



Alliance to End Slavery and
Trafficking
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March 2, 2015

The Honorable John Culberson, Chairman
House Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies

The Honorable Chaka Fattah, Ranking Member
House Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies

The Honorable Richard C. Shelby, Chairman
Senate Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies

The Honorable Barbara Mikulski, Ranking Member
Senate Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies

Dear Chairs Culberson and Shelby and Ranking Members Fattah and Mikulski:

On behalf of the Alliance to End Slavery and Trafficking (ATEST) and the undersigned organizations, we are writing to seek your assistance to fund a series of authorized programs in the FY 2016 Commerce, Justice, Science and Related Agencies Appropriations bill that are absolutely critical to fighting the growing problem of human trafficking and forced labor.

The Trafficking Victims Protection Act (P.L.113-4) validated the Justice Department's role in investigating and prosecuting trafficking crimes, as well as serving its victims. The TVPA forms the core of the Department of Justice's efforts to prevent and prosecute human trafficking and protect the victims of trafficking and forced labor. Unfortunately, the problem of human trafficking and forced labor is growing. These victims often experience severe trauma that requires intensive therapy and rehabilitation. In addition, human trafficking and forced labor criminal cases are often complicated and involve lengthy legal proceedings requiring additional resources for prosecutors as well as victims. Many of these victims require comprehensive case management provided by victim service organizations to see them through their recovery and help them navigate the legal system.

With your help and leadership, we believe it is time to increase the resources available to the Department of Justice, victims, and the victim service organizations on the frontlines fighting to help the victims of these crimes. Therefore, we request the following:

Office of Justice Programs / State and Local Law Enforcement Assistance

1. Victim Services Grants: \$35,000,000 and Report Language

We request \$35,000,000 for the Victims of Trafficking Grant program for foreign nationals, and U.S. citizens and legal permanent residents. This amount reflects fully authorized amounts in the TVPA, as amended by the Trafficking Victims Reauthorization Act of 2013 (title XII of Public Law 113-4). Within this amount, we are seeking no less than \$17,500,000 for victims service

grants for foreign national victims of trafficking as authorized by section 107(b)(2) of Public Law 106-386 as amended by Public Law 113-4; and \$17,500,000 for victim services grants to assist U.S. citizen and legal permanent residents as authorized by Section 213(a)(2) of the TVPA reauthorization of 2008 and Public Law 113-4. Thousands of U.S. citizens are becoming victims of these crimes whether for forced labor or commercial sexual exploitation. Despite increasing numbers of identified victims, DOJ is decreasing funding toward victim services grants, which is leading to fewer organizations that support human trafficking victims. According to the 2014 TIP Report, DOJ awarded funding to 19 victim service organizations across the United States, totaling approximately \$7.9 million, an increase from \$5.7 million in FY 2012. However, at least two major victim service providers reported running waitlists of between 40 and 68 clients in 2013.

Consistent with the Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States (2013-2017), ATEST strongly encourages agencies throughout the budget process to focus on a comprehensive, holistic response to the needs of victims of all forms of human trafficking, including sex and labor trafficking. We are requesting \$35,000,000 to maintain the increase for the DOJ Victims of Trafficking Grant program secured in the FY15 CR-Omnibus. Continuing funding is needed to support program development for victim services programs across the United States as more and more victims of trafficking are being identified. We also recommend the following bill and report language.

Proposed Bill Language:

State and Local Law Enforcement Assistance

\$35,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106-386, as amended by Public Law 113-4, provided that no less than \$17,500,000 shall be for victim services grants for foreign national victims of trafficking and \$17,500,00 shall be for victim services grants for U.S. Citizen and LPR victims.

Proposed Report Language:

State and Local Law Enforcement Assistance

The bill provides \$35,000,000 for the Victims of Trafficking Grant program as authorized by Public Law 106-386 and amended by Public Law 113-4 of which no less than \$17,500,000,000 is for victim services grants for foreign national victims of trafficking and \$17,500,000 for U.S. Citizen and LPR victims.

