



## Human Trafficking Fact Sheet for Federal Office Seekers

September 2022

The Alliance to End Slavery and Trafficking (ATEST) is a U.S. based, nonpartisan coalition that advocates for solutions to prevent and end all forms of human trafficking, including forced labor and other forms of modern slavery around the world. ATEST provides accurate and up-to-date information to members of Congress and federal agencies about human trafficking, assists in drafting and supporting counter-trafficking legislation, and combats misinformation. Below you will find resource materials about forced labor and human trafficking in the United States and around the world, recent counter-human trafficking legislation, and our policy priorities for your use as you prepare policy positions and communicate to constituents.

Comprehensive reliable data on human trafficking in the United States is not readily available. The United States needs to do more to invest in understanding this complex issue in our own country. However, from the data we have, even with its limitations, we know: Human trafficking is a global crisis occurring in every country in the world and every state in the U.S.

### Human Trafficking Defined:

- The Trafficking Victims Protection Act defines [federal severe forms of human trafficking](#) crimes as:<sup>i</sup>
  - **Forced Labor:** the recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery
  - **Sex trafficking:** a commercial sex act induced by force, fraud or coercion, or in which the person induced to perform such act has not attained 18 years of age
- Human trafficking consists of three core elements from the [United Nations Palermo Protocol](#)<sup>ii</sup>:
  - **Action:** recruitment, transportation, transfer, harboring, or receipt of persons
  - **Means:** threat of force or use of force, deception, coercion, abuse of power or position of vulnerability
  - **Purpose:** exploitation
- Victims of forced labor face multiple forms of coercion including wage theft, threats of deportation, threats and acts of physical violence, threats against family, psychological abuse, and sexual violence. The eleven [International Labor Organization Indicators of Forced Labor](#)

are a useful tool to identify forced labor - the indicators represent the most common signs or “clues” that point to the possible existence of a forced labor case.

### **Estimated Numbers on Human Trafficking:**

- The International Labor Organization, International Organization for Migration, and Walk Free [estimate](#) that 28 million people were in forced labor around the world in 2021.<sup>iii</sup> Three million more people were in forced labor in 2021 compared to 2016 global estimates.
- Most victims are in labor trafficking situations:<sup>iv</sup>
  - 17 million people experience forced labor in the private sector (63%)
  - 4 million people experience government-imposed forced labor (14%)
  - 6 million people have been forced into commercial sexual exploitation (23%)
- Sectors in which victims are most often forced into labor include manufacturing, construction, agriculture, domestic work and mining.<sup>v</sup>
- About 3 million forced labor victims are children (12%).<sup>vi</sup>
- Trafficking is [estimated](#) to be a \$150 billion industry and is one of the fastest growing criminal enterprises of the 21st century.<sup>vii</sup>
- While unsafe and unfair migration put people at risk for trafficking, 85% of forced labor occurs within the victim’s country of origin. Approximately 15% of trafficking globally involves migration.<sup>viii</sup>
- 10,583 trafficking phone calls, texts, online chats, emails, or online tips were reported by the [National Human Trafficking Hotline](#) in the U.S. in 2020.<sup>ix</sup>

### **Root Causes of Human Trafficking:**

- Trafficking victims come from all demographics, but vulnerabilities like homelessness, domestic violence, sexual assault, war or conflict, lack of decent work opportunities, social discrimination and climate change make people more susceptible.<sup>x</sup>
- Trafficking is caused, in part, by oppressive, marginalizing systems and policies that result in power imbalances. The root causes of human trafficking are intersectional, meaning that forms of disempowerment, such as entrenched cultural norms and racist, discriminatory, political, social and economic power structures are overlapping and interactive and can create vulnerability to human trafficking.

### **Smuggling vs. Human Trafficking:**

- Human smuggling is distinct from trafficking because it is an offense against an international border, rather than an offense against a person. Smuggling may turn into trafficking, but often people willingly consent to being smuggled. In contrast, trafficking is always nonconsensual.

