Foreign Students Exploited in Labor Settings

Russians

Eight Russian students, recruited to work in the U.S. for the Frosty Treats Ice Cream Truck Company, drove the trucks 13 hours a day, seven days a week averaging 87 cents per hour income. If the students did not meet their quota for the amount of ice cream sold each day, Frosty Treats would not reimburse gas money, the truck rental fee, and the truck deposit, so that at the end of the day a driver often owed money to Frosty Treats. The apartments the students were forced to stay in were cramped with little furniture except mattresses on the floor and six people to an apartment.

More than 100,000 foreign college students come to the U.S. annually on popular J-1 visas, which supply cheap seasonal labor as part of a U.S. State Department program aimed at fostering cultural understanding.

Unsupervised, third-party brokers promise steady jobs and a chance to sightsee. As a result some foreign students get a very negative experience of America.

University Dean Forced Students to Work for Her

U.S. federal charges allege that Cecilia Chang, the former dean of the Institute of Asian Studies at St. John’s University, Queens, NY, threatened her scholarship students with revoking their funds if they didn’t do such menial tasks, such as taking out her garbage and shoveling the snow from her driveway. Subsequently a New York judge jailed Chang in October 2010 on forced labor charges in addition to alleged embezzlement of funds.

According to an FBI investigation, overseas students were awarded $5,000 scholarships per semester for part-time work for the Asian Studies program. But students said they had to report to Chang’s home in Queens daily “to drive Chang to the hair salon, to restaurants and to the airport.” Others allegedly shopped for food, cooked meals and washed clothes for Chang and her son. A student was told to deliver money to Chang’s home in Queens daily.

According to an e-mail sent by one student, the dean had three student housekeepers who each worked 122 days a year. According to the forced labor complaint Chang “would often tell [one student] she was the ‘boss,’ and to keep quiet” when the FBI began investigating. Chang had already been arrested in September on NY state charges that she embezzled about $1 million, including a $250,000 donation from a Saudi prince’s foundation. (http://www.huffingtonpost.com/louis-klarevas/scholarship-slavery-does_b_752678.html; http://www.cbsnews.com/8301-504083_162-20018282-504083.html)
J-1 Student Visa Abuses

The J-1 Summer Work and Travel program, which allows college students to visit for up to four months, is one of the U.S. State Department’s most popular visas. Participation has boomed from 20,000 in 1996 to more than 150,000 in 2008.

The visas are issued year-round, since students come from both hemispheres on their summer breaks. They work all over the country, at theme parks in Florida and California, fish factories in Alaska and upscale ski destinations in Colorado and Montana.

Hotels, restaurants and other businesses often hire third-party labor recruiters to supply the J-1 workers. Many of those brokers are people from the students’ native countries.

The program generates millions for the sponsor companies and third-party labor recruiters. These middlemen commonly dock students’ pay so heavily for lodging, transportation and other necessities that the wages work out to $1 an hour or less, according to a FL inspector.

During 2010 Associated Press reporters undertook an investigation of J-1 visa abuse. They interviewed students, advocates, local authorities and social service agencies, and reviewed thousands of pages of confidential records, police reports and court cases. Results exposed many abuses.

“The vast majority of participating students in this program find it a rewarding experience and return home safely,” the State Department reported.

But it was easy for the AP to find exceptions. Most of the nearly 70 students from 16 countries, interviewed in 10 states, said they were disappointed, and some were angry.

“This is not what I thought when I paid all this money to come here,” said a Romanian who came to the U.S. on a J-1 visa. She hoped to save up for...
J-1 Visa cont. from pg. 2

dental school but got stuck in South Carolina without a job. She took to begging for work on the Myrtle Beach boardwalk and sharing a three-bedroom house with 30 other exchange students. “I was treated very, very badly. I will never come back.”

Many foreign students pay recruiters to help find employment, then don’t get work or wind up making little or no money at menial jobs. Labor recruiters charge students exorbitant rent for packing them into filthy, sparsely furnished apartments so crowded that some endure ‘hot-bunking’, where they sleep in shifts.

Students routinely get threatened with deportation or eviction if they quit, or even if they just complain too loudly. Some students resorted to stealing essentials like food, toothpaste and underwear, according to police.

