.14.99_loar.doc - 5:41 [As a result, the Department ur..] (90:90) (Super)
 Codes: [# Loar] [*10. policy core policy preferences]
 No memos

As a result, the Department urges Congress to consider legislation that will address trafficking of persons, particularly women and children, in all of its heinous forms.

P 5: intl_sextrade_9.14.99_loar.doc - 5:42 [Each element of the three part..] (92:92) (Super)
 Codes: [# Loar] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

Each element of the three part policy and strategic framework to combat trafficking needs to be pursued with equal vigor to be successful.

P 5: intl_sextrade_9.14.99_loar.doc - 5:43 [Any legislative initiatives sh..] (92:92) (Super)
 Codes: [# Loar] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

Any legislative initiatives should strengthen each element of the framework and provide sufficient funding to permit meaningful progress in each.

P 5: intl_sextrade_9.14.99_loar.doc - 5:44 [Prevention of trafficking invo..] (93:93) (Super)
 Codes: [# Loar] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

Prevention of trafficking involves both public awareness campaigns and the development of economic opportunities and alternatives for potential trafficking victims in countries of

origin.

**P 5: intl_sextrade_9.14.99_loar.doc - 5:45 [Measures are needed to provide..] (96:96)
(Super)**

Codes: [# Loar] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Measures are needed to provide protection and assistance for victims, recognizing that trafficking victims have been subjected to a brutal and traumatizing experience.

**P 5: intl_sextrade_9.14.99_loar.doc - 5:46 [One important protection measu..] (97:97)
(Super)**

Codes: [# Loar] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

One important protection measure that Congress should provide is enactment of the opportunity for trafficking victims in appropriate cases to receive a temporary visa in the United States rather than be subjected to immediate removal. This would allow them to receive needed physical and psychological care, and to be available to assist law enforcement in prosecuting cases against traffickers.

**P 5: intl_sextrade_9.14.99_loar.doc - 5:47 [Strengthened enforcement and p..] (98:98)
(Super)**

Codes: [# Loar] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Strengthened enforcement and prosecution against traffickers is crucial because trafficking is growing, in part, because it remains a high profit, relatively low-risk criminal enterprise. Imposing tougher penalties for traffickers and amending the law so that traffickers will not escape prosecution and conviction because of the high standard of proof in involuntary servitude cases, are among the objectives sought by the Administration through legislation.

**P 5: intl_sextrade_9.14.99_loar.doc - 5:48 [Poverty and lack of economic o..] (102:102)
(Super)**

Codes: [# Loar] [* 04. basic causes of trafficking]
No memos

Poverty and lack of economic opportunity, disproportionately affecting women and girls, are major forces driving the trafficking industry.

P 5: intl_sextrade_9.14.99_loar.doc - 5:49 [A mandatory sanctions regime a..] (103:103) (Super)

Codes: [# Loar] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

A mandatory sanctions regime also reduces the Administration's flexibility in handling the diverse situations where trafficking occurs. In our view, not all cases of non-cooperation are best changed through the imposition of sanctions.

P 5: intl_sextrade_9.14.99_loar.doc - 5:50 [Sanctions will lessen economic..] (104:104) (Super)

Codes: [# Loar] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Sanctions will lessen economic opportunities vital to the victim's ability to resist the tragic lure of traffickers.

P 5: intl_sextrade_9.14.99_loar.doc - 5:51 [It is unnecessary for Congress..] (106:106) (Super)

Codes: [# Loar] [* 06. distribution of authority among levels of government]
No memos

It is unnecessary for Congress to impose upon the Secretary of State or the President an organizational structure within the Department or interagency for addressing trafficking.

P 5: intl_sextrade_9.14.99_loar.doc - 5:53 [We must get the world's attent..] (112:112) (Super)

Codes: [# Loar] [* 08. ability of society to solve the problem]
No memos

We must get the world's attention to achieve a global consensus as we head into the 21st century that trafficking, a form of modern day slavery, is unacceptable.

P 7: itwc_2.22.00_Gupta.doc - 7:2 [Societies must recognise that ..] (25:25) (Super)

Codes: [# Gupta] [* 04. basic causes of trafficking]
No memos

Societies must recognise that the root causes of trafficking often lie in unequal treatment of women and girl-children, discrimination against minorities, and economic policies which fail to ensure universal access to education and legal protection.

P 7: itwc_2.22.00_Gupta.doc - 7:7 [Trafficking - especially for c..] (21:21) (Super)

Codes: [# Gupta] [* 03. overall seriousness of problem]

No memos

Trafficking - especially for commercial sexual exploitation -has become a worldwide, multi-billion-dollar industry.

P 7: itwc_2.22.00_Gupta.doc - 7:9 [Illicit traffic is expanding t..] (21:21) (Super)

Codes: [# Gupta] [* 03. overall seriousness of problem]

No memos

Illicit traffic is expanding through the use of child pornography on the Internet, and low cost Internet advertising of the commercial sex trade, attracting sex tourists and pedophiles.

P 7: itwc_2.22.00_Gupta.doc - 7:10 [These movements need to be sup..] (29:29) (Super)

Codes: [# Gupta] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

These movements need to be supported with larger budget allocations with special emphasis on prevention and protection programmes.

P 7: itwc_2.22.00_Gupta.doc - 7:11 [While there are different patt..] (39:39) (Super)

Codes: [# Gupta] [* 02. identification of groups whose welfare is of greatest concern]

No memos

While there are different patterns of exploitation in different parts of the world, children are trafficked for a number of purposes, including: - sexual exploitation; - adoption; - child labour (e.g., domestic work, begging, criminal work like selling drugs); - participation in armed conflicts; - marriage; - camel racing - organ trade

P 7: itwc_2.22.00_Gupta.doc - 7:12 [* Child victims of any form of..] (92:93) (Super)

Codes: [# Gupta] [* 02. identification of groups whose welfare is of greatest concern]

No memos

* Child victims of any form of trafficking require special protection and need to be treated with respect and in a manner consistent with their age and special needs. They are entitled to legal protection and to help integrating back into their communities.

P 7: itwc_2.22.00_Gupta.doc - 7:13 [* The victims of trafficking o..] (41:41) (Super)

Codes: [* 04. basic causes of trafficking]

No memos

* The victims of trafficking or their caregivers are often seeking escape from poverty.

P 7: itwc_2.22.00_Gupta.doc - 7:14 [Boys and girls are favoured ta..] (21:21) (Super)

Codes: [* 02. identification of groups whose welfare is of greatest concern]

No memos

Boys and girls are favoured targets for sexual exploitation and groups with low social standing are often the most vulnerable, such as minorities and refugees

P 7: itwc_2.22.00_Gupta.doc - 7:19 [* National and international l..] (37:37) (Super)

Codes: [# Gupta] [* 08. ability of society to solve the problem]

No memos

* National and international legal structures are inadequate to deal with the trafficking in human beings.

P 7: itwc_2.22.00_Gupta.doc - 7:20 [The children most likely to be..] (41:41) (Super)

Codes: [# Gupta] [* 02. identification of groups whose welfare is of greatest concern]

No memos

The children most likely to be trafficked are girls, those from tribal groups and ethnic minorities, stateless people and refugees. (According to the UN special rapporteur)

P 7: itwc_2.22.00_Gupta.doc - 7:21 [They are virtual slaves, who h..] (43:43) (Super)

Codes: [# Gupta] [* 01. orientation on basic value priorities]

No memos

They are virtual slaves, who have been stripped of their human rights.

P 7: itwc_2.22.00_Gupta.doc - 7:24 [* Poor economic conditions, po..] (57:57) (Super)

Codes: [# Gupta] [* 04. basic causes of trafficking]

No memos

* Poor economic conditions, poverty, unemployment, an upsurge in international organized crime, the low status of girls, lack of education, inadequate or non-existent legislation and/or poor law enforcement - all contribute to the increase in child trafficking.

P 7: itwc_2.22.00_Gupta.doc - 7:25 [Trafficking becomes intensifie..] (57:57) (Super)

Codes: [# Gupta] [* 04. basic causes of trafficking]

No memos

Trafficking becomes intensified in situations of war, natural disaster and lax regard of human rights.

