



September 5, 2019

The Honorable Mick Mulvaney
Director
Office of Management and Budget
Executive Office of the President
725 17th Street, NW
Washington, DC 20503

Dear Director Mulvaney,

On behalf of the Alliance to End Slavery and Trafficking (ATEST), we are writing to urge you to advise the president to request funds in the president's fiscal year 2021 (FY21) budget to combat human trafficking in accordance with the package of laws comprising the Trafficking Victims Protection Reauthorization Act of 2018 (P.L. 115-425, P.L. 115-392, P.L. 115-393, P.L. 115-427) and other relevant laws.

Since passage of the original Trafficking Victims Protection Act (TVPA) in 2000, Congress has voted overwhelmingly to reauthorize the Act in 2003, 2005, 2008, 2013, and 2018. The issue of trafficking in persons includes those trafficked into the commercial sex industry and forced labor. The TVPA was created to "ensure just and effective punishment of traffickers, and to protect their victims" (P.L. 106-386). There are three main components of the TVPA, commonly called the three P's: protection, prosecution and prevention. This letter provides concrete recommendations from ATEST—a bipartisan coalition of organizations working at the frontlines of combating human trafficking in the U.S. and internationally—that articulate how Congress can provide resources critical to ensuring the U.S. government is taking a comprehensive, victim-centered approach consistent with this longstanding policy to prevent and address human trafficking and to support survivors' paths to self-sufficiency.

Human trafficking is one of the fastest growing criminal industries in the world, generating over \$150 billion in profits for traffickers per year, according to the International Labour Organization. Through the FY21 budget process, the U.S. government has the opportunity to strengthen its leadership in combating human trafficking both at home and abroad by resourcing efforts to prevent this crime, hold perpetrators accountable, and provide comprehensive services to those who are victimized.

We understand the fiscal challenges our nation faces, however we cannot lose sight of the needless human tragedies occurring within and beyond our borders. Trafficking is a national security, criminal justice, and civil and human rights issue that will define our generation. We can only hope to eradicate it within our lifetime by dedicating the necessary resources to end this scourge.

Summary of ATEST FY21 Requests				
Department	Program	FY19 Enacted	Authorized Funding	FY21 Request
Department of Justice	Office of Justice Programs / State and Local Law Enforcement Assistance: Victim Services Grants & Human Trafficking Task Forces	\$85,000,000	\$98,000,000	\$96,000,000
	Office of Justice Programs / State and Local Law Enforcement Assistance: Minor Victim Services Grants		\$8,000,000	\$10,000,000
	Legal Activities / Civil Rights Division: Human Trafficking Prosecution Unit	\$5,300,000		\$8,000,000
	Federal Bureau of Investigation: Salaries and Expenses			\$15,000,000
	National Institute of Justice / Prevalence Methodology & Study			\$7,000,000
Department of Labor	International Labor Affairs Bureau	\$86,130,000		\$130,040,000
Department of Health and Human Services	Office on Trafficking in Persons (OTIP): Foreign National Victims	\$19,000,000	\$24,000,000	\$19,000,000
	Office on Trafficking in Persons (OTIP): U.S. Citizens and Lawful Permanent Residents	\$7,755,000		\$19,000,000
	The National Human Trafficking Hotline	\$1,750,000	\$3,500,000	\$3,500,000
	Runaway and Homeless Youth Act	\$127,420,000	\$152,420,000	\$165,000,000

	Highly Vulnerable Populations Study			\$2,000,000
Department of State	Office to Monitor and Combat Trafficking in Persons Administration (J/TIP)	\$13,800,000	\$13,800,000	\$16,000,000
	Grants Administered by J/TIP: International Narcotics Control and Law Enforcement / Trafficking in Persons Grants	\$67,000,000	\$65,000,000	\$62,000,000
	Grants Administered by J/TIP: Child Protection Compacts			\$5,000,000
	Program to End Modern Slavery	\$25,000,000	\$37,500,000	\$37,500,000
	United States Advisory Council on Human Trafficking			\$500,000
	Bureau of Democracy, Human Rights, and Labor			\$10,000,000
U.S. Agency for International Development	Bureau for Democracy, Conflict and Humanitarian Assistance (DCHA): Counter-Trafficking in Persons Policy Integration			\$1,800,000
	Bureau for Democracy, Conflict and Humanitarian Assistance (DCHA): Global Labor Program			\$10,000,000
	Human Rights Grants Program			\$1,000,000
Department of Homeland Security	Immigration and Customs Enforcement / Homeland Security Investigations	Requested from allocated funding		
	Immigration and Customs Enforcement / Homeland Security Investigations: Office of Victims Assistance			
	Customs and Border Protection			

DEPARTMENT OF JUSTICE

Office of Justice Programs / State and Local Law Enforcement Assistance

1. Victim Services Grants & Human Trafficking Task Forces

We request \$67,000,000 for all services for victims of trafficking programs, including those authorized by section 107(b)(2) of Public Law 106–386, Public Law 109–164, Public Law 113–4, and Public Law 115-393. Robust resources are needed to ensure that as more survivors of trafficking come forward, they receive appropriate responses and services.

