



United States Senate
WASHINGTON, DC 20510-0504
<http://feinstein.senate.gov>

November 10, 2015

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

The Honorable James B. Comey, Jr.
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Deputy Attorney General Yates and FBI Director Comey:

My understanding is that sex traffickers continue to advertise minors for commercial sex on Internet websites like Backpage.com, and that there has been no federal action by the Department of Justice to stop this. That is inexcusable.

Human trafficking is the second largest criminal enterprise, generating roughly \$150 billion each year. Two-thirds of its profits come from sex trafficking alone, and a staggering 63% of minor sex trafficking victims are sold via the Internet at some point in their trafficking situation. It is a major problem. Indeed, it has been reported that, in 2014, one website advertised nearly 12,000 advertisements for commercial sex *on a single day*.

Because of the rampant advertisement of minors on the Internet, Congress enacted legislation to enable the Department of Justice to investigate and prosecute Internet sites that knowingly advertise children for sex. The Senate adopted an amendment offered by myself and Senator Mark Kirk to the *Justice for Victims of Trafficking Act*, which was signed into law by President Obama in May.

The amendment added to the federal criminal law on sex trafficking language that makes it a federal felony to knowingly advertise a minor for a commercial sex act. The law now reads:

(a) *Whoever knowingly--*

(1) [. . .] *recruits, entices, harbors, transports, provides, obtains, **advertises**, maintains, patronizes, or solicits by any means a person; or*

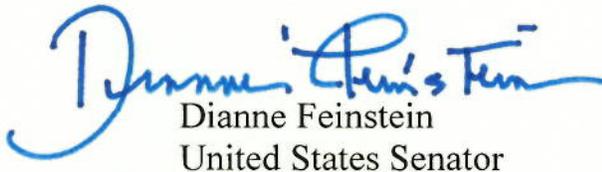
(2) *benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1),*

knowing, or, except where the act constituting the violation of paragraph (1) is advertising, 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).

Despite the enactment of this provision, I have heard from various anti-trafficking task forces in California, and have been informed that the advertisement of minors for commercial sex continues to occur on websites such as Backpage.com, a website notoriously used by traffickers to advertise victims.

Congress and the President have made clear that sex trafficking must be stopped. This cannot be done without strong action to prevent the continued advertisement of minors for commercial sex over the Internet, which fuels the continued demand for this horrific crime. I urge you to aggressively enforce the provision above, and ask that you report to me quickly what steps are being taken to do so. In my view, inaction is not an option.

Sincerely,


Dianne Feinstein
United States Senator