P 7: itwc_2.22.00_Gupta.doc - 7:29 [Children, who are the victims,..] (89:89) (Super)

Codes: [# Gupta] [* 02. identification of groups whose welfare is of greatest concern]

No memos

Children, who are the victims, must be protected.

P 7: itwc_2.22.00_Gupta.doc - 7:30 [* States should ensure that pa..] (97:97) (Super)

Codes: [# Gupta] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

* States should ensure that parents are provided with the necessary legal aid and financial assistance for a child's participation in legal proceedings.

P 7: itwc_2.22.00_Gupta.doc - 7:31 [* States should ensure that ch..] (99:99) (Super)

Codes: [# Gupta] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

* States should ensure that child victims have access to assistance that meets their needs, such as legal aid, protection, secure housing, economic assistance, counseling, health and social services, physical and psychological recovery services and that they are not discriminated against.

P 7: itwc_2.22.00_Gupta.doc - 7:32 [Special assistance should be g.] (99:99) (Super)

Codes: [# Gupta] [* 02. identification of groups whose welfare is of greatest concern]

No memos

Special assistance should be given to those who are suffering from HIV/AIDS.

P 7: itwc_2.22.00_Gupta.doc - 7:33 [Emphasis should be placed upon..] (99:99) (Super)

Codes: [# Gupta] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Emphasis should be placed upon family and community-based rehabilitation or placement in foster families rather than institutionalization.

P 7: itwc_2.22.00_Gupta.doc - 7:34 [* Efforts against trafficking ..] (105:105) (Super)

Codes: [# Gupta] [* 02. identification of groups whose welfare is of greatest concern]

No memos

* Efforts against trafficking should be aimed particularly at preventing vulnerable groups of children from becoming victim

P 7: itwc_2.22.00_Gupta.doc - 7:35 [Protection of the survivors of..] (29:29) (Super)

Codes: [# Gupta] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Protection of the survivors of trafficking and supporting them and their families in the process of law enforcement has been very useful in nailing criminals.

P 7: itwc_2.22.00_Gupta.doc - 7:36 [Similarly, where children are ..] (90:91) (Super)

Codes: [# Gupta] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Similarly, where children are trafficked, particularly when they find themselves in an unfamiliar country, the first priority must be to treat them in an environment which fosters the health, self respect and dignity of the child (as outlined in the CRC).

P 7: itwc_2.22.00_Gupta.doc - 7:37 [Gender discrimination can plac..] (105:105) (Super)

Codes: [# Gupta] [* 02. identification of groups whose welfare is of greatest concern]

No memos

Gender discrimination can place girls at greater risk of sexual exploitation, and also creates specific needs for their rehabilitation.

P 8: itwc_2.22.00_haugen.doc - 8:1 [We are quite naturally repulse..] (17:17) (Super)

Codes: [# Haugen] [* 01. orientation on basic value priorities]

No memos

We are quite naturally repulsed by the revolting nature of the evil, and overwhelmed by the magnitude of the problem.

P 8: itwc_2.22.00_haugen.doc - 8:2 [Instinctively, no one wants to..] (17:17) (Super)

Codes: [# Haugen] [* 08. ability of society to solve the problem]

No memos

Instinctively, no one wants to look upon the rapes, beatings, and psychological horror of sexual trafficking, and no one wants to confront the numbing statistics about the hundreds of thousands of women and children who are subjected to these abuses each year around the globe.

P 8: itwc_2.22.00_haugen.doc - 8:3 [Consequently, it's hard not to..] (17:17) (Super)

Codes: [# Haugen] [* 08. ability of society to solve the problem]

No memos

Consequently, it's hard not to turn away from a problem so ugly, so big, .so remote.

P 8: itwc_2.22.00_haugen.doc - 8:4 [International sexual trafficki..] (41:41) (Super)

Codes: [# Haugen] [* 04. basic causes of trafficking]

No memos

International sexual trafficking is driven by what is tolerated in the country of final sale -- the country where the customer actually purchases sex for money. In other words, it is the country that effectively tolerates forced prostitution at the point of final sale that drives the market demand for international sexual trafficking.

P 8: itwc_2.22.00_haugen.doc - 8:5 [Whether forced prostitution is..] (43:43) (Super)

Codes: [# Haugen] [* 04. basic causes of trafficking]

No memos

Whether forced prostitution is effectively tolerated is driven by the quality and vigor of local, street level, law enforcement.

P 8: itwc_2.22.00_haugen.doc - 8:7 [Of course, the coercive nature..] (59:59) (Super)

Codes: [# Haugen] [* 01. orientation on basic value priorities]

No memos

Of course, the coercive nature of the sex trade is powerfully masked behind dark, padlocked doors and hidden corridors.

P 8: itwc_2.22.00_haugen.doc - 8:8 [Obviously, such a vast and bru..] (60:61) (Super)

Codes: [# Haugen] [* 04. basic causes of trafficking]

No memos

Obviously, such a vast and brutal industry is able to operate only because it is tolerated by the civil authorities of the country.

P 8: itwc_2.22.00_haugen.doc - 8:9 [International sexual trafficki..] (69:69) (Super)

Codes: [# Haugen] [* 04. basic causes of trafficking]

No memos

International sexual trafficking depends upon a flourishing local trade in forced prostitution, and you cannot combat forced prostitution at a distance

P 9: itwc_2.22.00_loy.doc - 9:2 [Trafficking into the commercia..] (61:61) (Super)

Codes: [# Loy] [*10. policy core policy preferences]

No memos

Trafficking into the commercial sex industry, then, is merely one form of a broader range of trafficking exploited by organized criminal enterprises.

P 9: itwc_2.22.00_loy.doc - 9:4 [Given the fact that in order t..] (157:157) (Super)

Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Given the fact that in order to tackle the problem of trafficking we need the cooperation and support of all countries, some say we should inflict economic sanctions on countries that are perceived not to be doing enough to address the problem. We strongly disagree for four reasons:

P 9: itwc_2.22.00_loy.doc - 9:5 [In short, we believe creating ..] (161:161) (Super)

Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

In short, we believe creating a sanctions regime for this problem would be profoundly counterproductive. Sanctions simply would not contribute to prevention, protection or prosecution. And, most importantly, sanctions would not help in the process of building an international effort to combat the transnational problem of trafficking.

P 9: itwc_2.22.00_loy.doc - 9:6 [These NGO's fear that in calli..] (167:167) (Super)

Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

These NGO's fear that in calling public attention to the problem they would be accused of causing the imposition of economic sanctions or political isolation. They are justifiably concerned that that would undercut their ongoing cooperative work with governments. We have heard this same message of concern about sanctions from many NGO's who work in the field and are active in victims assistance from around the world, including those in South Asia.

P 9: itwc_2.22.00_loy.doc - 9:8 [Yet it is important - indeed w..] (19:19) (Super)

Codes: [# Loy] [* 01. orientation on basic value priorities]

No memos

Yet it is important - indeed we have a responsibility -- to speak about such disturbing circumstances - to cast light upon reprehensible acts -- to better understand how to eradicate their insidious presence from this world.

P 9: itwc_2.22.00_loy.doc - 9:10 [Its consequences include human..] (23:23) (Super)

Codes: [# Loy] [* 01. orientation on basic value priorities]

No memos

Its consequences include human rights abuses, increased public health problems, the growth of both transnational and local organized crime and corruption of officials. The link between trafficking and these consequences underscores its significance as an important foreign and domestic policy concern.

P 9: itwc_2.22.00_loy.doc - 9:12 [It is impossible to overstate ..] (25:25) (Super)

Codes: [# Loy] [* 03. overall seriousness of problem]

No memos

It is impossible to overstate the horror of trafficking. It is reported that in some villages in parts of Southeast Asia there are few young women and girls left.

P 9: itwc_2.22.00_loy.doc - 9:16 [These encounters have deepened..] (43:43) (Super)

Codes: [# Loy] [* 05. distribution of authority between government and market]

No memos

These encounters have deepened United States commitment to marshal the full breadth of government resources available to confront and stop trafficking.

P 9: itwc_2.22.00_loy.doc - 9:17 [At its core, the international..] (47:47) (Super)

Codes: [# Loy] [* 01. orientation on basic value priorities]

No memos

At its core, the international trade in persons is about abduction, coercion, deception, violence and exploitation.

