



March 7, 2024

The Honorable Dave Joyce
Chair
House Appropriations Subcommittee
on Homeland Security

The Honorable Chris Murphy
Chair
House Appropriations Subcommittee
on Homeland Security

The Honorable Henry Cuellar
Ranking Member
House Appropriations Subcommittee
on Homeland Security

The Honorable Katie Britt
Ranking Member
House Appropriations Subcommittee
on Homeland Security

Dear Representative Joyce, Representative Cuellar, Senator Murphy, and Senator Britt,

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 combat these widespread human rights violations. We seek your assistance in funding essential programs in the FY 2025 Department of Homeland Security Appropriations bill.

DHS plays vital roles in fighting this despicable crime, including responsibilities to safeguard trafficked immigrants, refugees and asylum seekers; to prevent products tainted by child or forced labor from being imported into the U.S. and undercutting American business competitiveness; and to build widespread public awareness through the Blue Campaign. The creation of the DHS Center for Countering Human Trafficking (CCHT), and the continued implementation of enforcement for the new Uyghur Forced Labor Prevention Act (UFPLA) make FY25 a critical year for DHS.

This letter provides concrete recommendations from ATEST — a nonpartisan coalition of organizations working at the front lines in the United States and internationally — that articulate how Congress can provide resources critical to ensure the U.S. government takes a comprehensive, victim-centered approach. Our recommendations are based on levels of programming that can substantively address labor and sex trafficking and support survivors’

paths to self-sufficiency. Because FY24 enacted levels are not yet determined, and the President's FY25 budget is pending, we may need to update the figures in this letter if necessary.

Human trafficking is one of the fastest growing illicit industries in the world, affecting 28 million people, and generating more than \$150 billion in annual profits for traffickers. More people have become vulnerable to trafficking because of the affordable housing crisis, migration, climate change, ongoing impacts of the COVID-19 pandemic, and conflicts in Ukraine and the Middle East. A robust fiscal response is essential to mitigate these increased risks. We understand the fiscal challenges our nation faces. However, we cannot lose sight of the human tragedies occurring every day within and beyond our borders. Trafficking is an economic, national security, criminal justice, civil rights, and human rights issue. We can eradicate it only by dedicating the necessary resources.

Summary:

- Immigration and Customs Enforcement, Homeland Security Investigations, Center for Countering Human Trafficking (CCHT): \$16,000,000
- Customs and Border Protection, forced labor import ban enforcement: \$130,000,000
- Immigration and Customs Enforcement, Homeland Security Investigations, Victim Assistance Program: \$54,400,000

Details:

Immigration and Customs Enforcement, Homeland Security Investigations, Center for Countering Human Trafficking (CCHT): \$16,000,000

The 117th Congress mandated the creation of a new center to integrate and coordinate the anti-trafficking efforts of 16 DHS component agencies. The Center for Countering Human Trafficking (CCHT) mandate includes multiple pillars: drive criminal human trafficking investigations, improve victim identification and protection, incorporate victim-centered approaches, strengthen trade enforcement against trafficking-tainted goods, and assist the implementation of procurement restrictions to prevent U.S. tax funds being used to pay for trafficking-tainted goods. The Countering Human Trafficking Act (Public Law 117-322), which codified the CCHT, authorizes \$14,000,000 for the Center, requires minimum staffing of 45 employees, and directs DHS to broaden its historical focus on sex trafficking to include increased attention on forced labor. The Abolish Trafficking Reauthorization Act of 2022 (Public Law 117-347 section 406 (d)) includes an additional \$2,000,000 authorization and mandates that DHS create a team of not less than 10 agents within the new CCHT to exclusively investigate forced labor violations.

Customs and Border Protection, forced labor import ban enforcement: \$130,000,000

To promote global human rights and to protect American companies from unfair competition by unscrupulous overseas businesses, DHS has been mandated by Congress to enforce several initiatives to prevent goods tainted by forced or child labor from being imported into the U.S. The Uyghur Forced Labor Prevention Act (Public Law 117-78) bans the importation of tainted goods from portions of China. CBP's new Uyghur Forced Labor Prevention Act online dashboard¹ indicates that 2,972 shipments worth \$2.6 billion have been denied entry to the U.S. to date. Section 307 of the Tariff Act of 1930 (19 USC 1307) and section 910 of the Trade Facilitation and Trade Enforcement Act of 2015 (P.L. 114-125), both prohibit the importation into the U.S. of goods produced throughout the world by child or forced labor. CBP's online "Withhold Release Order and Findings" dashboard² indicates 51 active WROs and 8 Findings currently in effect to block tainted shipments.