2. Task Forces: \$10,000,000 and Report Language

Historically, funding for the Human Trafficking Task Forces has come from the Victim Services grants. However, section 1242 of the TVPRA of 2013 authorized for the first time \$10,000,000 specifically for human trafficking taskforces focused on all forms of human trafficking. This authorization also provides funds to train law enforcement personnel on how to identify human trafficking. Lack of training on the crime and on identification of victims is a significant barrier to prosecution of cases by states. Specialized human trafficking taskforces funded by DOJ's Bureau of Justice Assistance (BJA) had been reduced from 26 to 16 across the country. This is a significant reduction in taskforces, which in the past funded more than 40 specialized taskforces. These dramatic reductions are occurring at a time when increased incidents of human trafficking are being reported. Therefore, we request that the Law Enforcement Taskforce funds receive additional appropriations and no longer be appropriated from the Victim Services Funds described above. We also request that the newly authorized \$10,000,000 be used for the

Department of Justice's Human Trafficking Task Forces, which integrate federal, state and local law enforcement, prosecutorial and victim service organizations to prevent and prosecute human trafficking.

Proposed Bill Language:

State and Local Law Enforcement Assistance

\$10,000,000 for Human Trafficking Task Forces and law enforcement training, as authorized by section 1242 of Public Law 113-4.

Proposed Report Language:

State and Local Law Enforcement Assistance

The bill provides \$10,000,000 for the Human Trafficking Task Forces and law enforcement training as authorized by Public Law 113-4.

3. Minor Victim Services Grants: \$10,000,000 and Report Language

The TVPRA of 2013 (P.L.113-4) created a grant program to “develop, expand and strengthen assistance programs for certain persons subject to trafficking.” Under this grant program the Attorney General is authorized under Section 202(i) to provide \$8,000,000 in grant funding to serve sex trafficked minors. Since the authorized funds are specific to sex trafficked minors we are requesting an additional \$2,000,000 in grant funds to support the same services, training and outreach for labor trafficked youth. We believe developing these programs simultaneously is imperative, given that the federal definition of human trafficking includes both sex and labor trafficking. Therefore to ensure funds are available to meet the needs of all child victims of severe forms of trafficking we are requesting \$10,000,000, of which \$8,000,000 is for sex trafficked minors and \$2,000,000 is for labor trafficked minors.

Specialized assistance to minor victims of human trafficking is essential to combat modern slavery. From 2007-2014, the NHTRC identified 6,014 cases of human trafficking involving minors. Minor victims of trafficking face major hurdles in recovering from the abuse and trauma of their trafficking system. Lack of resources to establish specialized programs for child victims of trafficking is preventing states from providing these vital services. Additionally, law enforcement around the country has identified the lack of specialized housing programs as the greatest obstacle in bringing effective prosecutions against child traffickers. Service providers continue to highlight that children are being arrested for crimes their traffickers forced them to commit and are housed in juvenile detention because no other housing or social services programs are available. For example in 2010, in Los Angeles County alone, 174 children under the age of 18 were arrested for prostitution. Some were as young as 11 and 12 years old. In addition, a 2013 report found that 469 children were commercially sexually exploited in the Portland, Oregon area over the past four years. In Dallas, during a three-year period from 2004-2007, the Dallas Police Department identified approximately 280 child victims of sex trafficking by screening children who were at high risk due to past abuse and histories of running away from home.

While we support the need for additional funding for trafficked minors, especially sex trafficked minors, we believe DOJ must carefully administer this new grant fund in close collaboration with the Department of Health and Human Services (HHS) and that the key areas within the grant fund include: residential care, 24-hour response services, clothing and basic necessities, case

management services, mental health counseling, comprehensive trauma-informed and gender specific services, legal services, and specialized training for social service providers, public and private sector personnel, and outreach and education. HHS in its runaway and homeless youth programs and other services grant areas already have technical expertise in all of the above-listed areas.