P 9: itwc_2.22.00_loy.doc - 9:19 [It is important to note that w..] (53:53) (Super)

Codes: [# Loy] [*10. policy core policy preferences]

No memos

It is important to note that while trafficking is generally considered to involve force, coercion or deception, there is a solid international consensus that any scenario in which a minor is entangled in sexual activity - prostitution or participation in pornography - is trafficking.

P 9: itwc_2.22.00_loy.doc - 9:21 [Sex trafficking is only one fo..] (61:61) (Super)

Codes: [# Loy] [*10. policy core policy preferences]

No memos

Sex trafficking is only one form of the problem.

P 9: itwc_2.22.00_loy.doc - 9:22 [Thus, if we are to be effectiv..] (63:63) (Super)

Codes: [# Loy] [*10. policy core policy preferences]

No memos

Thus, if we are to be effective in our fight against trafficking, we cannot limit our efforts to one form of trafficking over another form.

P 9: itwc_2.22.00_loy.doc - 9:23 [Alarmingly, the trafficking in..] (64:65) (Super)

Codes: [# Loy] [* 03. overall seriousness of problem]

No memos

Alarmingly, the trafficking industry is one of the fastest growing and most lucrative criminal enterprises in the world.

P 9: itwc_2.22.00_loy.doc - 9:24 [Trafficking in women and child..] (65:65) (Super)

Codes: [# Loy] [* 03. overall seriousness of problem]

No memos

Trafficking in women and children is now considered the third largest source of profits for organized crime, behind only drugs and guns. Traffickers know that throughout the world they can reap large profits while facing a relatively low risk of prosecution.

P 9: itwc_2.22.00_loy.doc - 9:25 [While there are numerous contr..] (69:69) (Super)

Codes: [# Loy] [* 04. basic causes of trafficking]

No memos

While there are numerous contributing factors, economic desperation of victims and potential victims is at the core of trafficking. The trafficking industry is driven by poverty and economic desperation, most particularly among women and girls who have little or no access to economic opportunities, support services, or resources, including credit, land ownership and inheritance.

P 9: itwc_2.22.00_loy.doc - 9:26 [.The low social status of wome..] (69:69) (Super)

Codes: [# Loy] [* 04. basic causes of trafficking]
No memos

.The low social status of women in many countries contributes as well. Children, and girls in particular, are pulled out of school early, enhancing the likelihood that they will end up in the hands of traffickers. In some places, girls are considered to have less value than a household appliance.

P 9: itwc_2.22.00_loy.doc - 9:31 [The problem is deeply rooted i..] (105:105) (Super)

Codes: [# Loy] [* 04. basic causes of trafficking]
No memos

The problem is deeply rooted in the poverty, illiteracy, and low status of women and girls, coupled with a growing international organized criminal element in South Asia.

P 9: itwc_2.22.00_loy.doc - 9:36 [The involvement of law enforce..] (128:129) (Super)

Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

The involvement of law enforcement in developing and promoting protection of the victims of trafficking, even when the victims have crossed international borders and are in undocumented status, is groundbreaking and will be crucial to success in this area.

P 9: itwc_2.22.00_loy.doc - 9:37 [While important progress on th..] (135:135) (Super)

Codes: [# Loy] [* 06. distribution of authority among levels of government]
No memos

While important progress on this issue has been made, much work remains to be done. Congress is essential to the success of these efforts.

P 9: itwc_2.22.00_loy.doc - 9:39 [Because trafficking is a globa..] (137:137) (Super)

Codes: [# Loy] [* 06. distribution of authority among levels of government]
No memos

Because trafficking is a global problem, the nations of the world are linked as countries of origin, transit, and destination and inevitably will succeed or fail in combating it together.

P 9: itwc_2.22.00_loy.doc - 9:40 [Domestically, legislation is u..] (139:139) (Super)

Codes: [# Loy] [*10. policy core policy preferences]
No memos

Domestically, legislation is urgently needed.

P 9: itwc_2.22.00_loy.doc - 9:43 [U.S. legislation should be car..] (139:139) (Super)

Codes: [# Loy] [* 09. participation of public vs. experts vs. elected officials]

No memos

U.S. legislation should be carefully crafted to encourage and support strong action by foreign governments and to promote and facilitate the excellent work being done in this area by nongovernmental organizations around the world.

P 9: itwc_2.22.00_loy.doc - 9:44 [Specifically, the Administrati..] (139:139) (Super)

Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Specifically, the Administration believes that the following elements would be most helpful in domestic legislation: PREVENTION - Prevention measures should include initiatives to provide economic opportunities and increase awareness among potential trafficking victims. Expansion of trafficking information and research collected domestically and in cooperation with our international partners is also needed.

P 9: itwc_2.22.00_loy.doc - 9:45 [Protection and assistance for ..] (141:141) (Super)

Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Protection and assistance for victims is critical. Currently there is no effective structural framework for protection and assistance in the United States for trafficked victims.

P 9: itwc_2.22.00_loy.doc - 9:47 [Current statutory barriers for..] (147:147) (Super)

Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Current statutory barriers for trafficking victims should be eliminated to permit eligibility for existing programs.

P 9: itwc_2.22.00_loy.doc - 9:48 [Similarly, our domestic legisl..] (149:149) (Super)

Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Similarly, our domestic legislation should provide for support for developing countries to undertake or expand initiatives to protect and reintegrate trafficking victims.

P 9: itwc_2.22.00_loy.doc - 9:49 [Strengthened enforcement and p..] (151:151) (Super)

Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Strengthened enforcement and prosecution against traffickers is crucial because trafficking is growing, in part, because it remains a high profit, relatively low-risk criminal enterprise.

P 9: itwc_2.22.00_loy.doc - 9:50 [Also, restitution should be ma..] (151:151) (Super)
Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Also, restitution should be made available statutorily to trafficked victims.

P 9: itwc_2.22.00_loy.doc - 9:51 [A key element of any legislati..] (153:153) (Super)
Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

A key element of any legislative approach taken by the U.S. government is that it should foster and encourage efforts by other countries to combat this transnational problem through the framework of prevention, protection and prosecution.

P 9: itwc_2.22.00_loy.doc - 9:52 [This can be done through autho..] (153:153) (Super)
Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

This can be done through authorizing programs to enhance public awareness of the dangers of trafficking, through law enforcement training and collaboration and support for victim protection and reintegration.

P 9: itwc_2.22.00_loy.doc - 9:53 [Another way in which this can ..] (153:153) (Super)
Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Another way in which this can be accomplished is by supporting and reinforcing our efforts through the protocol to persuade all the countries of the world to adopt the prevention, protection and prosecution framework.

P 9: itwc_2.22.00_loy.doc - 9:54 [Any domestic legislation shoul..] (153:153) (Super)
Codes: [# Loy] [*10. policy core policy preferences]
No memos

Any domestic legislation should avoid any provisions, however well intentioned, that could have the effect of discouraging international collaboration and resolve to acknowledge and combat trafficking.

P 9: itwc_2.22.00_loy.doc - 9:55 [Economic sanctions would exace..] (159:159) (Super)
 Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

Economic sanctions would exacerbate the root causes of trafficking by making the targeted countries poorer and leaving the victims even more vulnerable to traffickers; - Sanctions imposed on countries would not punish the principal perpetrators - organized crime syndicates but governments and people; - In the face of a sanctions regime governments may seek to downplay the seriousness of the problem of trafficking to avoid either the direct or political consequences of sanctions, thus chilling the growing phenomenon of international collaboration; and - If a sanctions regime is developed, governments and local populations could come to view the important work of local activists and NGO's to raise the profile of the problem of trafficking as a threat and cease collaboration with these important grassroots efforts.

P 9: itwc_2.22.00_loy.doc - 9:56 [As we have raised this issue a..] (163:163) (Super)
 Codes: [# Loy] [* 09. participation of public vs. experts vs. elected officials]
 No memos

As we have raised this issue around the world, we have found that we are joined by NGO's in every country that are pushing their governments to combat trafficking.

