



April 4, 2022

Honorable Matt Cartwright, Chair | Honorable Robert Aderholt, Ranking Member  
House Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies

Honorable Jeanne Shaheen, Chair | Honorable Jerry Moran, Ranking Member  
Senate Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies

The Alliance to End Slavery and Trafficking (ATEST) appreciates and thanks you for your leadership in the fight to end child labor, forced labor and human trafficking. We are grateful for the increased support these programs have received over the past decade. We seek your assistance again in funding essential programs in the FY23 Commerce, Justice, Science and Related Agencies bill. The Justice Department plays a vital role in bringing traffickers to justice. These cases are often complicated and involve lengthy legal proceedings requiring additional resources for prosecutors as well as for victims who often experience severe trauma requiring intensive therapy and long-term services and support to rebuild their lives. Most victims require comprehensive case management, legal services and access to housing supported by trauma-informed and culturally competent victim services and community-based organizations to support their goals and help them navigate the often re-traumatizing court process.

We are grateful for your support to increase investments in these areas, and to continue to ensure that the Department of Justice works to strengthen collaborative community responses to human trafficking.

<b>ATEST FY23 Appropriations Request Summary: CJS</b>					
<b>Department</b>	<b>Program</b>		<b>FY22 Enacted</b>	<b>Authorized Funding</b>	<b>FY23 Appropriation Request</b>
<b>Justice</b>	Office of Justice Programs / State And Local Law Enforcement Assistance Victim Services Grants and Human Trafficking Task Forces		\$88,000,000	\$98,000,000	\$150,000,000
		Office of Justice Programs / State And Local Law Enforcement		\$8,000,000	\$10,000,000 (included within the \$150 million request)

<b>Justice</b>	Assistance Minor Victim Services Grants			
	Legal Activities/ Civil Rights Division: Human Trafficking Prosecution Unit	\$5,300,000	n/a	\$8,000,000
	National Institute of Justice / Prevalence Methodology & Study			\$10,000,000
	Federal Bureau of Investigation			Report Language (see below)
	U.S. Attorney’s Offices			Report Language (see below)

## Department of Justice

**Office of Justice Programs / State and Local Law Enforcement Assistance Victim Services Grants and Human Trafficking Task Forces: \$150,000,000** | According to the 2021 Trafficking in Persons (TIP) Report, Department of Justice (DOJ) grantees served 9,854 clients during the most recent one-year period (7/1/19 to 6/30/20), approximately 17.6 percent more clients than DOJ grantees served the prior year (8,375). The National Human Trafficking Hotline identified 18,600 sex trafficking and forced labor victims in 2020, and reported a 60 percent increase in signal volume since 2019. Given that survivors of trafficking are coming forward in greater numbers than are being served by DOJ grantees, robust resources are needed to ensure that they receive appropriate responses and services. Data from the Trafficking Hotline and anecdotal evidence from established service providers demonstrate that insufficient resources and hindered access to resources remain a significant barrier for survivors. For example, service providers in New York City, including an ATEST member, reported a significant increase in survivors’ requests for rental assistance, medical cost coverage and food vouchers. While some of these requests were met, service providers engaged in ongoing advocacy with landlords and medical providers to negotiate rent arrears arrangements or lower medical bills when funding was insufficient to cover these costs.



In 2020 and 2021, Trafficking Hotline data shows that more than 50 percent of all crisis calls were requests for emergency shelter assistance.

The COVID-19 crisis has drastically changed the landscape for serving human trafficking victims and survivors. Service providers nationwide have reported a greater caseload and more difficulties providing services due to complicated and evolving COVID-19 mitigation measures. Data from one service provider showed a 556 percent increase in emergency response cases of escaping survivors since the start of the pandemic in 2019. Furthermore, this service provider has experienced a 455 percent increase in costs for basic necessities. As economic vulnerabilities continue to increase throughout the duration of the pandemic and economic recovery remains inconsistent, we expect an ongoing increase in required services for victims and survivors. Despite the amplified need for comprehensive services, we anticipate a possible 35 percent decrease in funding for service providers in the anti-trafficking movement as part of the economic fallout from this global health crisis. We are seeing significantly heightened client financial needs in all areas, including social and legal needs, and expect a significant increase in the need for sustained comprehensive services.

To attempt to meet the growing needs of victims and survivors, we request \$150,000,000 for human trafficking survivors and law enforcement. Given the increased vulnerability to trafficking due to persistent unemployment and general financial, legal and social instability, we request that no less than \$126,000,000 of the appropriation be for victim services, and that the majority of OVC money continues to be spent supporting direct services for all forms of trafficking in persons, including intensive case management and legal and shelter services. We also request that OVC review monies granted to law enforcement task forces to ensure task forces are adopting victim-centered approaches. Two of ATEST's direct service provider members, who also run federally funded task forces under the Enhanced Collaborative Model grants, report that many of their clients have experienced negative or harmful interactions with law enforcement. Clients report being coerced to testify against their traffickers under threat of prosecution themselves. Other clients who have reported strong labor trafficking cases have not been granted Continued Presence and law enforcement has declined to investigate these allegations. Other survivors were required to interview with law enforcement up to six separate times at the height of the pandemic, and were still not issued Continued Presence until their victim service provider advocates intervened on their behalf. One BIPOC client shared she was turned away by the police when seeking help. "I was searching for help and when I went to the police department they looked at me like I was crazy. They told me no one would want to house me or help me if I kept telling people I was running away from a pimp. They gave me a cold shoulder, a pamphlet to go across the street, and shooed me away." Essentially, when survivors of human trafficking seek help from law enforcement, the majority of survivors report being turned away, or arrested.