Proposed Bill Language

State and Local Law Enforcement Assistance

\$10,000,000 for victim services programs for minor victims of sex and labor trafficking, provided that no less than \$8,000,000 shall be for victim services grants for sex trafficked minors as authorized by section 202(i) of Public Law 113-4.

Proposed Report Language:

The bill provides \$10,000,000 for Minor Victims of Trafficking Grant program, of which \$8,000,000 is for victim services grants for sex trafficked minors as authorized by Public Law 113-4, and the remaining \$2,000,000 is for victim services grants for labor trafficked minors. The Committee encourages DOJ to work in close coordination with the Department of Health and Human Services to encourage collaboration and reduce duplication of effort.

Legal Activities / Civil Rights Division

4. \$6,500,000 for the Human Trafficking and Slavery Prosecution Unit (HTSPU) and Report Language

We request \$6,500,000 for the HTSPU, which has seen a 600% increase in its caseload in recent years. These cases are resource intensive because they are procedurally complex and involve multiple jurisdictions and defendants. Without this critical funding, the Department of Justice will be unable to effectively investigate and prosecute trafficking and slavery cases. We ask that report language be added encouraging HTSPU and the recently created Anti-Trafficking Coordination teams (a joint DOJ/DHS/DOL program) to work with victim service providers and non-governmental organizations to ensure victims' needs are met.

Proposed Report Language:

Legal Activities / Salary and Expenses / General Legal Activities

The Committee provides \$6,500,000 for the Human Trafficking and Slavery Prosecution Unit (HTSPU) and encourages HTSPU and the Anti-Trafficking Coordination Teams to continue working with victim service providers and non-governmental organizations to ensure victim needs are prioritized as part of the overall strategy to combat human trafficking and forced labor in the United States. Furthermore, the Committee directs the Human Trafficking and Slavery Prosecution Unit (HTSPU) to report to the Committees on Appropriations no later than 120 days following enactment of this Act on (1) the total number of human trafficking cases it pursued in within the last three years for prosecution, disaggregated by type of trafficking, (2) the number of Assistant U.S. Attorneys who received training on human trafficking within the last three years, and (3) the number of Assistant U.S. Attorneys who received training on restitution for human trafficking victims within the last three years.

Legal Activities / United States Attorneys

5. Report Language Creating a Point of Contact in each USA Office

We request that the Subcommittee include report language that directs the creation of a point of contact (POC) in each U.S. Attorney's Office (USAO) to serve as the coordinator of all human trafficking and forced labor matters within each USAO and to serve as a liaison with victim service organizations within each respective jurisdiction to improve coordination and communication.

Proposed Report Language:

Salaries and Expenses / United States Attorneys

The Committee directs the Executive Office of U.S. Attorneys, in consultation with the United States Attorneys, to designate a point of contact in each U.S. Attorney's office who shall serve as the coordinator for all activities within that office concerning human trafficking and forced labor matters covered by the Trafficking Victims Protection Act (TVPA). Designating a point of contact will improve communication and coordination within each jurisdiction, including victim service organizations, in order to better serve the victims of human trafficking and forced labor.

6. Report Language Creating a Process for Survivors to Obtain Expedited Letter of Support

We request that the Executive Office of U.S. Attorneys, in consultation with the Department of Homeland Security, to develop a process to enable survivors with T-visas to obtain an expedited letter of support from the Department of Justice when their criminal case is closed.

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Federal Bureau of Investigation

7. FBI Salaries and Expenses: \$15,000,000 for Investigations into Severe Forms of Trafficking and Report Language

We request \$15,000,000, as authorized by Sec. 113(h) of the TVPA of 2000 (P.L. 106-386), as amended by the TVPRA of 2005 (P.L. 109-164) and the TVPRA of 2008 (P.L. 110-457), for the Federal Bureau of Investigation's (FBI) Salaries and Expenses account to investigate severe forms of trafficking in persons. As the lead federal law enforcement agency, the FBI's ability to combat trafficking and forced labor would be significantly enhanced through additional resources devoted specifically to trafficking and forced labor. While the total number of investigations of child sex trafficking has increased from 352 to 440, the FBI reported 306 pending human trafficking investigations with suspected adult and foreign child victims, a decrease from 337 in FY 2011. This decline suggests that specialized funding for human trafficking is needed, as well as additional resources to ensure all types of trafficking cases continue to be appropriately investigated.