P 9: itwc_2.22.00_loy.doc - 9:58 [Because these emerging efforts..] (163:163) (Super)
 Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

Because these emerging efforts are fragile, our goal should be to facilitate and encourage them by helping expand such programs as public awareness and education, law enforcement training, and helping governmental and non-governmental institutions be more efficient and forceful agents of reform.

P 9: itwc_2.22.00_loy.doc - 9:59 [Creating a sanctions regime co..] (163:163) (Super)
 Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

Creating a sanctions regime could these fragile collaborative efforts.

P 9: itwc_2.22.00_loy.doc - 9:60 [Mr. Chairman, it is also essen..] (165:165) (Super)
 Codes: [# Loy] [* 09. participation of public vs. experts vs. elected officials]

No memos

Mr. Chairman, it is also essential to bear in mind the critical role played by NGO's in the efforts against trafficking.

P 9: itwc_2.22.00_loy.doc - 9:61 [NGO's have courageously conven..] (165:165) (Super)

Codes: [# Loy] [* 09. participation of public vs. experts vs. elected officials]

No memos

NGO's have courageously convened forums, produced moving documentaries and accurately reported the horrors faced by trafficking victims.

P 9: itwc_2.22.00_loy.doc - 9:62 [We have engaged with these com..] (165:165) (Super)

Codes: [# Loy] [* 09. participation of public vs. experts vs. elected officials]

No memos

We have engaged with these communities in meetings across the United States and overseas and have benefited from this partnership.

P 9: itwc_2.22.00_loy.doc - 9:63 [If we are to defeat the traffi..] (165:165) (Super)

Codes: [# Loy] [* 09. participation of public vs. experts vs. elected officials]

No memos

If we are to defeat the traffickers and provide protection to the victims, one thing is clear - we will need to build on and support the efforts of the grassroots NGO's committed to address this terrible scourge.

P 9: itwc_2.22.00_loy.doc - 9:64 [Just last week, I met with wom..] (166:167) (Super)

Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Just last week, I met with women's NGO representatives from Russia and the Ukraine, two major trafficking source countries. They told me in no uncertain terms that economic sanctions against their governments would cripple the NGO communities' efforts to deal with trafficking efforts that include educating women and girls, aiding victims and providing information to law enforcement.

P 9: itwc_2.22.00_loy.doc - 9:65 [Sanctions simply are not the a..] (171:171) (Super)

Codes: [# Loy] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Sanctions simply are not the answer to the problem of trafficking and the imposition of a sanctions regime could compromise the important work currently underway to combat trafficking.

P 9: itwc_2.22.00_loy.doc - 9:66 [We must get the world's attent..] (181:181) (Super)

Codes: [# Loy] [* 08. ability of society to solve the problem]

No memos

We must get the world's attention to achieve a global consensus as we head into the 21st century that trafficking, a form of modern day slavery, is unacceptable.

P10: itwc_2.22.00_ralph.doc - 10:3 [There is increasing evidence t..] (106:107) (Super)

Codes: [# Ralph] [* 03. overall seriousness of problem]

No memos

There is increasing evidence that trafficking is on the rise in the United States as well.

P10: itwc_2.22.00_ralph.doc - 10:4 [Banning all forms of involunta..] (109:109) (Super)

Codes: [# Ralph] [*10. policy core policy preferences]

Memos:[ME - 12/14/06 [2]]

Banning all forms of involuntary servitude and debt bondage as forced labor. U.S. statutory proscriptions on peonage and involuntary servitude have been narrowly interpreted to include only those situations in which victims are made to work through force of law or actual or threatened physical force. This excludes many of the slavery-like practices that Human Rights Watch has found common in cases of trafficking, in which labor is extracted through non-physical means such as debt bondage, blackmail, fraud, deceit, isolation, and/or psychological pressure.

P10: itwc_2.22.00_ralph.doc - 10:5 [Trafficking in persons -- the ..] (15:15) (Super)

Codes: [# Ralph] [* 01. orientation on basic value priorities]

No memos

Trafficking in persons -- the illegal and highly profitable transport and sale of human beings for the purpose of exploiting their labor-- is a slavery-like practice that must be eliminated.

P10: itwc_2.22.00_ralph.doc - 10:6 [Trafficking is also a truly gl..] (17:17) (Super)

Codes: [# Ralph] [* 03. overall seriousness of problem]

No memos

Trafficking is also a truly global phenomenon.

P10: itwc_2.22.00_ralph.doc - 10:7 [Furthermore, while our researc..] (21:21) (Super)

Codes: [# Ralph] [*10. policy core policy preferences]

No memos

Furthermore, while our research has focused on the trafficking of women and children into the sex industry, reporting from numerous credible sources shows similar patterns in the trafficking of women, men, and children into forced marriage, bonded sweatshop labor, and other kinds of work.

P10: itwc_2.22.00_ralph.doc - 10:9 [Government efforts to combat t..] (27:27) (Super)

Codes: [# Ralph] [* 08. ability of society to solve the problem]

No memos

Government efforts to combat trafficking in persons have been entirely inadequate.

P10: itwc_2.22.00_ralph.doc - 10:11 [Human Rights Watch urges the U..] (85:85) (Super)

Codes: [# Ralph] [*10. policy core policy preferences]

No memos

Human Rights Watch urges the U.S. government to promote human rights, and especially women's human rights, as the cornerstone of such efforts. This is of crucial importance in the negotiations for a protocol against trafficking in persons supplementing the United Nations Convention against Transnational Organized Crime.

P10: itwc_2.22.00_ralph.doc - 10:13 [He should also use this opport..] (87:87) (Super)

Codes: [# Ralph] [* 06. distribution of authority among levels of government]

No memos

He should also use this opportunity revisit the plan of action to combat trafficking in persons adopted by the G8 Ministerial Meeting in Moscow last October, encouraging governments to enact domestic legislation necessary for the effective investigation and prosecution of those involved in trafficking and pressing for the inclusion of concrete measures to protect the rights of all trafficking victims.

P10: itwc_2.22.00_ralph.doc - 10:15 [Defining "trafficking" to enco..] (90:91) (Super)

Codes: [# Ralph] [*10. policy core policy preferences]

Memos:[ME - 01/04/07]

Defining "trafficking" to encompass trafficking into all forms of forced labor and

servitude -- in any occupation or labor sector -- including trafficking into forced marriage.

P10: itwc_2.22.00_ralph.doc - 10:16 [The definition should also be ..] (91:91) (Super)

Codes: [# Ralph] [*10. policy core policy preferences]

No memos

The definition should also be limited to situations involving coercion, in recognition of men and women's ability to make voluntary decisions about their migration and employment, with coercion understood to include a full range of abusive tactics used to extract work or service.

P10: itwc_2.22.00_ralph.doc - 10:17 [Actively investigating, prosec..] (93:93) (Super)

Codes: [# Ralph] [* 07. priority accorded various policy instruments (ex. education programs)]

Memos:[ME - 12/11/06]

Actively investigating, prosecuting, and punishing those involved in the trafficking of persons in countries of origin and destination, and imposing penalties appropriate for the grave nature of the abuses they have committed. Particular attention should be paid to evidence of collaboration by government officials in the facilitation of trafficking abuses.

P10: itwc_2.22.00_ralph.doc - 10:18 [Exempting trafficking victims ..] (95:95) (Super)

Codes: [# Ralph] [* 07. priority accorded various policy instruments (ex. education programs)]

Memos:[ME - 12/11/06 [1]]

Exempting trafficking victims from prosecution for any immigration violations or other offenses that have occurred as a result of their being trafficked.

P10: itwc_2.22.00_ralph.doc - 10:19 [And in every case we have docu..] (27:27) (Super)

Codes: [# Ralph] [* 04. basic causes of trafficking]

No memos

And in every case we have documented, officials' indifference to the human rights violations involved in trafficking has allowed this practice to persist with impunity.

P10: itwc_2.22.00_ralph.doc - 10:21 [Ensuring that trafficking vict..] (97:97) (Super)

Codes: [# Ralph] [* 07. priority accorded various policy instruments (ex. education programs)]

Memos:[ME - 12/14/06]

Ensuring that trafficking victims have the opportunity to seek remedies and redress for the human rights violations they have suffered, including compensation for damages, unpaid wages, and restitution. This requires guaranteeing victims' access to legal assistance, interpretation services, and information regarding their rights, and allowing all

trafficked persons to remain in the country during the duration of any proceedings related to legal claims they have filed.