Moreover, movement is not a requirement of trafficking

### **Foreign Labor and Visa Systems:**

- Temporary work visas are often promoted as a beneficial system for both workers and the U.S. economy; however, [data](#) from the National Human Trafficking Hotline show that guest workers on U.S. visas are frequently victimized by trafficking, including forced labor and debt bondage.<sup>xi</sup>
- Visa Systems:
  - A-3/G-5: personal attendants to diplomats and employees of international organizations
  - H-2A: seasonal agricultural workers
  - H-2B: temporary non-agricultural workers
  - J-1: participants of cultural and educational exchange programs
- The National Human Trafficking Hotline identified 15,886 victims of labor trafficking from 2018-2020
  - 92% of those victims whose nationality was known were foreign nationals;
  - 72% of victims, for whom visa status was known, held an H-2A, H-2B, J-1 or A-3/G-5 visa;
  - 59% of victims across temporary work visa categories reported that threats related to immigration were used to keep them working against their will;
- Recommendations to more effectively protect workers on temporary visas:
  - Allow all nonimmigrant work visa holders to change jobs if they are being exploited or abused. Visa portability must be built into these programs.
  - Strengthen enforcement of rules and laws for recruiters, contractors and employers who exploit workers and ensure joint employer liability for employers and contractors
  - Reform the recruitment system of temporary guest workers, including prohibiting all recruitment fees
  - Institute effective protections and enforcement for A-3 and G-5 visa holders

### **Holistic Approaches to Combat Trafficking:**

Holistic government approaches are necessary to create lasting solutions to human trafficking. Trafficking cannot be effectively combated without effective coordination from many organizations and government agencies. Multiple approaches are needed to address the complicated root causes of human trafficking. Since trafficking lies at the intersection of many issues, holistic approaches across the range of federal agencies look like:

- Creation of legislation that further prevents trafficking, effectively protects survivors, and efficiently prosecutes traffickers;

- Enhanced legislation and policies protecting human rights including women’s rights, labor/workers’ rights, migrant rights, and children’s rights;
- Legislation and significant policy shifts to enact systems change to reduce or eliminate racism, discrimination and all forms of oppression in migration, job recruitment, workplace policies, and access to housing, education, medical and mental health care, legal justice, and more;
- Effective implementation and enforcement of existing legislation and protections;
- Improved training for law enforcement to recognize trafficking, identify victims, and appropriately investigate trafficking cases and support survivors, including for forced labor;
- Coordination across federal agencies and with state, tribal and local governments and civil society;
- Stronger and more accessible prevention programs for all groups vulnerable to trafficking like migrant workers, runaway and homeless youth, marginalized workers, and victims of domestic violence;
- Implementation of the first national study of human trafficking in the United States to provide stronger data to inform federal decision making;
- Accountability for all governments, including the United States, for participation in trafficking, failure to protect survivors and prosecute traffickers, policies that make people more vulnerable to trafficking, and lack of effort to holistically combat trafficking;
- Global leadership to provide a stronger example of efforts to combat trafficking and encourage foreign countries to improve their efforts; and
- Procurement practices that disallow government purchases of goods and services produced with forced labor, and that reward companies that give preference in the bidding process to companies that sell products produced without forced labor, such as those from the Fair Food Program.<sup>xii</sup>

### **Counter-Trafficking Legislation:**

Congress has enacted and reauthorized multiple laws in the past two decades that have improved legal responses to trafficking cases, increased victim protections and services, and established counter-trafficking programs. These include:

- The landmark [Trafficking Victims Protection Act of 2000](#) and its subsequent reauthorizations in 2003, 2005, 2008, 2013, and 2018 which provide assistance to trafficking victims, create grant programs for counter-trafficking efforts and victims services, establish new trafficking related crimes, and authorize the U.S. Government to assist foreign countries’ efforts to combat trafficking. Four bills that constitute the 2022 reauthorization of the Trafficking Victims Protection Act in the 117th Congress are pending ([H.R. 6552](#), [S. 3946](#), [S. 3949](#), [S. 4171](#)).<sup>xiii</sup>

