



Congress of the United States
House of Representatives

CONSTITUENT SERVICE CENTERS:

1540 Kuser Road, Suite A9
Hamilton, NJ 08619-3828
(609) 585-7878
TTY (609) 585-3650

108 Lacey Road, Suite 38A
Whiting, NJ 08759-1331
(732) 350-2300

2373 Rayburn House Office Building
Washington, DC 20515-3004
(202) 225-3765

<http://chrissmith.house.gov>

COMMITTEES:

FOREIGN AFFAIRS

AFRICA AND GLOBAL HEALTH
SUBCOMMITTEE

RANKING MEMBER

WESTERN HEMISPHERE
SUBCOMMITTEE

COMMISSION ON SECURITY AND
COOPERATION IN EUROPE

RANKING MEMBER

CONGRESSIONAL-EXECUTIVE
COMMISSION ON CHINA

RANKING MEMBER

DEAN, NEW JERSEY DELEGATION

October 15, 2009

The Honorable Eric Holder
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Attorney General,

As co-chairs of the Congressional Human Trafficking Caucus, we are extremely concerned about the Association for Community Organizations for Reform Now's (ACORN's) apparent offer of tax, loan, mortgage, and money laundering assistance to human traffickers as recently revealed in undercover videos recorded in ACORN offices across the country. ACORN employees' disregard of sex trafficking laws related to underage girls and willingness to assist a sex trafficking venture is beyond outrageous. I request that you move quickly to appoint a Special Counsel to investigate ACORN activities including possible involvement with actual sex trafficking ventures.

As you know, the Trafficking Victim's Protection Act of 2000 (TVPA, P.L. 106-386), defines severe forms of trafficking in persons as "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." Note that any commercial sex acts by girls under the age of 18 falls under the sex trafficking prohibition and is covered by the TVPA. Section 1594 (a) of the Act makes clear that, "Whoever attempts to violate [the sex trafficking of children section] . . . shall be punishable in the same manner as a completed violation of that section."

In addition, the latest reauthorization of the TVPA amended 18 USC 1591(a) to state that, whoever, "benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1), knowing, or in reckless disregard of the fact, that means of force, threats of force, fraud, coercion described in subsection (e)(2), or any combination of such means will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act, shall be punished as provided in subsection (b)." It also amends 18 USC 1594 to state that, "Whoever conspires with another to violate section 1591 shall be fined under this title, imprisoned for any term of years or for life, or both."

The United States must aggressively pursue sex traffickers, including those who induce underage girls into commercial sex acts and those who assist traffickers and/or receive payment from traffickers. A recent report on Domestic Minor Sex trafficking in the United States, released by Shared Hope International, documents that there are at least 100,000 domestic minors abused

through commercial sex in the United States every year. This is unacceptable, it is against the law-- and individuals or organizations that facilitate trafficking of domestic or foreign minors must be investigated and prosecuted.

Undercover video from the cities of Baltimore, MD, Brooklyn, NY, Washington, DC, San Bernardino, CA and San Diego, CA, show ACORN employees advising two people posing as a prostitute and her pimp on how to maintain a brothel of under 16 year old illegal El Salvadorian girls without detection by authorities. The ACORN employees in Baltimore, after suggesting how the prostitute could misleadingly code her brothel of trafficked girls on tax forms, went so far as to suggest that the prostitute claim some of the trafficked girls as dependents in order to get tax credits. The employee warned the prostitute not to claim more than three of the trafficked girls, as this would flag law enforcement. Employees also advised the prostitute to call the girls her "relatives," or, at another point "exchange students" in order to avoid detection by police. One of the employees instructed the prostitute to train her underage girls to "keep their mouths shut." She warned the couple to not talk about their "business" saying, "Loose lips sink ships." ACORN was willing to lower their normal tax preparation fee from \$150 to \$50 because the traffickers were "were just starting out."


In Washington, DC, the ACORN employees advised the couple on how to launder the trafficking proceeds so as to avoid detection of their brothel of El Salvadorian girls. The ACORN employee in San Bernardino, after being informed that the underage girls would probably suffer violence beyond rape at the brothel, instructed the couple in how to disguise their brothel as a "spa" or a "massage parlor." She went on to advise the couple to invest in a line of "vitamins or herbal" supplies in order to "make the place look good" and reduce suspicion. The ACORN employee in the San Diego video actually advised the pimp and prostitute on the best border area through which to traffic girls into the U.S. for underage commercial sex. And these are just a few examples from the videos of ACORN's revolting and illegal acts to facilitate child trafficking.

Specifically, the Special Counsel investigation should look into all tax returns prepared by ACORN which list "performing artist" or "independent artist" or "recreational services" or "freelancer" as the business, especially where dependents are listed. Moreover, any police reports filed in relation to the "pimp and prostitute" ruse should be investigated—including whether the police followed-up on the reports or took other action to apprehend the "pimp and prostitute" traffickers. The fact that multiple ACORN offices did not turn away or properly report the "pimp and prostitute" is extremely disturbing.

Sex traffickers prey upon the poor and vulnerable—the very people all ACORN offices should be trying to help, not assisting to exploit. I respectfully request that the Department of Justice move quickly to appoint a special counsel and enforce the Trafficking Victims Protection Act against ACORN employees who have clearly ignored and likely broken the law.

Sincerely,


CHRISTOPHER H. SMITH
Member of Congress


KAY GRANGER
Member of Congress