According to the 2019 Trafficking in Persons (TIP) Report, Department of Justice (DOJ) grantees served 8,913 clients during the most recent one-year period (7/1/17 to 6/30/18), approximately 11% more clients than DOJ grantees served the prior year (8,003). Finally, the National Human Trafficking Hotline (NHTH) reported a 942% increase in substantive signals received since FY09, identifying 10,658 potential trafficking cases in the U.S. in FY18 alone. Robust resources are needed to ensure that as more survivors of trafficking come forward they receive appropriate responses and services. The numbers from the NHTH demonstrate that despite current levels of funding, many continue not to receive access to necessary services.

We also request that funding for victim services grant programs at DOJ remain within the Office for Victims of Crime (OVC). OVC has done an efficient and effective job in administering victim services grants and OVC should retain this role without disruption. Further given the increase in grant funding that OVC must allocate for human trafficking victims, ATEST recommends that additional FTE positions support OVC Human Trafficking grant programs. These newly supported FTEs should be consistent with the % of increased grant funding. The victims of human trafficking are both female and male, adults and children, and include both U.S. citizens and foreign nationals who are victims of sex or labor trafficking. OVC's current program provides critical services to all of these victim groups in a carefully balanced program as authorized by the Trafficking Victims Protection Act (P.L.106- 386).

2. Minor Victim Services Grants

We request \$10,000,000 for Minor Victim Services Grants, of which \$8,000,000 is for sex trafficked minors and \$2,000,000 is for labor trafficked minors.

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 Sec. 202 of P.L. 109-164 (TVPRA of 2005), as amended by the TVPRA of 2013 and TVPRA of 2018, 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 including labor trafficked children is imperative given that the federal definition of human trafficking includes both sex and labor trafficking.

In FY18, NHTH received signals that identified 2,230 potential child trafficking cases: 1,797 potential cases of child sex trafficking, and 185 potential cases of child labor trafficking. Additionally, a 2017 study of runaway and homeless youth populations found that nearly one in five (19.4%) of 911 youth interviewed were victims of human trafficking, with 15% having been trafficked for sex, 7.4% trafficked for labor, and 3% trafficked for both.

Specialized, comprehensive, trauma-informed, gender-specific assistance to minor victims of human trafficking is essential to combating this crime. Minor victims of trafficking face major hurdles in recovering from the abuse and trauma of their trafficking situation, and law enforcement around the country has identified the lack of specialized housing programs as the greatest obstacle in bringing effective prosecutions against child traffickers.

We support the need for additional funding for trafficked minors, especially sex trafficked minors. The key areas within the grant fund should 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; specialized training for social service providers, public and private sector personnel; and, outreach and education.

Legal Activities / Civil Rights Division

3. Human Trafficking Prosecution Unit

We request \$8,000,000 for the Human Trafficking Prosecution Unit (HTPU), for resources it needs to maintain its growing caseload (a 619% increase in cases filed since the Unit began work in 2007). Despite an approximate 118% increase in cases filed in the last publicly reported five-year period (FY14-FY18) compared to the previous five-year period, funding for HTPU has been flat at \$5.3 million since FY10. These cases are resource intensive because they are procedurally complex, and involve multiple jurisdictions and defendants. With increased funding, HTPU will be able to more effectively investigate and prosecute all forms of trafficking and modern slavery. Additionally, the Abolish Human Trafficking Act (P.L. 115-392), signed into law on December 21, 2018, designates an assistant U.S. attorney in every U.S. Attorney's Office across the United States to prosecute human trafficking cases. HTPU will be responsible for training and coordinating these prosecutors.