P10: itwc_2.22.00_ralph.doc - 10:22 [Taking strong precautions to e..] (99:99) (Super)
 Codes: [# Ralph] [* 07. priority accorded various policy instruments (ex. education programs)]
 Memos:[ME - 12/14/06 [1]]

Taking strong precautions to ensure the physical safety of trafficked persons. This includes witness protection measures for those who cooperate with law enforcement efforts and asylum opportunities for those who fear retaliation in their countries of origin.

P10: itwc_2.22.00_ralph.doc - 10:23 [Countries of origin, transit, ..] (102:103) (Super)
 Codes: [# Ralph] [* 06. distribution of authority among levels of government] [* 09. participation of public vs. experts vs. elected officials]
 No memos

Countries of origin, transit, and destination must also cooperate to ensure the safe repatriation of trafficked persons, working together with non-governmental organizations to facilitate their return home

P10: itwc_2.22.00_ralph.doc - 10:24 [States should support policies..] (105:105) (Super)
 Codes: [# Ralph] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

States should support policies and programs that promote equal access to education and employment for women and girls. They should also provide women with information about their rights as workers and how to protect these rights overseas.

P10: itwc_2.22.00_ralph.doc - 10:25 [Providing victims of trafficki..] (111:111) (Super)
 Codes: [# Ralph] [* 07. priority accorded various policy instruments (ex. education programs)]
 Memos:[ME - 12/14/06 [3]]

Providing victims of trafficking with access to legal assistance, translation services, shelter, and health services, and ensuring that all trafficked persons are allowed to remain in the United States throughout the duration of any civil or criminal proceedings against their abusers.

P10: itwc_2.22.00_ralph.doc - 10:26 [Preventing the further victimi..] (113:113) (Super)
 Codes: [# Ralph] [* 07. priority accorded various policy instruments (ex. education programs)]
 Memos:[ME - 12/14/06 [5]]

Preventing the further victimization of trafficked persons by guaranteeing their immunity from prosecution for immigration violations or other crimes related to their having been trafficked, and taking adequate measures to ensure the protection of their physical safety. Such measures should include opportunities for all trafficking victims who fear retaliation upon return to their home country to apply for permanent settlement on that basis.

P10: itwc_2.22.00_ralph.doc - 10:27 [Trafficking in persons is a pr..] (113:113) (Super)
 Codes: [# Ralph] [* 01. orientation on basic value priorities] [* 02. identification of groups whose welfare is of greatest concern]
 No memos

Trafficking in persons is a profound human rights abuse, and women are particularly vulnerable to this practice due to the persistent inequalities they face in status and opportunity.

P10: itwc_2.22.00_ralph.doc - 10:28 [It is time for governments to ..] (113:113) (Super)
 Codes: [# Ralph] [* 05. distribution of authority between government and market]
 No memos

It is time for governments to take this problem seriously.

P10: itwc_2.22.00_ralph.doc - 10:29 [It is imperative that the Unit..] (113:113) (Super)
 Codes: [# Ralph] [* 06. distribution of authority among levels of government]
 No memos

It is imperative that the United States take advantage of this moment to demonstrate its leadership on this critical human rights issue.

P11: itwc_4.4.00_brownback.doc - 11:1 [We must continue to speak out ..] (71:71) (Super)
 Codes: [# Brownback] [* 01. orientation on basic value priorities]
 No memos

We must continue to speak out about this insidious practice called trafficking.

P11: itwc_4.4.00_brownback.doc - 11:2 [We think there are millions wo..] (77:77) (Super)
 Codes: [# Brownback] [* 03. overall seriousness of problem]
 No memos

We think there are millions worldwide who are suffering in the trafficking networks, enslaved, held against their will, including children.

P11: itwc_4.4.00_brownback.doc - 11:4 [International sex trafficking ..] (92:92) (Super)

Codes: [# Brownback] [* 01. orientation on basic value priorities]

No memos

International sex trafficking is the new slavery. It includes all the elements associated with slavery, including being abducted from your family and home, taken to a strange country where you don't speak the language, losing your identity and freedom, being forced to work against your will with no pay. Being beaten and raped, having no defense against the one who rules you, and eventually dying early because of this criminal misuse.

P11: itwc_4.4.00_brownback.doc - 11:5 [This is one of the cruelest hu..] (98:98) (Super)

Codes: [# Brownback] [* 01. orientation on basic value priorities]

No memos

This is one of the cruelest human rights abuses existing.

P11: itwc_4.4.00_brownback.doc - 11:6 [This is one of the cruelest hu..] (98:98) (Super)

Codes: [# Brownback] [* 03. overall seriousness of problem]

No memos

This is one of the cruelest human rights abuses existing. Moreover, it's growing now, which has increased dramatically this growth in this area over the last 10 years. It's a new phenomenon and doesn't really look like anything we've seen before.

P11: itwc_4.4.00_brownback.doc - 11:7 [I think, Mr. Chairman, that we..] (137:137) (Super)

Codes: [# Wellstone] [* 02. identification of groups whose welfare is of greatest concern]

No memos

I think, Mr. Chairman, that we're seeing more and more of a focus on the trafficking of women. It's just - and children for purposes of prostitution, sexual exploitation, forced labor.

P11: itwc_4.4.00_brownback.doc - 11:8 [I think we also have to admit ..] (137:137) (Super)

Codes: [# Wellstone] [* 04. basic causes of trafficking]

No memos

I think we also have to admit to a reality, which today I think is one of the darkest aspects of the globalization of the world economy.

P11: itwc_4.4.00_brownback.doc - 11:9 [It's becoming more insidious a..] (137:137) (Super)

Codes: [# Wellstone] [* 03. overall seriousness of problem]

No memos

It's becoming more insidious and it's becoming more widespread. In this last decade, I think that's what we've seen.

P11: itwc_4.4.00_brownback.doc - 11:11 [I want to just conclude by say..] (146:146)
(Super)

Codes: [# Wellstone] [* 01. orientation on basic value priorities]

No memos

I want to just conclude by saying that I can't emphasize enough that trafficking - that this trafficking is a human rights problem and it requires a human rights solution.

P11: itwc_4.4.00_brownback.doc - 11:12 [The women are treated as crimi..] (148:149)
(Super)

Codes: [# Wellstone] [* 01. orientation on basic value priorities]

No memos

The women are treated as criminals and not as victims of gross human rights abuses, and that's the way they should be treated, as the victims of these abuses.

P11: itwc_4.4.00_brownback.doc - 11:14 [While we discuss this problem ..] (167:167)
(Super)

Codes: [# Yeomans] [* 01. orientation on basic value priorities]

No memos

While we discuss this problem using such terms as trafficking and forced labor, we should make no mistake about it. We are talking about slavery, slavery in its modern manifestations.

P11: itwc_4.4.00_brownback.doc - 11:15 [While some of the schemes and ..] (170:170)
(Super)

Codes: [# Yeomans] [* 01. orientation on basic value priorities] [African slave trade comparison]

No memos

While some of the schemes and practices employed reflect the sophistication of the modern world, others are as basic and barbaric as the trade that brought African-Americans to this continent.

P11: itwc_4.4.00_brownback.doc - 11:17 [It appears that the number is ..] (173:173)
(Super)

Codes: [# Yeomans] [* 03. overall seriousness of problem]

No memos

It appears that the number is growing.

P11: itwc_4.4.00_brownback.doc - 11:18 [The explanation lies in severa..] (173:173)

(Super)

Codes: [# Yeomans] [* 04. basic causes of trafficking]

No memos

The explanation lies in several factors, I think. First, economic dislocation, particularly the lack of economic opportunity for women in so many societies; the increased porousness of borders; the ease of transportation and of international communication; and the fact that until now, trafficking has been a fairly high-profit and low-risk enterprise.

P11: itwc_4.4.00_brownback.doc - 11:22 [We need legislation that will ..] (204:204)

(Super)

Codes: [# Yeomans] [*10. policy core policy preferences]

No memos

We need legislation that will strengthen the prosecutorial tools available to law enforcement. First, current law permits prosecution of traffickers only in limited situations, such as when the victim is being trafficked for the purpose of the sex trade. We must criminalize a broader range of trafficking. We must reach individuals trafficked into domestic servitude, migrant labor or sweatshop labor, as well as prostitution.