Strip clubs and adult entertainment companies openly solicit J-1 workers, even though government regulations ban students from taking jobs “that might bring the Department of State into notoriety or disrepute.”

“If you wish to dance in USA as a J-1 exchange visitor, contact us,” ZM Studios, a broker for topless dancers, advertised on its website in 2010. The ad said ZM Studios is “affiliated with designated visa sponsors” and can get women J-1 visas and jobs at topless clubs in cities like Las Vegas and Los Angeles.

Government auditors have warned about problems in the program for 20 years but the U.S. State Department is only recently working on new rules. A deputy assistant director of national security for Immigrations and Customs Enforcement, told the AP there were at least two federal investigations under way into human trafficking related to J-1 visas.

The State Department failed to even keep up with the number of student complaints until 2006 and has consistently shifted responsibility for policing the program to the 50 or so companies that sponsor students for fees that can run up to several thousand dollars.

Businesses that hire students can save 8% by using a foreign worker over an American because they don’t have to pay Medicare, Social Security and unemployment taxes. The students are required to have health insurance before they arrive, another cost that employers don’t have to bear.

“There’s been a massive failure on the part of the U.S. to bring any accountability to the temporary work visa programs, and it’s especially true for the J-1,” said Terry Coonan, a former prosecutor and the executive director of Florida State University’s Center for the Advancement of Human Rights.

“It’s difficult to prosecute these cases because the workers usually leave the country within a few months. That’s why the J-1 is the ideal visa to exploit,” Coonan said.

U.S. State Department ‘Reluctant to Comment’

For years, the State Department has refused to publicly discuss problems in the J-1 visa program. The AP asked the State Department in a Freedom of Information Act request in March 2009 for a full list of complaints related to the program.

In May 2010, more than a year later, the Department finally responded that it kept no such list, and that it retains records related to the program for only three years. In November 2010, the Department said it had finally created a database of complaints.

“It turns out that until now, we did NOT keep a record of complaints. Now, we do,” a senior adviser for the Department’s Bureau of Educational and Cultural Affairs, said in a Nov. 10, 2010 e-mail. They did not provide a copy of the complaint database to the AP or indicate how many complaints were included.

The Department declined to discuss the AP’s findings on record. “We are deeply concerned by any allegations involving the poor treatment of participants as this potentially undermines our goal of promoting mutual understanding and goodwill between the people of the U.S. and the people of other countries,” the Department said in declining an interview request.

U.S. State Department Requirements for Summer Work Travel Students

The Summer Work Travel program (J-1 Visa) provides foreign students with an opportunity to live and work in the United States during their summer vacation from college or university to experience and to be exposed to the people and way of live in the U.S. These students must be:

- Sufficiently proficient in English to successfully interact in an English speaking environment;
- Post-secondary school students enrolled in and actively pursuing a degree or other full-time course of study at an accredited post-secondary educational institution outside the U.S., having completed at least one semester post-secondary; and
- Pre-placed prior to entry or from a visa waiver country.

Readmittance, Program Length, & Returning Home

- Students can participate in the program more than once;
- The maximum length of the program is four months; and
- Students must return to their home country prior to the start date of their university or college.

Program Exclusions - Participants cannot be placed:

- In any position in the adult entertainment industry;
- In sales positions that require them to purchase inventory that they must sell in order to support themselves;
- In domestic help positions in private homes (e.g. child care, elder care, gardener, chauffeur);
- As pedicab or rolling chair drivers or operators;
- As operators of vehicles or vessels that carry passengers for hire and/or require a commercial drivers’ license;
- In any position related to clinical care that involves patient contact; and
- In any position that could bring notoriety or disrepute to the Exchange Visitor Program.