Federal Bureau of Investigation

4. Salaries and Expenses

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 and train agents on the investigation of these cases. As the lead federal law enforcement agency, the FBI's ability to combat human trafficking and forced labor would be significantly enhanced if additional resources were devoted specifically to this crime. According to the most recently released Attorney General report, in FY17, the FBI entered the names of 448 identified victims of human trafficking into the Victim Notification System, of which 73% were from domestic minor sex trafficking and child sex tourism cases, and 27% were from adult sex or labor trafficking cases or foreign national minor cases. Resources are needed to support the FBI's important work and to ensure all types of trafficking cases continue to be appropriately investigated.

5. National Institute of Justice / Prevalence Methodology & Study

We request such sums as necessary for the National Institute of Justice (NIJ) to conduct the evaluation research and prepare a prevalence study on human trafficking in the U.S. as mandated by Sec. 401(a) of the TVPRA of 2017 (P.L. 115-427) and \$7,000,000 for NIJ to conduct this prevalence study. We ask for DOJ to provide an update on the efforts of NIJ to develop a methodology to assess the prevalence of human trafficking in the United States. The deadline for this report is December 21, 2019. In the past, no funding has been allocated to a prevalence study in the United States. Funding provided will allow NIJ to finally conduct a prevalence study on the nature of trafficking in the United States. This research is essential to inform future appropriations decisions for counter-trafficking in persons programs. Conducting pilot studies that target specific regions and demographics, and that can be conducted on a faster timeline, is a crucial step in developing a comprehensive and accurate prevalence methodology study.

Data about the prevalence of human trafficking in the United States has not been prioritized. The lack of coordinated efforts across the country to collect reliable data about trafficking means funds are appropriated and programs established without dependable information regarding the types of trafficking happening, the locations in which trafficking occurs, and the effectiveness of counter-trafficking measures. A concerted effort to collect reliable, concrete, and evidence-based research is necessary to establish more effective counter-trafficking in persons programs and to more appropriately target federal funding.

The study will need to include information from federal and state law enforcement alongside direct service providers in order to present a comprehensive landscape of human trafficking in the United States.

DEPARTMENT OF LABOR

6. International Labor Affairs Bureau

We request \$130,040,000 for the Bureau of International Labor Affairs (ILAB) in the Department of Labor (DOL). Specifically, we request \$27,000,000 for the administration of ILAB, \$59,000,000 for the Child Labor and Forced Labor program, \$36,000,000 for the Workers' Rights program, and \$8,040,000 for program evaluation.

ILAB is an essential part of the U.S. government's international response to forced labor, human trafficking, and child labor. It is responsible for implementing Section 105(b)(2) of the TVPRA of 2005 (P.L.109-164) and Section 110 of the TVPRA of 2008 (P.L.110-457). In the past, these requirements have not been funded. Funding provided would allow ILAB to fulfill its Congressional mandates and ensure staff is able to travel to the countries with which it has partnered or where important research is needed to accurately maintain the list of goods made with forced labor or child labor. In addition, a robust and expertly staffed entity within the U.S. government's foreign policy establishment – that sits outside of the diplomatic constraints of the State Department and focuses particularly on worker rights – is tremendously important to the government's ability to tackle human trafficking and address the underlying factors that place individuals at risk of trafficking.

We request \$36,000,000 for the Workers' Rights Program because it is essential to maintaining coherence with the U.S. trade agenda. ILAB provides technical assistance to countries on a variety of worker rights issues, many of which correspond directly to labor rights commitments under trade agreements. Project goals include adopting or reforming labor laws or standards, improving labor inspectorates' enforcement capacity, increasing awareness of fundamental labor rights, and improving occupational safety and health conditions. ILAB also provides technical advice and other support to labor ministries through workshops and exchange programs.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

We have seen firsthand the Department of Health and Human Services (HHS) Administration for Children and Families (ACF) Office of Trafficking in Persons (OTIP),

has served its important purpose in coordinating human trafficking efforts across ACF while leveraging existing resources and bringing important expertise on human trafficking to intersectional issues. ACF works directly with all victims of human trafficking – men, women, children, LGBTQ, foreign nationals and U.S. citizen clients – stressing the need to have an office that is responsible for guiding principles and best practices.

OTIP requires a core team of staff to coordinate this important work across divisions and bureaus in HHS. ATEST requests continued resources for HHS to maintain key staff for this office. We applaud ACF for taking this important step in creating a more coordinated and collaborative model to better assist all victims of human trafficking. We look forward to working with OTIP's staff to ensure victims receive the benefits and resources they need to recover and build a new life, and efforts and energies are not duplicative within agencies.

