



April 4, 2022

Honorable Lucille Roybal-Allard, Chair | Honorable Chuck Fleischmann, Ranking Member  
House Appropriations Subcommittee on Homeland Security

Honorable Chris Murphy, Chair | Honorable Shelley Moore Capito, Ranking Member  
Senate Appropriations Subcommittee on Homeland Security

The Alliance to End Slavery and Trafficking (ATEST) thanks you for your leadership in the fight to end child labor, forced labor and human trafficking. We appreciate your efforts to pass legislation and provide resources to federal agencies engaged in combating these horrific crimes. We seek your assistance in funding essential programs in the FY 2023 Homeland Security Appropriations bill and including related Committee report language. The Department of Homeland Security plays a vital role in fighting this despicable crime. ATEST recommends the creation of new victims services programs and accountability for programs in this key Trafficking Victims Protection Act of 2000 and subsequent reauthorizations (TVPA) and related legislation. We urge you to include appropriate and necessary resources for DHS to combat trafficking and child sexual exploitation, protect trafficking victims, and effectively implement its mandate under TFTEA and the Tariff Act of 1930.

ATEST FY23 Appropriations Requests Summary: Homeland		
Department	Program	FY23 Appropriation Request
Homeland Security	Customs and Border Protection	\$20,000,000
	Immigration and Customs Enforcement / Homeland Security Investigations	\$54,400,000 - Requested from allocated funding, of which <ul style="list-style-type: none"> <li>• not less than \$15,700,000 for forced labor investigations</li> <li>• \$20,000,000 for Victim Witness Coordinators</li> </ul>
	Immigration and Customs Enforcement / Homeland Security Investigations: Office of Victims Assistance	\$33,500,000- Requested from allocated funding

**Customs and Border Protection (CBP): \$20,000,000** | We request funding from the ICE allocated funds for CBP to strengthen enforcement actions and processes to prevent the importation of products made with forced labor in accordance with 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 FY 2018 of 20 new auditors, to further enforce forced-labor restrictions in imports as was addressed in section 910 of the TFTEA of 2015 (P.L. 114-125). Increased and improved enforcement of the Act would allow CBP to stop goods made with forced labor from entering the U.S. markets and discourage foreign producers from using forced labor in their supply chains.

We continue to see a steady uptick in enforcement actions over recent years. Since the consumptive demand loophole was closed in 2015, CBP has issued 36 Withhold Release Orders (WRO), including 7 WROs and 2 Findings in FY 2021. CBP estimated its FY 2021 enforcement actions prevented nearly \$500 million of goods made by forced labor from entering the United States. While we appreciate this increased attention by CBP, we also recognize CBP needs additional resources in order to continue fulfilling their mandate to prevent the importation of goods made by forced labor. In the past couple of years, the Government Accountability Office has written several reports highlighting CBP's need for more resources dedicated to addressing forced labor. Additionally, Congress has recently given additional mandates to CBP on this issue, including the Uyghur Forced Labor Prevention Act. In order to ensure CBP is able to continue increasing its Section 307 enforcement actions and tackle additional mandates related to forced labor, it is critical Congress provide additional resources specifically directed to support CBP's enforcement of Section 307.

**Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI):**

**\$54,400,000** | 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 FY 2021, ICE HSI made 2,360 human trafficking arrests, up 35 percent from FY 2020. We request funding from the Immigration and Customs Enforcement allocated funds for investigations, training, victim services, and victim witness coordinators within HSI to combat severe forms of trafficking in persons as authorized by Sec. 113(i) of the TVPRA of 2013 (P.L. 113-4) and updated in the TVPRA of 2018 (P.L. 115-392).

Of these funds, \$15,770,000 should be for forced labor investigations under section 307 of the Tariff Act of 1930, and \$20,000,000 should be designated specifically for Victim Witness Coordinators. Additional resources should 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 United States. The Victim Witness Coordinator funding would allow HSI to hire 5 additional Victim Witness Coordinators specialized in human trafficking to support human trafficking 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 all victim witness personnel on the provision of victim services and rights for this specialized victim population.

Proposed Report Language: *Forced Labor - Within the total amount provided to HSI, not less than \$15,770,000 shall be for investigations and other activities related to forced labor law violations, including but not limited to forced child labor, and of which not to exceed \$6,000,000 shall remain*



available until expended. ICE shall submit to the Committees an annual report on the expenditures and performance metrics associated with such activities.

**DHS Center for Countering Human Trafficking (CCHT): Report Language Request |**

We are aware of legislation S. 2991 that would appropriate \$14 million for staffing support and personnel at the DHS CCHT, while we do not take a position on a specific appropriations request for the CCHT at this time, we have recommendations on how any money that is appropriated should be disbursed. We request that all CCHT-related funding be utilized in accordance with the prevention, protection and prosecution principles enshrined in the TVPA of 2000.

Proposed Report Language: The Center to Counter Human Trafficking shall ensure that all appropriated funds to support the center's operation and functioning, including personnel and resources, place the victim at the center of all policies and procedures. The CCHT shall use these funds to support pending requests for Continued Presence, including expedited resolution of requests, and to enhance the utilization of Continued Presence in more forced labor cases, whose victims are under-represented among the individuals who are granted Continued Presence. Any appropriated funds shall not be used to support any activities related to enforcement and removal operations of any potential or identified victims of human trafficking.

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 Coalition Director Terry FitzPatrick (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.*