With respect to implementation of the Trafficking Victims Protection Act (TVPA) related to protection of victim rights, section 5 of P.L. 115-392 (one of the four bills in the most recent TVPA reauthorization), the Secretary of the Department of Homeland Security was to issue a directive regarding victim protection training and victim screening protocols. These protocols have still not



been developed. ATEST is deeply invested in the development of victim-centered protocols by DOJ and DHS, in strong collaboration with DOL and HHS, for publication and dissemination to the extensive network of DOJ-funded task forces around the country.

Finally, we want to acknowledge, gratefully, that colleagues within the Department of Justice have steadfastly responded to our appropriations requests over the past decade and we have seen large increases in funding disbursed by Department of Justice for victims of human trafficking. The COVID-19 global pandemic is unlike anything we have seen before in recent times, and victims of human trafficking are disproportionately impacted. Therefore, we continue to request significantly elevated levels of funding and hope to continue the ongoing trend of increased appropriations.

Proposed Report Language: *The bill provides \$150,000,000 for the Victims of Trafficking Grant program, of which no less than \$126,000,000 is for victim services. The \$10,000,000 request for minor victim services grants is included within the \$150,000,000 appropriations request for victim services overall.*

**Office of Justice Programs / State and Local Law Enforcement Assistance Minor Victim Services Grants: \$10,000,000** | Specialized, comprehensive, trauma-informed and gender-specific assistance to minor victims of human trafficking is critical. Minors face significant hurdles recovering from the abuse and trauma they have endured. Law enforcement has identified the lack of specialized housing programs throughout the U.S. as the greatest obstacle in effectively prosecuting child traffickers. The Attorney General is authorized to provide grant funding to serve sex-trafficked minors. We request additional funds to support services, training and outreach for labor-trafficked youth. Including labor trafficked children is imperative given that the federal definition of human trafficking includes both sex trafficking and forced labor. Furthermore, labor trafficking victims experience the same types of trauma, physical, sexual and psychological abuse seen in sex trafficking cases. Unaccompanied minors working are at risk of and have experienced sex and/or labor trafficking, but often only receive support for their sex trafficking recovery. More than 50 percent of the Safe Horizon Anti-Trafficking Program clients are identified as labor trafficking victims. Another ATEST member noted that 28 percent of their survivors served were trafficked as minors. Increased funding to serve minor victims of all forms of human trafficking, including labor trafficking, would critically shore up prevention and protection efforts.

According to the National Advisory Committee on the Sex Trafficking of Youth in the United States, “a child or youth may more readily disclose concerns related to labor trafficking than concerns related to sex trafficking given the sexual violence, trauma, and stigma endemic in sex trafficking. Additionally, some disclosures that initially seem to involve only sex trafficking may also involve labor trafficking, as children and youth may be forced to work while also being made to engage in commercial sex acts.” We further request that the bill contain statutory language to make this funding available for two years instead of just one year.



Proposed Report Language: The bill provides \$10,000,000 for Minor Victims of Trafficking Grant program, of which \$5,000,000 is for victim services grants for sex trafficked minors, and an additional \$5,000,000 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, Human Trafficking Prosecution Unit (HTPU): \$8,000,000** | HTPU houses the government’s top legal experts on prosecuting human trafficking cases. These cases are resource-intensive because they are procedurally complex and involve multiple jurisdictions and defendants. Per the Human Trafficking Institute’s Federal Human Trafficking Report, HTPU cases had a 89 percent conviction rate in 2020. Defendants in HTPU cases are consistently receiving longer sentences and more frequently ordered to pay restitution than non-HTPU cases. With increased funding, HTPU will be able to increase prosecutions of all forms of trafficking and forced labor. This funding should be prioritized for the prosecution of forced labor cases, which only constituted 6 percent of the active prosecutions in 2020, compared to 94 percent of active prosecutions for sex trafficking. From 2019 to 2020, new forced labor cases declined 11 percent, from 9 cases to 8 cases. The Human Trafficking Institute noted that prosecutors filed more sex trafficking prosecutions in 2020 than all forced labor prosecutions filed over more than 20 years after TVPA passage.

Additionally, the *Abolish Human Trafficking Act* (P.L. 115-392) designates an assistant U.S. Attorney in every U.S. Attorney’s Office across the United States to prosecute human trafficking cases. HTPU is responsible for supporting the training of these prosecutors.