- [Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today \(PROTECT\) Act of 2003](#) established stricter penalties for individuals who engage in sex tourism with children in both the United States and foreign countries.<sup>xiv</sup>
- The [Preventing Sex Trafficking and Strengthening Families Act of 2014](#) requires states to develop policies to identify children at high-risk of trafficking, provide appropriate services, and report children identified as trafficking victims to law enforcement and the Department of Health and Human Services.<sup>xv</sup>
- The [Justice for Victims of Trafficking Act of 2015](#) provides increased access to restitution for survivors and improves law enforcement reporting on incidences of trafficking.<sup>xvi</sup>
- The Tariff Act of 1930<sup>xvii</sup> addressed forced labor in Section 307 by prohibiting certain imports from entering into the United States if it was in any way produced by forced labor or child labor.
- The [Uyghur Forced Labor Prevention Act of 2022](#)<sup>xviii</sup> functions under Section 307 of the Tariff Act to establish a presumption that any imports, produced wholly or in part in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China is prohibited unless it can be determined by clear and convincing evidence that the imports were not produced using any forced labor or child labor.

### **Primary Federal Agencies and Programs Currently Involved in Combating Trafficking:**

- State Department: [Office to Monitor and Combat Trafficking in Persons \(J/TIP\)](#), [United States Agency for International Development \(USAID\)](#), [Bureau of Democracy, Human Rights and Labor \(DRL\)](#)
  - J/TIP functions to provide funding and assistance to foreign governments that require it to combat human trafficking, as well as providing grants to civil society organizations. J/TIP publishes the annual [Trafficking in Persons Report](#) that evaluates whether governments around the world meet minimum standards to combat trafficking. J/TIP coordinates U.S. government anti-trafficking activities by managing the [President’s Interagency Task force on Human Trafficking](#), the [Senior Policy Operating Group](#) and the [U.S. Advisory Council on Human Trafficking](#).
  - USAID is an independent federal government agency that provides economic, development, and humanitarian assistance around the world. USAID’s Counter-Trafficking in Persons team works to integrate anti-trafficking strategies and activities into international aid programs worldwide.
  - DRL “champions universal values, including respect for the rule of law, democratic institutions, and human rights. The bureau’s work helps bolster democratic institutions, confront democratic backsliding, promote accountability, uphold internationally recognized labor standards, and advance the rights and equity of members of marginalized racial, ethnic, and religious communities, indigenous

persons, persons with disabilities, and LGBTQI+ persons.” DRL’s programs contribute to prevention efforts related to eradicating forced labor and other forms of human trafficking globally.<sup>xix</sup>

- Department of Homeland Security: [Center for Countering Human Trafficking](#); Immigration and Customs Enforcement: Homeland Security Investigations, Customs and Border Protection (CBP)
  - The U.S. Immigrations and Customs Enforcements (ICE) Homeland Security Investigations (HSI) use their criminal, immigration and trade-based authorities to proactively identify, disrupt and dismantle cross-border human trafficking organizations and minimize the risk they pose to national security and public safety.
  - The U.S. Customs and Border Protection (CBP) implements the Tariff Act of 1930 prohibition on the importation of good tainted by forced labor into the U.S. through the issuance of [withhold release orders \(WROs\)](#) and other trade enforcement measures
- Department of Justice (DOJ): [Human Trafficking Prosecution Unit \(HPTU\)](#), [Child Exploitation and Obscenity Section \(CEOS\)](#), [Office for Victims of Crime \(OVC\)](#)
  - The HPTU uses the expertise of top human trafficking prosecutors to ensure efficient trafficking investigations and consistent application of trafficking statutes.
  - The CEOS works with the HPTU to investigate and prosecute cases under federal statutes prohibiting the prostitution of children.
  - The OVC assists victims of human trafficking by ensuring that all trafficking victims receive support in accessing services they need as well as strengthening the victim service response to human trafficking through grant funding, training and technical assistance, and leadership in the field.
- Department of Labor (DOL) [International Labor Affairs Bureau \(ILAB\)](#): [Workers’ Rights Program](#) and [Child and Forced Labor Program](#)
  - ILAB works to conduct research on eradicating forced and child labor globally, including in supply chains, provide funding for organizations engaged in efforts to eliminate forced labor and exploitive child labor and assist in developing and implementing U.S. government policy on child labor, forced labor, and human trafficking issues. ILAB publishes a list of goods and commodities tainted by forced or child labor that are prohibited from import into the U.S.
- [Department of Health and Human Services Office on Trafficking in Persons \(OTIP\)](#)
  - OTIP develops anti-trafficking strategies, policies, and programs, builds health and human service capacity to respond to human trafficking, increases victim identification and access to services, and strengthens health and well-being outcomes of trafficking survivors.