7. Office on Trafficking in Persons (OTIP): Foreign National Victims

We request \$16,000,000 for ACF to implement the TVPA, as amended in 2013, and 2018, to serve foreign national victims. These grants are crucial to providing victims, including children, comprehensive services once they have been identified as a victim of trafficking. In 2017, 412 victims were identified and certified as in need of comprehensive, trauma-informed, gender specific services, a 271% increase since 2001. Yet, appropriations for these programs have risen only \$3 million – from \$10 million to \$13 million – over the same period of time, and are insufficient to meet victims' needs.

In FY18, HHS provided \$7.5 million in grants to three non-governmental organizations (NGOs) for the provision of case management services to foreign national victims through a nationwide network of NGO sub-recipients. These resources provided assistance to a total of 1,612 individuals and their family members, a significant increase from prior years. The increase in funding and the number of victims served shows the vast improvement since FY16 when HHS only awarded \$6.5 million in grants to the same grantees. This resulted in the number of victims served dropping to 1,424 victims and service periods being reduced, limiting a survivor's ability to recover and to participate in criminal prosecutions. We applaud the increased appropriations since FY16 that have allowed OTIP to serve more foreign national victims and encourage this trend to continue.

We support the Department's decision to include legal services within the comprehensive services available to victims, as an important service in a survivor's recovery.

8. OTIP: U.S. Citizens and Lawful Permanent Residents

We request \$16,000,000 for ACF to implement the TVPA, as amended in 2013, 2017, and 2018, by issuing grants to Non-Governmental Organizations (NGO) working in

communities around the country providing case management programs for U.S. citizen and lawful permanent resident (LPR) victims of severe forms of trafficking. These grants are crucial to providing victims, including children, the necessary aid and services once they have been identified as a victim of trafficking. In prior years, Congress has enacted this type of grant funding specifically for U.S. citizens and LPR's within ACF, and we encourage the new administration to continue that support and include this item again in the FY21 Budget Request.

In FY18, the National Human Trafficking hotline (NHTH) received information about 1,128 potential cases of sex trafficking involving U.S. citizen victims, and 125 potential cases of labor trafficking involving U.S. citizen victims. Vulnerable populations of U.S. citizens and LPRs include, among others, runaway and homeless youth, the LGBTQI community, Native Americans, Asian Americans and Pacific Islanders, Latinos, migrant workers, youth of color, children, low literacy or numeracy individuals, and those with disabilities. When U.S. citizens and LPRs experience trafficking, they suffer similarly devastating consequences to those foreign nationals trafficked into the U.S.: psychological and physical trauma, fear of law enforcement, family estrangement, loss of income, etc. Specialized services are necessary to support U.S. citizen and LPR survivors to recover from the trauma they experienced and to build a support system to prevent re-exploitation.

9. The National Human Trafficking Hotline

We request \$3,500,000 for ACF to support the National Human Trafficking Hotline (NHTH, formerly known as the National Human Trafficking Resource Center). Authorized by Section 107(b)(1)(B) of the 2000 TVPRA as amended 22 U.S.C. 7110(b)(1), NHTH is a national, toll-free hotline, available to answer calls, online tips and email queries from anywhere 24 hours a day, seven days a week. The hotline is used to collect tips on human trafficking cases, connect victims with anti-trafficking services in their area, and where appropriate, report actionable tips to law enforcement. NHTH provides its support to both domestic and foreign victims of human trafficking, and was recently funded by the amounts appropriated to OTIP at the level of \$1,800,000 for fiscal year 2018 (FY18).

Funding to NHTH is insufficient to meet the growing call volume. In FY09, NHTH received 4,579 calls and in FY18 it received 95,190 calls, 8,260 emails, 4,903 online tip reports, and held 5,820 text message conversations and 2,767 web chat conversations related to human trafficking or crimes at a high risk for human trafficking. In that time, NHTH has identified over 14,899 potential victims of trafficking with high-level indicators of trafficking and over 19,854 potential victims with moderate-level indicators of trafficking. NHTH provides referrals to victims seeking shelter, case management, legal services, and immediate law enforcement intervention. NHTH also collects and provides valuable data on the prevalence of victims in the U.S., as well as on human trafficking trends.

10. Runaway and Homeless Youth Act

We request a total of \$165,000,000 for ACF to implement the Runaway and Homeless Youth Act (RHYA), title three of the Juvenile Justice & Delinquency Prevention Act. This is the amount included in the last full programmatic reauthorization, the Reconnecting Homeless Youth Act of 2008 (P.L. 110- 378). Runaway and Homeless Youth Act programs provide communities with the resources and training needed to prevent trafficking, identify survivors, and provide services to runaway, homeless and disconnected youth as well as their families.