Proposed Report Language: The Committee provides \$8,000,000 for the Human Trafficking Prosecution Unit (HTPU) and encourages HTPU 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 particularly forced labor in the United States. Additional resources provided are to implement section 15 of P.L. 115-392. Furthermore, the Committee directs the Human Trafficking Prosecution Unit (HTPU) 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 prosecuted or assisted in prosecuting within the last three years disaggregated by type of trafficking, (2) the number of Assistant U.S. Attorneys who received training on human trafficking within the past three years, and, (3) the number of Assistant U.S. Attorneys who received training on restitution for human trafficking victims within the past three years.

**National Institute of Justice / Prevalence Methodology & Study: \$10,000,000** | DOJ missed the deadline of December 21, 2019 to update Congress on its efforts to conduct the evaluation research and develop a methodology to assess the prevalence of human trafficking in the United States as mandated by Sec. 401(a) of the Trafficking Victims Protection Act of 2017 (P.L. 115-393). In the past, no funding has been allocated to a prevalence study in the United States. Funding provided will allow NIJ to finally develop a methodology and conduct a prevalence study on the



nature of trafficking in the United States, or more accurately, a series of prevalence studies focused on specific geographies, economic sectors, and forms of trafficking. This research is essential to inform future appropriations decisions for counter-trafficking in persons programs. The development and implementation of the methodology is estimated to cost \$10,000,000 total. Such sums necessary to complete the evaluation research and development should be appropriated for FY23.

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 prevalence of specific types of trafficking, the locations in which trafficking occurs, and the effectiveness of specific anti-trafficking measures. A concerted effort to collect reliable, accurate, relevant, and impartial data 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. Conducting pilot studies that target specific high-prevalence regions, economic sectors, and population groups is a crucial step in developing a comprehensive and accurate prevalence methodology study; moreover, limiting the covered populations (as opposed to a national prevalence estimate) will allow the work to be conducted on a shorter timeline. The United States already invests a significant amount of resources in measuring human trafficking prevalence abroad, and it is past time to make the same level of investment in measuring prevalence domestically, if we are to continue as a leader in the global anti-trafficking field.

Proposed Report Language: *The Committee directs the Secretary to report on efforts made by the National Institute of Justice to develop a methodology to assess the prevalence of human trafficking in the United States as mandated by Sec. 401(a) of the Trafficking Victims Protection Act of 2017 (P.L. 115-393). The Secretary should include in this report an estimate of the necessary funds to complete the evaluation research and development of the methodology in fiscal year 2023 and fiscal year 2024.*

**Federal Bureau of Investigation: Report Language** | The FBI is a critical federal law enforcement agency partner fighting human trafficking. The presence of the FBI in any trafficking investigation significantly increases the chances of success. Furthermore, with trafficking investigations often crossing state lines, the presence of the FBI becomes critical.

Proposed Report Language: *The Committee recognizes the complex nature of human trafficking investigations and encourages the Director to allocate additional resources for human trafficking cases and designate a lead agent in each field office as a point of contact for human trafficking investigations.*



## Legal Activities / United States Attorneys: Report Language

1) Consistent with the reauthorization of the Trafficking Victim Protection Act's requirement that each U.S. Attorney's Office (USAO) designate an Assistant U.S. Attorney (AUSA) as a lead human trafficking prosecutor, we request that the subcommittee include report language encouraging the prompt implementation and that the Executive Office of U.S. Attorneys provide sufficient support and training and technical assistance to the designated AUSAs to enable each respective jurisdiction to improve coordination and communication.

Proposed Report Language: *The Committee directs the Executive Office of U.S. Attorneys, in consultation with the United States Attorneys, to provide sufficient support and training and technical assistance to each Assistant U.S. Attorney designated as the lead human trafficking prosecutor, consistent with the Trafficking Victims Protection Act.*

2) We request that the Executive Office of U.S. Attorneys, in consultation with the Department of Homeland Security, 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.

Proposed Report Language: *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. The Committee directs 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, including a report on sufficient staffing to ensure that requests for letters can be processed in less than 3 months.*

As a champion for the victims of child labor, forced labor and sex trafficking, you understand the complexities of these issues and the resources needed to respond. We have carefully vetted our requests to focus on the most important and effective programs. We thank you for your consideration of these requests and your continued leadership. If you have any questions, please contact ATEST Director Terry FitzPatrick ([terry.fitzpatrick@atest-us.org](mailto:terry.fitzpatrick@atest-us.org)).

Sincerely,

*Coalition to Abolish Slavery and Trafficking (CAST)*

*Coalition of Immokalee Workers (CIW)*

*Covenant House*

*Free the Slaves*

*HEAL Trafficking*

*Human Trafficking Institute*

*Human Trafficking Legal Center*

*Humanity United Action*

*McCain Institute for International Leadership*



*National Network for Youth (NN4Y)*

*Polaris*

*Safe Horizon*

*Solidarity Center*

*T'ruah: The Rabbinic Call for Human Rights*

*United Way Worldwide*

*Verité*

*Vital Voices Global Partnership*

*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.*