We applaud the increased attention by Congress on forced labor and increasing transparency by DHS with civil society stakeholders. We also recognize that additional resources are needed. The Government Accountability Office has published several reports highlighting this need.

We recommend an appropriation of \$130,000,000 for DHS forced labor trade enforcement. This would support the investigations underway for creation of an "entities" list that publicly identifies importers of Chinese goods prohibited from the U.S. marketplace under the Uyghur Forced Labor Prevention Act, including extensive interagency consultations among seven executive branch agencies needed for the operation of the Forced Labor Enforcement Task Force, which DHS leads. It would also include increasing investigations, issuing more Withhold Release Orders and Findings, and imposing more civil and criminal penalties for forced labor violations of the Tariff Act, which covers imports from other countries. The funds should be used to hire analysts for CBP's Forced Labor Division (Office of Trade) and any other CBP personnel needed to support forced labor investigations. 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 CBP officers and investigatory staff on forced labor; conduct effective investigations within reasonable timelines; publicly disclose trade enforcement data every quarter; oversee forced labor remediation efforts in consultation with civil society and affected workers; conduct quarterly meetings with civil society groups and other stakeholders; develop new technologies and targeting practices to identify and inspect cargo that may be produced with forced labor; and enhance coordination with counterparts in Canada and Mexico to monitor cross-border movement of such goods. The Trafficking Victims Prevention and Protection Act (TVPPA) of

¹ <https://www.cbp.gov/newsroom/stats/trade/uyghur-forced-labor-prevention-act-statistics>

² <https://www.cbp.gov/trade/forced-labor/withhold-release-orders-and-findings>

2022 (Public Law 117-348 section 202) includes a \$20,000,000 authorization for DHS to fund enforcement of the Tariff Act and Trade Facilitation and Trade Enforcement Act.

Immigration and Customs Enforcement, Homeland Security Investigations, Victim Assistance Program: \$54,400,000

DHS has established a program to provide national oversight to ensure that all employees comply with all applicable federal laws and policies concerning victim 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. This program ensures that requests to DHS for “continued presence” determinations and T-Visa applications are made fairly and expeditiously to prevent migrants who are trafficking victims from being deported. This office helps ensure that unaccompanied minors at the southern border are properly screened to determine if they are trafficking victims, as required by law. CCHT’s most-recent annual report³ tracks DHS victim assistance statistics, indicating 765 trafficking victims were assisted, 3,655 perpetrators were arrested and 638 were convicted, more than 2,000 T-visas or Continued Presence letters were issued to trafficking victims, and more than 214,000 personnel have received training. We recommend that no less than \$20,000,000 of this funding be dedicated to Victim Witness Coordinators who support victim interactions with law enforcement and ensure that the agency’s response to this crime is centered on helping victims and not solely on arresting perpetrators.

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, and we note that our targeted requests don’t address every aspect of DHS anti-trafficking work. We appreciate that with the many changes underway at DHS regarding trafficking and forced labor, FY25 is an especially challenging appropriations cycle. We stand ready to help. If you have any questions, please contact ATEST coalition Director Terry FitzPatrick (terry.fitzpatrick@ATEST-US.org or 571-282-9913). We thank you for your consideration and your continued leadership.

³ https://www.dhs.gov/sites/default/files/2023-05/23_0131_CCHT_year-in-review_revised-23_0509.pdf

Sincerely,

Coalition to Abolish Slavery and Trafficking (CAST)

Coalition of Immokalee Workers (CIW)

Covenant House

Free the Slaves

HEAL Trafficking

Human Trafficking Legal Center

Humanity United Action

McCain Institute for International Leadership

National Network for Youth (NN4Y)

Polaris

Safe Horizon

Solidarity Center

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.