Program Sponsors are required to:

- Provide pre-arranged and fully vetted employment of all participants who are not from a non-visa waiver country.
- Provide all participants, prior to entry: copies of the Department of State’s Summer Work Travel Program Brochure; Summer Work Travel Brochure; toll-free State Dept. help line telephone number; the sponsor’s 24/7 immediate contact telephone number; information advising participants of their obligation to notify their sponsor when they arrive in the U.S. and to provide information of any change in jobs or residence; and information concerning any contractual obligations related to participants’ acceptance of paid employment in the U.S., if pre-arranged.
- Sponsors of participants who are nationals of Visa Waiver Program countries:
  - Must ensure that participants entering the U.S. without prearranged employment have sufficient financial resources to support themselves during their search for employment; and
  - Must provide such participants with information on how to seek employment and secure lodging in the U.S. before they depart their home countries, and with a job directory that includes at least as many job listings as the number of participants in their program who are entering the U.S. without prearranged employment.
- Sponsors must undertake reasonable efforts to secure suitable employment for participants unable to find jobs on their own after one week;
- Sponsors must inform program participants of Federal Minimum Wage requirement and ensure that at a minimum participants are compensated at the prevailing local wage, which must meet the higher of either the applicable state or the Federal minimum wage requirement, including payment for overtime in accordance with state-specific employment; and
- Sponsors must maintain, at a minimum, a monthly schedule of personal contact with the program participants (in-person, by telephone or via-electronic mail), document such contact, and ensure that issues affecting the health, safety or welfare of participants are addressed immediately.

Host employers are required to:

- Provide participants the number of hours of paid employment per week as identified on the job offer and agreed to when the sponsor vetted the jobs;
- Pay those participants eligible for overtime worked in accordance with applicable state or federal law;
- Notify sponsors promptly when participants arrive at the work site and begin their programs; when there are any changes or deviations in the job placements during the participants’ programs; when participants are not meeting the requirements of job placements; or when participants leave their position ahead of their planned departure; and
- Contact sponsors immediately in the event of any emergency involving participants or any situation that impacts the welfare of participants. (http://j1visa.state.gov/programs/summer-work-travel/)
In April 2011 the non-profit organization, End Child Prostitution and Trafficking (ECPAT-USA), announced that Hilton Worldwide Inc., the leading global hospitality company, has become the latest hotel company to take a strong stand against the commercial sexual exploitation of children by signing the tourism Code of Conduct (The Code). The Code specifically focuses on the protection of children from sexual exploitation in the travel and tourism industries by:

- establishing ethical corporate policies regarding the sexual exploitation of children;  
- training hotel personnel;  
- incorporating the Code into their vendor contracts;  
- educating travelers and other stakeholders;  
- annually reporting on their efforts to end human trafficking.

While The Code has been signed by almost 1,000 travel industry members worldwide, Hilton Worldwide is only the fourth U.S. company to agree to work with ECPAT-USA. Delta Air Lines became the first U.S. airline to sign The Code.

The purpose of The Code is to prevent and mitigate child sex trafficking, as well as encourage a responsible, child-wise tourism industry, explained Carol Smolenski, Executive Director of ECPAT-USA. “Some companies fear that associating with the tragic reality of child sex tourism will hurt their corporate brands or public images. The actions of Hilton Worldwide and Delta demonstrate that in fact taking a strong stand against child exploitation and trafficking is good for business,” she said.

“Hilton Worldwide believes strongly in ECPAT-USA’s mission to protect children from sexual exploitation and to bring greater attention to the issues surrounding child trafficking,” said Chris Nassetta, president & CEO, Hilton Worldwide. “As part of our commitment, we will work with government, non-governmental organizations and others in our industry to address this issue.”

Other U.S. organizations that have signed The Code include Carlson Companies, which owns the Radisson Hotels, and Global Exchange’s Reality Tours. Smolenski noted that Hilton Worldwide’s signing of The Code is an important milestone in ECPAT’s ongoing efforts to reach U.S. travel companies and create awareness of their need to provide leadership in tackling child trafficking. (http://ecpatusa.org/2011/04/hilton-worldwide-signs-the-code/)
Sisters of St. Joseph Collaborate with St. Louis Hotel & ECPAT-USA to Address Demand for Human Trafficking

On July 12, 2011 the Millennium Hotel St. Louis will become a signatory of the ECPAT-USA Code of Conduct (http://ecpatusa.org/what-we-do/protect/the-code/). This commitment followed months of collaborative conversation and planning by representatives of the Sisters of St. Joseph, the Millennium Hotel management team, and ECPAT representatives.

During July 2011 over 900 representatives of the U.S. Federation of the Sisters of Saint Joseph and their associates from across the nation and the world will gather in St. Louis, MO. When the Sisters first contracted with the Millennium Hotel for their national event, they opened discussions about the issue of human trafficking. Roman Catholic women religious have been key leaders in the national and international movement to stop the demand for human trafficking.