P11: itwc_4.4.00_brownback.doc - 11:23 [Second, we must create the too..] (207:207)

(Super)

Codes: [# Yeomans] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Second, we must create the tools to prosecute those who knowingly profit, knowingly profit from the forced labor of persons held in unlawfully exploitive labor conditions. Present criminal law does not reach, for example, farm labor contractors and other types of employment relationships that provide a liability shield between the direct oppressor and the economic beneficiary of the slave labor.

P11: itwc_4.4.00_brownback.doc - 11:24 [we need to expand the types of..] (210:210)

(Super)

Codes: [# Yeomans] [*10. policy core policy preferences]

No memos

we need to expand the types of coercion that can be used to demonstrate involuntary servitude under federal law. One of the biggest enforcement hurdles that we face is the requirement of federal law that we show that the defendant used actual force, threat of force or legal coercion to enslave the victim. As a result, federal law enforcement cannot

reach those who use more subtle but no less heinous forms of coercion and wrongfully hold victims in bondage.

P11: itwc_4.4.00_brownback.doc - 11:25 [we have to expand the definiti..] (216:216)
(Super)

Codes: [# Yeomans] [*10. policy core policy preferences]

No memos

we have to expand the definition of coercion to cover situations that fall short of force or threat of force but in which the victim has no valid alternative but to submit to a condition of servitude.

P11: itwc_4.4.00_brownback.doc - 11:26 [we must increase the statutory..] (222:222)
(Super)

Codes: [# Yeomans] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

we must increase the statutory penalties for violations of involuntary servitude P&H (ph) and related laws from the current 10 years to 20 years. These penalties have to be made commensurate with the severity of these crimes.

P11: itwc_4.4.00_brownback.doc - 11:28 [The efforts of the Worker Expl..] (228:228)
(Super)

Codes: [# Yeomans] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

The efforts of the Worker Exploitation Task Force, however, have demonstrated that we need stronger laws to prosecute traffickers. Gaps in federal law make it impossible to prosecute some truly reprehensible forms of abuse. Those gaps should be filled.

P11: itwc_4.4.00_brownback.doc - 11:29 [Well, the administration, of c..] (296:296)
(Super)

Codes: [# Yeomans] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Well, the administration, of course, has opposed sanctions. The rationale is that, at least from the perspective of the Department of Justice, is that if we are to root out this problem, one of the most effective things for us to do is to form close working relationships with law enforcement agencies in the countries from which people come, from which the trafficked human beings come.

P11: itwc_4.4.00_brownback.doc - 11:30 [And as soon as we impose sanct..] (298:299)
(Super)

Codes: [# Yeomans] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

And as soon as we impose sanctions or as soon as we try to make an international pariah out of one of these countries, that kind of cooperation tends to shut down.

P11: itwc_4.4.00_brownback.doc - 11:31 [And it's a difficult balance b..] (303:303) (Super)
Codes: [# Yeomans] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

And it's a difficult balance but it's our calculation that we will make more progress by working closely with law enforcement in those countries than we will by imposing sanctions and shutting down that cooperation.

P11: itwc_4.4.00_brownback.doc - 11:32 [But let me ask you this. On th..] (316:318) (Super)
Codes: [# Wellstone] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

But let me ask you this. On the naming of countries, it would seem to me that what we could do is, you know, your - the administration is right that in some cases, it's not the governments of the country that are really responsible. But what I think - Since it's going to be key that those governments cooperate, you just set up a threshold and say, look, this is what - this is the test that needs to be met to show, Sam, these governments are, in fact, working with us. If they don't meet the threshold, then they're named. If they meet the threshold, then it's different. But I think we do need to have some way of really providing, if you will, the incentive for these governments to cooperate.

P11: itwc_4.4.00_brownback.doc - 11:33 [I think my reasoning on that i..] (328:328) (Super)
Codes: [# Yeomans] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

I think my reasoning on that is the same as it would be on sanctions, that while obviously we want to identify where the problems are, our approach is to try to solve those problems and to try to get at those problems through law enforcement and through working with the people who are in those countries, and we hope the governments of those countries, to try to do something about the problem.

P11: itwc_4.4.00_brownback.doc - 11:34 [You know, we need to be able t..] (331:331) (Super)

Codes: [# Yeomans] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

You know, we need to be able to reach back to those countries. You know, we have a number of instances where we have prosecuted people who have fled and gone back to these countries. And we need their cooperation very much. So I think that we are very reluctant to name countries or to impose sanctions.

P11: itwc_4.4.00_brownback.doc - 11:35 [Well, I don't want to argue wi..] (334:334)

(Super)

Codes: [# Wellstone] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Well, I don't want to argue with you today. I appreciate your being here, but I think Senator Brownback and I may be fairly firm on this, and I think there's a - there comes a point where there is a standard of reasonableness where you do require - you ask those governments to meet a threshold of tests as to whether they're cooperating or not. And it seems to me that it's appropriate to name those countries that are unwilling to do so. Maybe no need to if those governments are cooperating.

P11: itwc_4.4.00_brownback.doc - 11:36 [But the irony right now is peo..] (337:337)

(Super)

Codes: [# Wellstone] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

But the irony right now is people worried about being deported. They're scared to death. People can't defend themselves and we've got to change that.

P11: itwc_4.4.00_brownback.doc - 11:37 [And I believe strongly that pr..] (349:349)

(Super)

Codes: [# Yeomans] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

And I believe strongly that prosecution contributes greatly to prevention. And as I said in my opening statement, for a long time now, trafficking in human beings has been a fairly low risk, high-profit activity. We need to change that. We need to make people who are engaging in trafficking pay. And we need to make them think that they are likely to get caught. So that's something that we can do on this end.

P11: itwc_4.4.00_brownback.doc - 11:38 [Obviously, the ultimate soluti..] (351:352)

(Super)

Codes: [# Yeomans] [* 07. priority accorded various policy instruments (ex. education programs)]
No memos

Obviously, the ultimate solution to all of this is providing economic opportunities, because people who have economic opportunities are going to be less susceptible to the kinds of deceit, the kinds of fraud that get them into these situations. So I think those are my two answers.

P11: itwc_4.4.00_brownback.doc - 11:40 [but almost every country in th..] (432:432)

(Super)

Codes: [# Lederer] [* 03. overall seriousness of problem]

No memos

but almost every country in the world has a trafficking problem of one sort or another.

P11: itwc_4.4.00_brownback.doc - 11:47 [But I think we definitely need..] (805:805)

(Super)

Codes: [# Coto] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

But I think we definitely need crisis centers. I think also funding for services specifically targeting trafficking victims or survivors.

P11: itwc_4.4.00_brownback.doc - 11:52 [urvivors need protection from ..] (965:965)

(Super)

Codes: [# Coto] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

urvivors need protection from their captors. Survivors need to be released from detention as soon as possible and be housed in appropriate shelter. Survivors need food and clothing. Survivors need medical and psychological treatment. Survivors need legal assistance. Legal Services Corporations need to expand its services to include traffic persons without regard to their immigration status. Survivors need to obtain lawful permanent residency and need employment authorization in the interim.

P11: itwc_4.4.00_brownback.doc - 11:53 [Sentencing guidelines do not r..] (974:974)

(Super)

Codes: [# Coto] [* 07. priority accorded various policy instruments (ex. education programs)]

No memos

Sentencing guidelines do not reflect the rape, torture or heinous crimes survivors have endured. Restitution in civil action must be granted as well.

P11: itwc_4.4.00_brownback.doc - 11:54 [We've seen a number of - the n..] (974:974) (Super)

Codes: [# Coto] [* 03. overall seriousness of problem]
No memos

We've seen a number of - the number of sex trafficking increasing annually in the United States and internationally.

P11: itwc_4.4.00_brownback.doc - 11:55 [This is a grave violation of h..] (974:974) (Super)

Codes: [# Coto] [* 01. orientation on basic value priorities]
No memos

This is a grave violation of human rights.