Runaway and homeless youth are particularly at risk to become victims of trafficking. An estimated 4.2 million young people (ages 13-25) experience homelessness annually, including 700,000 unaccompanied youth ages 13 to 17, according to research from Chapin Hall at The University of Chicago. Recent data from the National Human Trafficking Hotline also shows that being a runaway homeless youth and living in unstable housing are two of the top risk factors for human trafficking. Numerous studies have found trafficking rates among youth and young adults experiencing homelessness ranging from 19% to 40%. Although the varying populations and methods of these studies do not allow for a definitive number, this means, using the lower end estimates, that about 800,000 of the youth and young adults who experience homelessness in a year may also be victims of sex or labor trafficking in cities, suburbs, rural communities, and American Indian Reservations across the country.

The RHYA provides resources and training to communities so that they can provide vital prevention and response services to at-risk and runaway, homeless, and trafficked youth. This modest investment has laid the foundation for a national system of services for our most vulnerable young people. ACF has been involved with monitoring, reporting on, and consulting with other government agencies regarding Runaway and Homeless Youth programs. These community-based programs provide homeless and victimized youth with hope, safety, healing, and opportunities for a new life through: emergency shelters, family reunification when safe, aftercare, street outreach, education, employment training, behavioral and mental health care, transitional housing, and independent housing options. This support achieves the following successful outcomes for youth: 1) safe exit from homelessness and hopelessness; 2) family reunification and/or establishment of permanent connections in their communities; 3) education, employment, and sustainable independence; and 4) prevention of human trafficking. Further, these programs are best positioned to prevent trafficking and commercial sexual exploitation and provide early identification of and services to these victims of crimes.

11. Highly Vulnerable Populations Study

We request \$2,000,000 to be directed to HHS for a new study on the prevalence, characteristics, and needs of programs serving homeless youth in America. Because homeless and human trafficked youth are often indiscernible and unwilling to disclose their housing and victimization status, a national multi-tiered research and data collection effort is needed. To identify, scale, and improve access to the most effective interventions, including housing and services for vulnerable homeless and human trafficked youth, regular large-scale research is needed to gather data and information on the number, characteristics, and needs of unaccompanied homeless youth in America.

DEPARTMENT OF STATE

We recognize that the realignment or reorganization of foreign assistance programs may be under consideration in FY21. ATEST notes that existing programs detailed below have been strategically developed over many years to provide specialized expertise and coordinated service delivery to meet essential anti-trafficking needs. We urge the Administration to maintain the specific programmatic structures outlined below.

12. Office to Monitor and Combat Trafficking in Persons Administration (J/TIP)

We request \$16,000,000 for the Office to Monitor and Combat Trafficking in Persons (J/TIP) to ensure it can fulfill its statutory mandates, including to support: the coordination of PITF and SPOG; deployment of rapid response teams; production of and improvements to the integrity of the Trafficking in Persons Report; implementation of child protection compacts, diplomatic engagement and technical assistance; and management and oversight of increased assistance to combat trafficking in persons. We recommend \$500,000 be used to provide ongoing training for J/TIP and mission staff worldwide who contribute to the annual TIP report, to ensure that the new requirements in the Trafficking Victims Protection Reauthorization Act of 2018, which require countries to be ranked solely on anti-trafficking impacts, are implemented.

While there is a growing awareness of the problem of human trafficking and forced labor around the world, many countries lack the resources needed to help combat the problem. J/TIP provides the necessary resources and tools to assist foreign nations' prevention and response to these crimes. J/TIP provides funding to NGOs and public international organizations (PIOs) for projects that address prosecution, protection, and prevention of both sex and labor trafficking globally.

13. Grants Administered by J/TIP: INCLE / Trafficking in Persons Grants

We request \$45,000,000 for J/TIP from the International Narcotics Control and Law Enforcement account (INCLE) to award grants to U.S.-based and foreign NGOs, and PIOs to fight human trafficking internationally through training for law enforcement, legal support, and aftercare services for survivors.

This funding is needed to continue essential work, which has previously included programs to: reduce trafficking in mining zones in the Democratic Republic of Congo; scale up child protection systems in Mauritania to prevent and combat child trafficking; provide safe migration process support and crucial services to vulnerable migrant workers in Bangladesh; and improve the identification of, and the provision of services to, trafficking victims of forced labor in the garment/textile, domestic work, and agricultural sectors in Jordan and labor trafficking of men into the fishing industry in Thailand. Additional funding is also needed to respond to new challenges, particularly online sexual exploitation of children, both girls and boys, in the Philippines.