## ATEST Policy Priorities:

- Advocate for newly authorized initiatives in the Trafficking Victims Protection Reauthorization Act and related legislation to receive full financial appropriations
- Advocate for effective implementation of new provisions that require tier ranking of countries in the annual Trafficking in Persons Report to be based exclusively on each country's anti-trafficking efforts
- Engage with the Departments of Justice and Homeland Security for development and implementation of a comprehensive victim services protocol, and enhanced data collection on human trafficking incidences and investigations around the country
- Engage with USAID in the implementation of its Counter-Trafficking in Persons (CTIP) Policy
- Engage with the Treasury Department to ensure multilateral development banks include anti-trafficking provisions in international projects
- Continuing to speak out when policies or practices harm trafficking victims and survivors, or hurt immigrants or others who are vulnerable to trafficking
- Use of all available tools (legislation, Customs and Border Protection enforcement, trade policy, and more) to make corporations accountable for forced or child labor in their supply chains and to prevent the import of tainted goods into the United States
- Building on the presidential executive order banning human trafficking in government contracts, further responsible procurement practices that give preference in the bidding process to companies that sell products produced without forced labor, such as those produced in the [Fair Food Program](#) in agriculture.
- Supporting legislation and policy initiatives that address root causes of human trafficking, including poverty, unsafe migration, discrimination in job recruitment, gender-based violence, lack of safe housing, and more.

## Questions and Answers:<sup>xx</sup>

- **Question:** Does most human trafficking involve sex?
  - **Answer:** No. Human trafficking is defined as the use of force, fraud, or coercion to get a person to provide labor and/or commercial sex. While there is more widespread awareness of sex trafficking in the U.S., global estimates indicate there are more occurrences of labor trafficking than sex trafficking.
- **Question:** Do only undocumented foreign nationals get trafficked in the U.S.?
  - **Answer:** No. There are many cases of trafficking involving foreign nationals who are legally in the U.S. Additionally, foreign nationals are not the only people victimized by human trafficking. Human trafficking victims can be anyone, including native U.S. citizens.

- **Question:** Are human trafficking and human smuggling are the same thing?
  - **Answer:** No. Human trafficking is the exploitation of a person defined by the use of force, fraud or coercion and does not require any movement. Smuggling involves moving a person across a country's border in violation of immigration laws. Smuggling can become human trafficking when the use of force, fraud, or coercion for forced labor or commercial sex occurs, but smuggling does not always involve human trafficking and human trafficking does not always involve smuggling.
  
- **Question:** Is it true that human trafficking victims are physically unable to leave their situations and are being held against their will?
  - **Answer:** Yes, in some cases. While human trafficking may sometimes include victims being physically restrained from leaving by being locked in or something similar, that is not always the case. More often though, people in trafficking situations stay for complicated reasons such as lack of transportation or a safe place to live, fear for safety, manipulation, economic coercion, etc.