P11: itwc_4.4.00_brownback.doc - 11:57 [Somewhat. I do agree that we n..] (1068:1068) (Super)

Codes: [# Coto] [*10. policy core policy preferences]
No memos

Somewhat. I do agree that we need to expand the definition of what coercion is in order to be able to successfully prosecute some of these cases. I represent some other forced labor cases where we had domestic workers who were held in involuntary servitude, and it has been very difficult to prove involuntary servitude because of the elements that are necessary to prove that. And so I think we need to expand that.

P11: itwc_4.4.00_brownback.doc - 11:58 [One of the things that I would..] (1074:1074) (Super)

Codes: [# Coto] [*10. policy core policy preferences]
No memos

One of the things that I would like to point out is working on both types of these cases, I really feel that we need legislation on both ends. However, I think that sexual trafficking by its nature of - where victims are sexually exploited versus exploited labor worker, I think we need to have some really - division or separate portion that really addresses the needs of sexually trafficked persons because I think it's really unique.

P11: itwc_4.4.00_brownback.doc - 11:59 [Although you have some of the ..] (1077:1077) (Super)

Codes: [# Coto] [*10. policy core policy preferences]
No memos

Although you have some of the same elements with forced labor, and I think the nature - the sexual nature of the trafficking is so specific and so heinous that it also needs different types of after- care programs that forced labor maybe necessarily does not that I

would actually - I would like to see that addressed in the legislation, because I do think that it needs to be separated or distinguished.

P11: itwc_4.4.00_brownback.doc - 11:60 [That would seem like correct t..] (1080:1080)
(Super)
 Codes: [# Brownback] [*10. policy core policy preferences]
 No memos

That would seem like correct to me as well. These are different types of crimes that are going to need to be defined, defined differently.

P11: itwc_4.4.00_brownback.doc - 11:61 [Some of the other things the D..] (1083:1084)
(Super)
 Codes: [# Coto] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

Some of the other things the Department of Justice have put forward with I'm in agreement is immigration status. I think there has to be lawful permanent residency and also a way for victims to obtain employment authorization in the interim. I think it needs to be in a timely basis. I don't think there needs to be a three-year wait. I think it needs to be more of a timely basis. For example, the girls that I represent, it's been almost three years and they have no legal status or any permanent status.

P11: itwc_4.4.00_brownback.doc - 11:62 [The other thing is I also, whi..] (1087:1089)
(Super)
 Codes: [# Coto] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

The other thing is I also, which I had mentioned, I think, that the sentencing guidelines are not stiff enough. In the Kadena case, we're talking two defendants got two years, two years for enslaving these girls. That was to me disgusting. I think that sentencing guidelines really need to be strengthened and much stricter if we're going to have any kind of enforcement or deterrence.

P11: itwc_4.4.00_brownback.doc - 11:63 [And the other issue which I di..] (1091:1092)
(Super)
 Codes: [# Coto] [* 07. priority accorded various policy instruments (ex. education programs)]
 No memos

And the other issue which I didn't agree with the Department of Justice is I think there should be sanctions on other governments who are not agreeing to human rights standards. And I think that we need to have some kind of accountability in those countries where, again, there could be more of a mechanism to hold them accountability and actually engage them in stopping or reducing, as Senator Wellstone said, trafficking.

APPENDIX D

Expressions Included in Each Hearing

Hearing 1: Sex Trade: Trafficking of Women and Children in Europe and the U.S, Commission on Security and Cooperation in Europe, June 28th, 1999

Coalition One Policy Core Expressions in Hearing 1:

Illustrative Component #1 Orientation on basic value priorities

- trafficking is a human rights abuse

Illustrative Component #2 Identification of groups whose welfare is of greatest concern

- women and children are targets

Illustrative Component #3 Overall seriousness of problem

- trafficking is at crisis level

Illustrative Component #4 Basic causes of the problem

- trafficking is caused by organized crime
- trafficking is caused by poverty
- trafficking is caused by weak laws

Illustrative Component #6 Distribution of authority among levels of government

- combating trafficking requires cooperation among states
- OSCE excellent venue to tackle trafficking

Illustrative Component #7 Priority accorded various policy instruments

- protection of victims important
- we must work with other countries to set up programs

Illustrative Component #8 Ability of society to solve problem

- eradicating trafficking will only be possible if countries work together

Illustrative Component #9 Participation of public officials vs. experts vs. elected officials

- mobilization of people everywhere is needed to combat trafficking
- governments need to work with NGOs

Illustrative Component #10 Policy core policy preferences

- U.S. policy should not be limited to sex trafficking alone
- some mail order brides should be considered to be trafficking victims

Coalition Two Policy Core Expressions in Hearing 1:

Illustrative Component #2 Identification of groups whose welfare is of greatest concern

- women and girls are targets
- women and children are targets

Illustrative Component #3 Overall seriousness of problem

- trafficking is increasing
- trafficking is an enormous problem
- trafficking funds other organized crime

- trafficking is caused by organized crime

Illustrative Component #4 Basic causes of the problem

- weak law enforcement contributes to trafficking
- corruption contributes to trafficking
- collapse of Soviet Union contributes to trafficking
- low status of women contributes to trafficking
- refugee crises contribute to trafficking

Illustrative Component #5 Distribution of authority between govt. and market

- cooperation with telecommunications companies is necessary to combat trafficking

Illustrative Component #6 Distribution of authority among levels of government

- combating trafficking requires cooperation among governments
- INS has a responsibility to do something about trafficking
- embassies share responsibility to combat trafficking

Illustrative Component #7 Priority accorded various policy instruments

- public information/education campaigns needed
- economic opportunities for women are needed
- we must emphasize civil rights treaties
- we must review immigration laws
- protection of victims is important
- we must train govt. personnel (law enforcement)
- traffickers need to face prosecution
- grants for international programs are necessary
- protection for victims important
- we must link international law enforcement
- U.S. investigations of visa fraud needed
- programs to protect refugee women needed
- we must involve NGOs in service delivery
- we must offer asylum to victims
- we must register refugees at the onset of a refugee crisis
- job skills training programs needed

Illustrative Component #8 Ability of society to solve problem

- law enforcement is not motivated to address the problem

Illustrative Component #10 Policy core policy preferences

- all labor (sex, sweatshop, domestic) victims are trafficking victims
- the definition of trafficking should include deception, coercion, and debt bondage
- a sex worker is not a trafficked woman
- forced prostitution is a form of forced labor
- U.S. policy should not be limited to sex trafficking alone
- a pimp is not a trafficker
- we must recognize forced prostitution as a form of labor instead of treating it in a separate category

Coalition Three Policy Core Expressions in Hearing 1:

Illustrative Component #1 Orientation on basic value priorities

- trafficking is a human rights abuse
- trafficking is slavery

Illustrative Component #2 Identification of groups whose welfare is of greatest concern

- women and children are targets

Illustrative Component #3 Overall seriousness of problem

- trafficking is increasing
- trafficking has grown exponentially

Illustrative Component #4 Basic causes of the problem

- low status of women contributes to trafficking
- poverty contributes to trafficking
- weak law enforcement/law enforcement contribute to trafficking
- organized crime networks contribute to trafficking
- legalized/tolerated prostitution contributes to trafficking

Illustrative Component #6 Distribution of authority among levels of government

- U.S. needs to lead other governments in combating trafficking

Illustrative Component #7 Priority accorded various policy instruments

- traffickers need to face prosecution
- the best legislation would offer the three p's (prevention, protection, prosecution)
- traffickers need to face prosecution
- we must link international law enforcement

Illustrative Component #8 Ability of society to solve problem

- most countries lack adequate protection for victims
- governments not motivated to solve the problem of trafficking

Illustrative Component #9 Participation of public officials vs. experts vs. elected officials

- governments need to work with NGOs in combating trafficking

Hearing 2: Trafficking of Women and Children in the International Sex Trade Committee on International Relations, House, September 14, 1999

Coalition One Policy Core Expressions in Hearing 2:

Illustrative Component #1 Orientation on basic value priorities

- human rights abuse
- trafficking is slavery
- trafficking is not a woman's issue, but a global issue
- trafficking is evil

Illustrative Component #2 Identification of groups whose welfare is of greatest concern