In 2018, only 85,613 victims of human trafficking were identified globally, of an estimated 25 million, a 14.7% decrease from 2017. And according to the most recent TIP Report, in 2018 there were an estimated 7,481 convictions of traffickers globally and 11,096 prosecutions, 6784 fewer than the year before. The funding administered by J/TIP is critical to ensure that victims are identified and protected, traffickers are prosecuted and convicted, and systems and policies are in place to prevent future trafficking. The global decrease in prosecutions and identified victims highlight the need for continued funding for the Trafficking in Persons grants.

14. Grants Administered by J/TIP: Child Protection Compacts

We request \$5,000,000 specifically for Child Protection Compacts. Under the Trafficking Victims Protection Reauthorization Act of 2013 (P.L. 113-4), the State Department is authorized to provide assistance for each country that enters into a child protection compact with the U.S. to support policies and programs that prevent and respond to violence, exploitation, and abuse against children, and measurably reduce the trafficking of minors, by building sustainable and effective systems of justice, prevention, and protection. The assistance can be provided in the form of grants, cooperative agreements, or contracts to or with national governments, regional or local governmental units, or NGOs with expertise in the protection of victims of severe forms of trafficking in persons.

Since 2015, J/TIP has signed Child Protection Compacts with Ghana, the Philippines, Jamaica and Peru to combat the sexual exploitation and forced labor of children. We recommend that additional funding is made available for another country to be chosen in

FY21, that J/TIP continues to be the implementing agency of the Child Protection Compacts, and that sufficient funding is requested to allow them to fulfill this mandate.

15. Program to End Modern Slavery

In 2016, under Section 1298(b) of the National Defense Authorization Act for Fiscal Year 2017 (PL 114-328), Congress authorized the Program to End Modern Slavery, a new initiative focused on advancing transformational programs and projects that seek to achieve a measurable and substantial reduction of the prevalence of modern slavery in targeted populations in priority countries, at the level of \$37,500,000 per year through 2020. We urge the administration to request funding at the fully authorized level. This funding should complement existing anti-trafficking programs, while protecting existing foreign assistance for human rights, development, humanitarian aid, and democracy.

16. United States Advisory Council on Human Trafficking

We request \$500,000 to support the United States Advisory Council on Human Trafficking ("Council"). The Survivors of Human Trafficking Empowerment Act (Sec. 115 of Public Law 114- 22) established the Council to provide advice and recommendations to the Senior Policy Operating Group (SPOG) and the President's Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF). Human trafficking survivors are in the best position to speak to policies that have the greatest impact and will effect real change. Survivors of human trafficking are more than just their stories—they have a deep understanding of the problem and what is needed to combat it and support survivors. Council members must reflect the diverse backgrounds of survivors of trafficking — including foreign national and U.S. citizen survivors of sex and labor trafficking. The Council's 2019 report includes recommendations for government agencies and can be found here: <https://www.state.gov/wp-content/uploads/2019/05/US-Advisory-Council-2019-Report.pdf>. Given the good work of the Council, we urge that money be provided to support its ongoing work. The request would fund support staff for the Council, convenings, Council members' travel and incidental expenses, and other activities authorized by the Act. We applaud the U.S. government for working with survivors, not only on their behalf.

17. Bureau of Democracy, Human Rights, and Labor

Of the amounts provided for the Bureau of Democracy, Human Rights and Labor (DRL), we request \$10,000,000 specifically for activities to support labor rights, labor recruitment reform, and corporate accountability activities, as well as efforts to combat gender-based violence. These important programs strengthen multi-stakeholder engagement on labor and sexual exploitation in supply chains (including of products or services exported to the U.S.). Examples of these programs include anti-child labor initiatives in cotton and cocoa,

efforts to support Brazil's national plan against slave labor, capacity building for local labor monitoring and worker organizations, efforts to combat entrenched forms of slavery in Mauritania, Mali and Senegal, and initiatives to address the particular vulnerability of migrant workers and other vulnerable populations to forced labor and other forms of abuse and exploitation.

U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

18. Bureau for Democracy, Conflict and Humanitarian Assistance (DCHA): Counter-Trafficking in Persons Policy Integration

Within the budget for the U.S. Agency for International Development (USAID) Bureau for Democracy, Conflict and Humanitarian Assistance (DCHA), we request \$1,800,000 for research to inform and support the integration of anti-trafficking work into other USAID programs, both at headquarters and within missions, including but not limited to health, food security, disaster response, and economic development. ATEST welcomed the DCHA-led release of USAID's Counter-Trafficking in Persons Policy (C-TIP) in February 2012 and the subsequent Field Guide in April 2013. We recognize that an update is in progress. We are concerned, however, about the pace of this policy's implementation generally, and on the integration of anti-trafficking efforts into broader development programming in particular.

