



Office of Sponsored Programs

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To: Principal Investigators; Heads of Departments, Labs and Centers; Deans of the Schools of Science, Engineering, Sloan, Architecture and Humanities and Social Sciences

From: Michelle D. Christy

Subject: MIT Implementation of Trafficking Victims Protection Act of 2000 as amended

Date: March 14, 2008

The Federal Government in its on-going determination to combat worldwide trafficking in persons such as forced labor, sexual exploitation, or modern-day slavery has instructed its funding agencies to include, as a condition of any grant, contract or cooperative agreement, wording authorizing termination of the award if the recipient (e.g. MIT) engages in severe forms of trafficking in persons, in the procurement of commercial sex acts during the period of performance of the contract, or in the use of forced labor in the performance of this contract. The government defines trafficking in persons in detail in the attached chart.

At this point NIH has just announced its implementation of the Act and all new Department of Defense grants and contracts already contain this requirement. We expect to see this requirement in all federally funded grants, contracts and cooperative agreements in the near future. In order to implement the specifications of the statute, the Federal Government requires that universities notify employees working on federal research projects of the requirement and the penalties for violating the Act.

Although there is no formal requirement for MIT to establish an Institute policy, procedure, awareness program or auditable statement as result of this requirement, it is the responsibility of the Principal Investigator who receives an award with these requirements to take the actions outlined below:

1. The Principal Investigator shall—
  - (1) Notify his/her staff working on the award of—
    - (i) The United States Government's zero tolerance policy described in the above referenced act and clauses; and

(ii) The actions that will be taken against employees for violations of this policy. Such actions may include, but are not limited to, removal from the contract, reduction in benefits, or termination of employment; and

(2) Take appropriate action, up to and including termination, against employees or subcontractors that violate the policy.

The Principal Investigator shall inform OSP immediately of—

(1) Any information he/she receives from any source (including host country law enforcement) that alleges an employee, subcontractor, or subcontractor employee has engaged in conduct that violates this policy; and

(2) Any actions taken against employees, subcontractors, or subcontractor employees pursuant to this clause

The full text of the Act and the notice from the Office of the President can be found at <http://www.whitehouse.gov/omb/memoranda/fy2008/m08-03.pdf>.

We appreciate your help in implementing this new federal requirement. Please contact me or Mike Corcoran (617-253-3906 or [mcorcor@mit.edu](mailto:mcorcor@mit.edu)) with any questions regarding this new requirement.

C: Administrative Officers / Fiscal Officers  
OSP Staff  
C. Canizares, R. Reif, D. Morris, C. Placido, B. Bonvillian

# Human Trafficking Defined

The chart below, extrapolated and simplified from the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children definition, is a useful tool for analyzing individual cases to determine whether or not they constitute trafficking. In order for a situation to be trafficking, it must have at least one of the elements within each of the three criteria of Process, Means, and Goal.

## Human Trafficking is:

Process	+	Way/Means	+	Goal
<i>Recruitment</i> or <i>Transportation</i> or <i>Transferring</i> or <i>Harboring</i> or <i>Receiving</i>	<b>A</b>  <b>N</b>  <b>D</b>	<i>Threat</i> or <i>Coercion</i> or <i>Abduction</i> or <i>Fraud</i> or <i>Deceit</i> or <i>Deception</i> or <i>Abuse of Power</i>	<b>A</b>  <b>N</b>  <b>D</b>	<i>Prostitution</i> or <i>Pornography</i> or <i>Violence/Sexual Exploitation</i> or <i>Forced Labor</i> or <i>Involuntary Servitude</i> or <i>Debt Bondage</i> (with unfair wages) or <i>Slavery/Similar practices</i>

If one condition from each category is met, the result is trafficking. For adults, victim consent is irrelevant if one of the Means is employed. For children consent is irrelevant with or without the Means category.