Additionally, Continued Presence, a temporary form of immigration relief, was explicitly created under the TVPA of 2000 to provide status to potential trafficking victims. Too often victims are not receiving this form of relief in a timely matter, and additional burdens are placed on the

cooperating victim as well as the service providers assisting the victim who remains without status in the United States.

Proposed Report Language:

Salaries and Expenses / Federal Bureau of Investigation

The bill provides \$15,000,000 for the FBI to investigate severe forms of trafficking in persons. As the lead federal law enforcement agency, the FBI's ability to combat trafficking and forced labor would be significantly enhanced through additional resources devoted specifically to the growing problem of trafficking and forced labor. The funding shall be used for investigations into trafficking and forced labor and providing victim witness coordinators when needed on an emergency basis.

The Committee directs FBI to identify potential victims of human trafficking and forced labor early in any FBI or FBI-led investigations and provide informational materials and referrals for victim assistance as quickly as possible prior to any legal action. The Committee encourages FBI to work with non-governmental organizations and victim service providers on victim referrals and assistance. The Committee also encourages FBI to seek: (1) Continued Presence for potential trafficking victims as soon as possible to assist in the prosecution of traffickers and aid in victim recovery and (2) assist local and state law enforcement to understand the requirements of CP and promptly respond to any state or local requests by law enforcement for CP for potential victims of human trafficking.

8. Federal Bureau of Investigation (FBI): Training for Agents

FBI agents are on the frontlines of our efforts to combat human trafficking, investigating cases of labor and sex trafficking of adults and children. FBI agents play a critical role in apprehending the perpetrators of this crime. However, too often, victims are treated as criminals rather than the victims they are. Additionally, victims are not provided with the benefits and support that is mandated by the TVPA. It is critical that FBI agents receive the training they need to identify and assist trafficking victims. To accomplish this goal, we ask that the following language be included in the Committee Report for the FY 2016 Commerce, Justice, Science and Related Agencies Appropriations bill.

Proposed Report Language:

FBI plays a critical role in investigating criminal organizations trafficking individuals within the United States. The Committee encourages the FBI to work with appropriate non-governmental organizations and victim service providers to improve the training of FBI agents in the field to assist in the identification of human trafficking victims and provide appropriate referrals to victim service organizations.

We understand the extremely difficult funding situation you are facing in FY 2016. We have carefully vetted our requests to reflect true priorities that are targeted and focused on the most important and most effective programs. We thank you for your consideration of these requests and your continued leadership in fighting the scourge of human trafficking and forced labor. If you have any questions, please contact Melysa Sperber, ATEST Director, at msperber@humanityunited.org or (631) 374-0749.

Sincerely,

Coalition to Abolish Slavery and Trafficking (CAST)

Coalition of Immokalee Workers (CIW)

ECPAT-USA

Free the Slaves

Futures Without Violence (FUTURES)

International Justice Mission

National Domestic Workers Alliance (NDWA)

National Network for Youth (NN4Y)

Polaris

Safe Horizon

Solidarity Center

Verité

Vital Voices Global Partnership

ATEST is a diverse alliance of U.S.-based human rights organizations, acting with a shared agenda to end all forms of modern-day slavery and human trafficking domestically and globally. ATEST member organizations include: Coalition to Abolish Slavery and Trafficking (CAST), Coalition of Immokalee Workers (CIW), ECPAT-USA, Free the Slaves, Futures Without Violence (FUTURES), International Justice Mission, National Domestic Workers Alliance (NDWA), National Network for Youth (NN4Y), Polaris, Safe Horizon, Solidarity Center, Verité, Vital Voices Global Partnership, and World Vision.