Kathleen McCluskey CSJ, Executive Director of the Federation stated, “As followers of Jesus we are to build relationships of healing in our world. We wanted to host this national event at a hotel that supports that same conviction. From the moment they became aware of the horror of human slavery and the role that hotels can play in combating it, the management at the Millennium Hotel St. Louis has been eager to learn and take action. We are thrilled that they will sign on to the Code.

In signing the ECPAT Code, developing policies and procedures for the prevention of trafficking, and educating every person on the staff, the Millennium St. Louis demonstrates a true concern for people, surely for their guests, but also for the world we all live in. They are taking concrete steps to combat a degrading and horrible abuse that threatens the whole human community.”

Of this collaboration, Nix representatives also affirmed, "Nix Conference & Meeting Management (http://www.nixassoc.com/) takes the opportunity to work with the U.S. Federation of the Sisters of St. Joseph and the Millennium Hotel St. Louis on this venture. We support the commitment of Federation of the Sisters of St. Joseph and ECPAT to combat human trafficking. We stand firm in our resolve to protect all children and will unite with others in the industry to bring awareness to the human trafficking issue.”

Dominic Smart, General Manager of the Millennium Hotel St. Louis commented, “It is important for all of us to join together to fight human trafficking. Everyone in our hotel will take part in the ECPAT training and be vigilant in helping to keep human trafficking and exploitation of children out of our hotel and our community. Having the Sisters of St. Joseph gather in our hotel brought this issue more clearly to our attention and everyone in the hotel has strong beliefs about it. As a father of three, like any parent, I am sensitive to this cause and feel that every child has a right to a healthy and happy childhood.”

(http://sistersofstjosephusfederation.club.officelive.com/PreEvent.aspx; http://sistersofstjosephusfederation.club.officelive.com/PRResources.aspx)
**Holy Spirit Missionary Sisters’ Corporate Stance on Human Trafficking**

We, the Holy Spirit Missionary Sisters, stand in solidarity with the victims of human trafficking and take a corporate stance against the trafficking of women and children for sexual exploitation, prostitution, forced labor, and/or real or virtual slavery. Through valuing life and promoting the human dignity of each person, we uphold the dignity and human rights of those exploited and journey in building communities and societies of Gospel justice.

**Rationale**

From the beginning of our congregation, we have served as women for and with women. “We consider it an important mission to enable women to grow in awareness of their personal dignity and their role in the family, the Church and society.” (SSpS Constitution 109.3)

The practice of human trafficking exists here in the USA and worldwide. It is a violent and inhumane exploitation of the human person and is incompatible with the values of the Gospel; therefore, the Holy Spirit Missionary Sisters oppose the trafficking of human persons.

“Recognizing that the selfishness of the human heart is at the root of all oppressive structures and systems, we, Holy Spirit Missionary Sisters, struggle against sinfulness in our own lives; and in whatever situation we are, we stand for justice, freedom and peace.” (SSpS Constitutions 112)

The Catholic Social Teachings show us that “All human beings are clothed in the same personal dignity. For this reason they must be respected, and no reason can ever justify their being used at whim, as if they were objects” (Pope Benedict XVI, Jan. 1, 2007).

**Commitment**

We, the Holy Spirit Missionary Sisters, pledge ourselves to pray for women and children caught in Human Trafficking, to educate ourselves and others regarding the magnitude, causes and consequences of human trafficking, work for change in society by supporting anti-trafficking legislation and collaborate with others to work to eliminate the root causes of human trafficking and minister to victims of human trafficking.

**Prayer**

- Prayer Services / Holy Hours for victims of human trafficking especially women and children
- Petitions during our liturgy
- Personal prayer to transform the system
- Ongoing prayer for the release and healing of those who are trafficked
- Ongoing prayer for the traffickers for their change of heart and repentance

**Education And Awareness (Ourselves and Others)**

- Learn about the magnitude, causes and consequences of human trafficking
- Become more aware of the laws concerning human trafficking (state and federal and international)
- Learn about the key issues of human trafficking here in the USA/Caribbean.