- women and children are targets

Illustrative Component #3 Overall seriousness of problem

- trafficking is increasing
- trafficking is one of the most lucrative criminal enterprises

Illustrative Component #4 Basic causes of the problem

- poverty contributes to trafficking
- low status of women contributes to trafficking

Illustrative Component #5 Distribution of authority between govt. and market

- combating trafficking is part of government's commitment to eliminate violence against women

Illustrative Component #6 Distribution of authority among levels of government

- U.S. congress shares responsibility in combating trafficking
- President's Interagency Council on Women shares role in combating trafficking
- coordination across the U.S. government is necessary to combat trafficking
- congress should not impose structure to address trafficking

Illustrative Component #7 Priority accorded various policy instruments

- the three p framework (prevention, protection, prosecution) is necessary
- protection of victims especially important
- we must train relevant government personnel
- economic opportunities needed
- education programs needed
- we must offer visa to victims
- traffickers need to face prosecution
- economic sanctions in trafficking legislation would be counterproductive

Illustrative Component #8 Ability of society to solve problem

- we must get a global consensus that trafficking is unacceptable

Illustrative Component #9 Participation of public officials vs. experts vs. elected officials

- governments need to work with NGOs

Illustrative Component #10 Policy core policy preferences

- U.S. policy should not be limited to sex trafficking alone
- sex trafficking is only one part of a broader phenomenon

Coalition Two Policy Core Expressions in Hearing 2:

no policy core expressions were coded

Coalition Three Policy Core Expressions in Hearing 2:

Illustrative Component #1 Orientation on basic value priorities

- we must do something about trafficking
- trafficking is a uniquely brutal practice

Illustrative Component #2 Identification of groups whose welfare is of greatest concern

- the powerless and vulnerable are targets for traffickers
- women and children are targets

Illustrative Component #3 Overall seriousness of problem

- trafficking is increasing
- trafficking has grown exponentially
- trafficking is one of world's most serious problems

Illustrative Component #4 Basic causes of the problem

- legalized/tolerated prostitution contributes to trafficking
- weak law enforcement/law enforcement contributes to trafficking
- legalized/tolerated prostitution contributes to trafficking

Illustrative Component #6 Distribution of authority among levels of government

- U.S. needs to lead other governments

Illustrative Component #7 Priority accorded various policy instruments

- the best legislation would offer the three p's (prevention, protection, prosecution)
- must change immigration laws to combat trafficking
- train government personnel to combat trafficking
- traffickers need to face prosecution
- place pressure on international governments
- protection of victims important
- U.S. policy should have a combination of carrots and sticks
- sanctions are necessary to get governments to act

Illustrative Component #10 Policy core policy preferences

- profiting from a sex act involving persons who were coerced equals forcible rape
- sex trafficking should be addressed in a separate bill
- focusing on sex trafficking in legislation will be more effective

Hearing 3: International Trafficking in Women and Children, Committee on Foreign Relations, Senate, February 22, 2000 and April 4, 2000

Coalition One Policy Core Expressions in Hearing 3:

Illustrative Component #1 Orientation on basic value priorities

- trafficking is slavery
- we (society) must do something about trafficking
- trafficking is a human rights abuse

Illustrative Component #2 Identification of groups whose welfare is of greatest concern

- women are targets

Illustrative Component #3 Overall seriousness of problem

- trafficking is increasing
- trafficking is a world problem

Illustrative Component #4 Basic causes of the problem

- weak laws/law enforcement contribute to trafficking
- no regard for human rights contributes to trafficking

Illustrative Component #5 Distribution of authority between govt. and market

- it is the government's responsibility to take problem seriously

Illustrative Component #6 Distribution of authority among levels of government

- international governments need legislation
- combating trafficking requires cooperation among governments
- U.S. needs to lead other governments

Illustrative Component #7 Priority accorded various policy instruments

- traffickers need to face prosecution
- we should change immigration laws to favor victims
- restitution should be offered to trafficking victims
- protection of victims is needed
- job skills/education programs needed
- public information/public education programs needed
- we should offer visas to victims
- we should offer legal assistance to victims

Illustrative Component #8 Ability of society to solve problem

- government efforts have been inadequate

Illustrative Component #9 Participation of public officials vs. experts vs. elected officials

- governments need to work with NGOs

Illustrative Component #10 Policy core policy preferences

- the definition of trafficking should include deception, coercion, and debt bondage
- legislation should promote women's human rights
- trafficking should be defined to encompass all forms of forced labor and servitude
- the definition of trafficking should be limited to situations involving coercion, in recognition of people's ability to make voluntary decisions

Coalition Two Policy Core Expressions in Hearing 3:

Illustrative Component #1 Orientation on basic value priorities

- trafficking is a human rights abuse
- we (society) must do something about trafficking
- trafficking is about violence and exploitation

Illustrative Component #3 Overall seriousness of problem

- it is impossible to overstate the problem
- trafficking is increasing
- trafficking is most lucrative criminal enterprise

Illustrative Component #4 Basic causes of the problem

- poverty contributes to trafficking
- lack of education contributes to trafficking
- globalization contributes to trafficking
- trafficking is high profit/low risk for traffickers
- low status of women contributes to trafficking

Illustrative Component #5 Distribution of authority between govt. and market

- U.S. government is committed to fighting trafficking

Illustrative Component #6 Distribution of authority among levels of government

- U.S. congress shares responsibility to combat trafficking
- requires cooperation among intl. governments

Illustrative Component #7 Priority accorded various policy instruments

- protection for victims important
- the three p's (prevention, protection, prosecution) are necessary
- we should offer visas to victims
- we should offer grants for international programs
- traffickers need to face prosecution
- we should offer restitution to victims
- we should foster efforts by other countries
- we should train relevant government personnel
- public awareness/education is needed
- we should offer economic opportunities to victims
- economic sanctions in legislation would be counterproductive
- naming countries provides incentive

Illustrative Component #8 Ability of society to solve problem

- we must get a global consensus that trafficking is unacceptable

Illustrative Component #9 Participation of public officials vs. experts vs. elected officials

- governments need to work with NGOs

Illustrative Component #10 Policy core policy preferences

- sex trafficking is only one part of a broader phenomenon
- any scenario in which a minor is involved is trafficking
- we cannot limit our efforts to one form of trafficking over another
- the definition of trafficking should include deception, coercion, debt bondage
- trafficking should be defined to encompass all forms of forced labor and servitude

Coalition Three Policy Core Expressions in Hearing 3

Illustrative Component #1 Orientation on basic value priorities

- We must do something about trafficking
- trafficking is slavery
- trafficking is evil
- trafficking is a human rights abuse

- the sex trade is coercive

Illustrative Component #2 Identification of groups whose welfare is of greatest concern

- children are targets
- women are targets
- powerless and vulnerable are targets
- victims with HIV/AIDS require special protection
- girls are targets

Illustrative Component #3 Overall seriousness of problem

- trafficking is the most lucrative criminal enterprise
- trafficking is increasing
- trafficking is increasing in the U.S.
- millions are suffering as victims
- trafficking is the world's most serious problem

Illustrative Component #4 Basic causes of the problem

- low status of women contributes to trafficking
- economic policies contribute to trafficking
- discrimination of minorities contributes to trafficking
- no regard for human rights contributes to trafficking
- poverty contributes to trafficking
- organized crime contributes to trafficking
- weak law enforcement/laws contribute to trafficking
- war/natural disasters contribute to trafficking
- lack of education contributes to trafficking
- legalized/tolerated prostitution contributes to trafficking
- weak laws/law enforcement contribute to trafficking

Illustrative Component #7 Priority accorded various policy instruments

- we must support educational programs
- protection of victims important
- we should offer visas to victims
- we should offer restitution to victims
- traffickers need to face prosecution
- legal assistance should be provided to victims
- child victims should have special assistance
- protection for victims important
- sanctions are necessary to get governments to act

Illustrative Component #8 Ability of society to solve problem

- national/international legal structures are inadequate to deal with trafficking
- no one wants to confront trafficking

Illustrative Component #10 Policy core policy preferences

- sex trafficking should be defined differently than labor trafficking
- sex trafficking should be addressed in a separate bill

- the definition of trafficking should include deception, coercion, and debt bondage