Effective integration of robust anti-trafficking analysis, evaluation, and interventions across the range of assistance programs, bureaus, and missions is critically important. Such integration can: a) ensure that foreign assistance efforts do not inadvertently leave vulnerable community members behind, or even increase their vulnerability; b) generate new avenues and opportunities to maximize the impact on trafficking issues of U.S. investments, and enhance the impact of existing interventions; and c) help reinforce and support broader development objectives. The effectiveness of foreign assistance in reducing poverty and generating economic development relies in part on communities' resilience against modern slavery. We know from a growing body of evidence that the benefits of freedom to a community include improved outcomes for education, medical care, food security, income generation, wage levels, family debt, civic and gender participation, and the rule of law.

For these reasons, we request that a greater emphasis be placed on implementation of anti- trafficking strategies in the field, by requiring mandatory training in anti-trafficking policies and programs for USAID staff in missions located in Tier 2, Tier 2-Watch List, and Tier 3 countries. It is critical that all USAID staff operating in these countries know, understand, and implement the agency's anti-trafficking policies and integration strategy.

We also request that all future Country Development Coordination Strategies in these countries, as well as Regional Development Coordination Strategies in regions that include these countries, integrate a robust C-TIP analysis and project design component.

In addition, to better understand the current state of integration of the C-TIP policy at the mission level, we recommend that USAID develop a mechanism to report on where larger program investments are being leveraged to accomplish some limited C-TIP activity, short of reporting out on percentage of budget spent through simple attribution. This should be accomplished by developing a category of attribution, "TIP Integrated Development Programs," which would include, though not be limited to, any programming to address health, food security, economic development, education, democracy and governance, and humanitarian assistance that includes some C-TIP element integrated in the program design and/or delivery. The threshold for inclusion in this category should be determined by the USAID Administrator. This information will prove critical in understanding what broader programming is being leveraged, and where C-TIP elements can be targeted for integration.

19. DCHA: Global Labor Program

We request \$10,000,000 for USAID's DCHA to support the Global Labor Program (GLP). GLP plays a crucial role in addressing the underlying root causes of human trafficking, and strengthening labor rights and workers' organizations around the world. GLP strengthens human trafficking prevention initiatives by supporting programs that improve the economic, social, and democratic development of vulnerable workers, including migrant, informal economy, and women workers. These workers are particularly vulnerable to human trafficking, forced labor, and gender-based violence. GLP also supports country-based regional and global programs on adherence to core labor standards.

GLP is a long-standing USAID program funded out of the Democracy Fund through five-year cooperative agreements. The operational office for the program is the Center for Excellence in Democracy, Human Rights and Governance (DRG) at USAID, which is part of DCHA.

20. Human Rights Grants Program

We request \$1,000,000 to support USAID's Human Rights Grants Program, which is available to USAID missions around the world to address human rights objectives or support integration of human rights issues across all development initiatives. ATEST urges these funds be used for anti-trafficking specific grants to in-country NGOs, with an emphasis on cross-sectoral programming.

DEPARTMENT OF HOMELAND SECURITY

The Department of Homeland Security (DHS) plays a critical role in combating severe forms of trafficking across borders, including through Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI), Customs and Border Protection (CBP), and the Child Sexual Exploitation Investigations Unit. The Trade Facilitation and Trade Enforcement Act (TFTEA) of 2015 strengthened the authority to prohibit the importation of goods made with forced or prison labor into the U.S., by repealing the exemption for goods for which there is a “consumptive demand” in the U.S. TFTEA has provided an effective tool for CBP and ICE to take steps to prevent the importation of these goods. This enforcement incentivizes companies to examine their supply chains more deeply for the use of such labor to avoid disruptions of their supply. In the president’s 2017 Trade Policy Agenda, the administration pledged to focus, among other things, on “enforcing labor provisions in existing agreements and enforcing the prohibition against the importation and sale of goods made with forced labor.” ATEST urges you to take the steps necessary to ensure this pledge becomes a reality. We urge you to include appropriate and necessary resources for DHS to combat trafficking and child sexual exploitation, protect trafficking victims, and effectively implement their mandate under TFTEA and the Tariff Act of 1930.