**Advocacy**

- Letter writing, e-mailing, lobbying for policy change that will support and impact human trafficking
- Network with others on human trafficking
- Support the U.N. agenda on anti-trafficking

**Action**

- Collaborate with others to work to eliminate the root causes of human trafficking,
- Network with others to minister to victims of human trafficking in ways that are possible for our province
- Collaborate with organizations that focus on human trafficking
- Empowerment of women where we are serving

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**Action**

**Truckers Challenged to ‘Get Involved’**

Truckers Against Trafficking (TAT) offers a training video, available on DVD at no charge. The DVD details how truck drivers, trucking companies, truck stops and travel plazas can play a vital role in combating human trafficking.

Trucking companies and Travel Plazas are encouraged to utilize the DVD within their driver/employee training programs to further the education process on how to recognize and help save victims of human trafficking. TAT recommends that truck driver schools also make the human trafficking DVD a part of their training curriculum.

The training video/DVD features interviews from truck drivers, a prosecuting attorney and the FBI, which continues to issue a plea for help from professional truckers (http://www.askthetrucker.com/fbi-issues-plea-to-truckers/). Two Ohio teens are also featured. They were rescued from their traffickers when one alert truck driver made a life saving call. (http://www.askthetrucker.com/one-phone-call-from-truck-driver-rescues-nine/)
Updated ‘Look Beneath the Surface’ Video Available Online

The Anti-Trafficking in Persons Division’s updated ‘Look Beneath the Surface’ video is now available on YouTube in both English and Spanish.

The video contains revised HHS footage and provides information on human trafficking and on how to identify and assist victims. Show it during conferences, workshops, and training sessions to shed light on the horrors of human trafficking and to enlist other groups and individuals in anti-trafficking efforts.

The video can be accessed via the following links:

**English:** http://www.youtube.com/watch?v=bgyzW84I3Dc (13:20 mins)

**Spanish:** http://www.youtube.com/watch?v=znfwOM_9np8 (15:07 mins).

Go to:
http://www.acf.hhs.gov/trafficking to learn when the DVD will be available.

WebEx Trainings Available Online

Links to HHS WebEx trainings recorded from 2007 – 2010 are now available on the National Human Trafficking Resource Center (NHTRC) website. Training topics include domestic minor sex trafficking, conducting direct outreach to victims of human trafficking, and the effects of trauma on trafficking victims.

The trainings can be accessed via the following link:

Demi and Ashton’s Media Message Too Narrow

“It’s incredibly important for people in the public domain – not just celebrities, but anyone with some measure of access to media, including our politicians – to choose human trafficking as an issue they want to call attention to. I applaud Demi Moore and Ashton Kutcher for doing so.

However, I’m concerned that their message – “Real men don’t buy girls” – is too narrow. It needs to be “Real men don’t buy sex.” The message that real men don’t buy girls leaves open the possibility that real men buy women.

The Coalition Against Trafficking in Women (CATW) is the world’s first organization to fight human trafficking on an international level. As the world’s leading abolitionist organization, we have learned from survivors of sex trafficking and prostitution (noting that the two are inextricably linked) that if a woman can be sold, children will certainly be sold. If you are going to just take a position that real men don’t buy girls, it’s going to prove to be largely ineffective. To make an impact, you have to take a stronger, more principled position – that real men don’t buy sex.”

Norma Ramos, Executive Director, CATW.

(http://www.themarknews.com/articles/4770-will-real-men-make-a-difference)

IDA Program cont.

of up to $2,000 for individuals and $4,000 for families for education and professional development, home ownership, vehicle purchases, and micro-enterprise.

Enterprise Development Group, an ORR grantee located in Arlington, Virginia, has assisted four human trafficking victims through the IDA program, helping two to save for their education and two to purchase homes.

For more information on the IDA Program and a list of current IDA grantees please see following link:

Assistance for Victims of Trafficking

The Office of Refugee Resettlement’s (ORR) Individual Development Account (IDA) Program aims to increase the ability of low-income refugees and other eligible populations to acquire assets through financial literacy training and to gain access to financial institutions in the United States.

Program participants may qualify to receive a one-to-one savings match

IDA Program cont. next col.

Stop Trafficking! is dedicated exclusively to fostering an exchange of information among religious congregations, their friends and collaborating organizations, working to eliminate all forms of trafficking of human beings.

Use the following web address to access back issues of Stop Trafficking! http://www.stopenslavement.org/index.html

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