#### **Resources from ATEST and its member organizations:**

- Find out more about human trafficking in your state in the Human Trafficking Institute's 2021 Federal Human Trafficking Report State Summaries: <https://traffickinginstitute.org/state-reports/>
- Learn more about the data collected from the Polaris run National Human Trafficking Hotline at <https://humantraffickinghotline.org/states>
- Learn more about the intersection of youth and young adult homelessness and human trafficking at: <https://nn4youth.org/learn/youthhomelessnesshumantrafficking>
- Learn more about the ATEST recommendations to the Biden-Harris Administration at: <https://endslaveryandtrafficking.org/wp-content/uploads/2020/11/ATEST-Presidential-Transition-Memo-November-2020.pdf>
- Learn more about the ATEST Recommendations for 2022 reauthorization of the Trafficking Victims Protection Act at: <https://endslaveryandtrafficking.org/2947-2/>
- Learn more about the ATEST recommendations for FY23 federal appropriations: <https://endslaveryandtrafficking.org/appropriations-guide/>

#### **Federal Resources:**

- 2022 State Department Office to Combat and Monitor Trafficking in Persons Report: [https://www.state.gov/wp-content/uploads/2022/08/22-00757-TIP-REPORT\\_072822-inaccessible.pdf](https://www.state.gov/wp-content/uploads/2022/08/22-00757-TIP-REPORT_072822-inaccessible.pdf)

- FY 2020 Attorney General’s Annual Report to Congress on U.S. Government Activities to Combat Trafficking in Persons:  
<https://www.justice.gov/humantrafficking/page/file/1486861/download>
- 2021 U.S. National Action Plan to Combat Human Trafficking:  
<https://www.whitehouse.gov/wp-content/uploads/2021/12/National-Action-Plan-to-Combat-Human-Trafficking.pdf>
- 2021 U.S. Agency for International Development Policy on Countering Trafficking in Persons:  
[https://www.usaid.gov/sites/default/files/documents/December-2021\\_Revised-C-TIP-Policy.pdf](https://www.usaid.gov/sites/default/files/documents/December-2021_Revised-C-TIP-Policy.pdf)

**About ATEST:**

The [Alliance to End Slavery and Trafficking](#) 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 forced 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 member organizations include: 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 (HUA), 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, and Vital Voices Global Partnership.

**Contact:** ATEST Director Terry FitzPatrick | [terry.fitzpatrick@ATEST-US.org](mailto:terry.fitzpatrick@ATEST-US.org) | 571-282-9913

Notes:

---

i 22 U.S.C. § 7102 (11).  
 ii UN General Assembly, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000.  
 iii International Labor Office. (2022). "Global Estimates of Modern Slavery."  
 iv International Labor Office. (2022). "Global Estimates of Modern Slavery."  
 v International Labor Office. (2022). "Global Estimates of Modern Slavery."  
 vi International Labor Office. (2022). "Global Estimates of Modern Slavery."  
 vii International Labor Office. (2014). "Profits and Poverty: The Economics of Forced Labor."  
 viii International Labor Office. (2022). "Global Estimates of Modern Slavery."  
 ix <https://humantraffickinghotline.org/states>  
 x The Victims & Traffickers. (2015, October 12), from Polaris website: <https://polarisproject.org/victims-traffickers>  
 xi <https://polarisproject.org/labor-trafficking-on-specific-temporary-work-visas/>  
 xii <https://fairfoodprogram.org/>  
 xiii 18 U.S.C. §§ 1589, 1591.  
 xiv PROTECT Act, Public Law No: 108-21 (2003).  
 xv Preventing Sex Trafficking and Strengthening Families Act, Public Law No: 113-183 (2014).  
 xvi Justice for Victims of Trafficking Act of 2015, Public Law No: 114-22 (2015)  
 xvii <https://www.cbp.gov/trade/forced-labor/withhold-release-orders-and-findings>  
 xviii <https://www.cbp.gov/trade/forced-labor/withhold-release-orders-and-findings>  
 xix <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/bureau-of-democracy-human-rights-and-labor/>  
 xx Based on Polaris Project Myth vs. Fact: <https://polarisproject.org/myths-facts-and-statistics/>