21. Immigration and Customs Enforcement / Homeland Security Investigations

We request \$54,400,000 from the Immigration and Customs Enforcement allocated funds for investigations, training, victim services, and victim witness coordinators within ICE Homeland Security Investigations (HSI) to combat severe forms of trafficking in persons as authorized by Sec. 113(i) of the TVPRA of 2013 and updated in the TVPRA of 2018. Of these funds, \$20,000,000 should be designated specifically for Victim Witness Coordinators.

HSI plays a critical role in combating severe forms of trafficking originating from foreign countries, including investigating violations of Section 307 of the Tariff Act of 1930, and is therefore the first line of defense against key aspects of this crime. In FY17 HSI initiated 833 TIP investigations, down from 1,029 in FY16 and from 1,034 in FY15. In addition, the proportion of sex trafficking to labor trafficking investigations remains unequal. For instance, in FY17 of the 282 federal human trafficking prosecutions initiated by DOJ, 266 involved predominantly sex trafficking and only 16 involved predominantly labor trafficking. Additional resources will be used to train field officers on identifying victims of human trafficking and distinguishing between trafficking and smuggling, expand trafficking investigations, and help reduce the incidents of trafficking and forced labor in the U.S. The Victim Witness Coordinator funding would allow HSI to hire 5 additional Victim Witness Coordinators to support victims interacting with law enforcement and

ensure that the HSI response to this crime is victim-centered. The funds would also allow HSI to train these personnel on the provision of victim services and rights for this victim population.

22. Immigration and Customs Enforcement / Homeland Security Investigations: Office of Victims Assistance

We request \$33,500,000 from the Immigration and Customs Enforcement allocated funds to the Secretary for the establishment of an Office of Victims Assistance within the ICE Homeland Security Investigations unit. Such funds shall be used to provide national oversight to ensure that all employees of the Immigration and Customs Enforcement comply with all applicable Federal laws and policies concerning victims' rights, access to information, advisement of legal rights, just and fair treatment of victims, and respect for victims' privacy and dignity; and to oversee and support specially trained victim assistance personnel through guidance, training, travel, technical assistance, and equipment to support Homeland Security Investigations in domestic and international investigations with a potential or identified victim or witness.

23. Customs and Border Protection

We request \$20,000,000 from the Customs and Border Protection (CBP) allocated funds for CBP to self-initiate investigations into the enforcement of section 307 of the Tariff Act of 1930. Recent changes in law have made it easier to enforce this prohibition on the importation into the U.S. of goods made with forced labor. Funds would be used to fulfill CBP's budget request for FY18 of 20 new auditors, to further enforce forced-labor restrictions in imports as was addressed in section 910 of the TFTEA of 2015. Funding would also support the Forced Labor Division within the Office of Trade to self-initiate investigations of particular types of goods suspected to be produced under conditions of forced labor; provide training to Customs officers and investigatory staff on forced labor, conducting effective investigations, and conducting thorough evaluations of company due diligence under the proposed Trusted Trader program; travel and outreach to local civil society, associated with investigations; and, develop new approaches to identifying and helping inspect cargo that may be produced with forced labor.

We look forward to working with you and with Congress to secure the funding necessary to make strong inroads against the problem of human trafficking, forced labor, and modern slavery. Should you have any questions, please contact ATEST Coalition Co-Chairs Annick Febrey (annick.febrey@traffickinginstitute.org) or Terry FitzPatrick (terry.fitzpatrick@freetheslaves.net).

Sincerely,

The Members of the Alliance to End Slavery and Trafficking (ATEST)

ATEST is a U.S. based coalition that advocates for solutions to prevent and end all forms of human trafficking and modern slavery around the world. We advocate for lasting solutions to prevent labor and sex trafficking, hold perpetrators accountable, ensure justice for victims and empower survivors with tools for recovery. Our collective experience implementing programs at home and abroad provides our coalition an unparalleled breadth and depth of expertise. ATEST was founded as a project of Humanity United in 2007 and became an independent coalition organization in 2017. ATEST member organization Free the Slaves serves as the alliance's secretariat and fiscal sponsor. *ATEST member organizations include: Coalition to Abolish Slavery and Trafficking (CAST), Coalition of Immokalee Workers (CIW), Free the Slaves, Human Trafficking Institute, National Network for Youth (NN4Y), Polaris, Safe Horizon, Solidarity Center, T'ruah: The Rabbinic Call for Human Rights, United Way Worldwide, Verité, and Vital Voices Global Partnership.*