

ATEST Alliance To End Slavery & Trafficking



**Presidential Priorities
for Ending
Forced Labor,
Human Trafficking
and Modern Slavery
2025 - 2029**



INTRODUCTION

Historic Opportunity

The year 2025, the first year of the incoming presidential administration of Donald J. Trump, marks a milestone in the ongoing fight to end one of the most important human rights challenges of our time. It's the 25th anniversary of the U.S. Trafficking Victims Protection Act¹. This landmark policy achievement, enacted in late 2000, created the legal definition of human trafficking² (see below) and forms the backbone of U.S. anti-trafficking efforts. It has equipped the federal government with a structure for collaborative interagency approaches and transnational action.

From Day One, the Trump administration will have an opportunity to build upon this important foundation by reaffirming America's commitment to ending all forms of forced labor and human trafficking through strategic policy improvements and investments in a whole-of government anti-trafficking approach.

Forced labor/human trafficking is a national security, global trade, economic growth, public health and criminal justice issue – as well as a violation of fundamental human rights. It is one of the world's largest human rights challenges and criminal industries, affecting 28 million people³. It is an illegal business practice that undercuts legitimate companies and incentivizes violent, exploitative labor practices. It is an unfair trade practice that threatens the stability of global commerce.

Catalyzing Transformative Change

Ending forced labor is both the right thing and the smart thing to do. It will not only benefit millions of individuals directly, but it will also benefit the economy as a whole. New research from the U.N. International Labor Organization (ILO) calculates that a fully-funded, concerted, worldwide effort to end forced labor can generate a threefold return on investment through increases in global GDP⁴. This return on investment is substantial because trafficking impacts an individual victim's life, health, housing stability, career trajectory and earning potential.

The Trump administration can catalyze a historic transformation of the anti-trafficking field at a point when significant change is urgently needed. While the past 25 years have brought remarkable growth in public awareness and the launch of interventions throughout the U.S., the

response has largely consisted of disconnected programs, developed without the input of survivors, scattered across various agencies, nearly all of them operating at what could be regarded as pilot scale when compared to the scope of the problem. Law enforcement approaches and a focus on sex trafficking have addressed only a small portion of the larger problem.

What's needed from the Trump administration is a more coordinated and strategic approach that places emphasis, resources, and political will on preventing people from ever becoming trafficked in sectors such as agriculture, manufacturing, mining, construction, fishing, domestic work, retail, tech and hospitality – as well as ending forced commercial sexual exploitation. The U.S. government must lead the way in solving the problem, all of the problem, not just policing parts of it. Public awareness is not enough. Addressing root causes is vital.

Federal Definition: Severe Forms of Human Trafficking

Labor Trafficking: When someone recruits, harbors, transports, provides, or obtains a person for labor or services using force, fraud, or coercion for the purpose of involuntary servitude, peonage, debt bondage, or slavery.

Sex Trafficking: When someone recruits, harbors, transports, provides, solicits, patronizes, or obtains a person for the purpose of a commercial sex act, where the commercial sex act is induced by force, fraud, or coercion, or the person being induced to perform such act is under 18 years of age.

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STRATEGIC THEMATIC OPPORTUNITIES AFFECTING ALL AGENCIES

- **Institutionalizing Inclusion of Survivors:** All federal agencies that conduct anti-trafficking work must recognize the value of including in their programs the paid expertise of those with lived experience into areas such as policy analysis, research, communications, training, curriculum development, community engagement and project management. People who are directly impacted by human trafficking – whose lives and communities have been disrupted by extreme exploitation – understand the problems best. There are inconsistent practices across the executive branch as to the spectrum of survivor involvement, compensation for survivor consultation and infrastructure for survivor consultants or employees.
 - The administration should standardize practice-based and culturally-adaptive benchmarks for survivor inclusion at federal agencies – including equitable standards for how survivors are recruited and selected – and require annual reporting on survivor engagement to the President’s Interagency Task force on Human Trafficking and the Attorney General’s Annual Report to Congress.
 - The administration should ensure anti-trafficking programs implemented by government contractors include survivors in project development and implementation. Survivors should be involved in developing bid solicitations and reviewing bid submissions. Solicitations should include requirements for survivor inclusion, and bids with meaningful survivor involvement should receive extra weight in the selection process. Meaningful survivor involvement includes engagement at all levels of an organization; representing a diversity of identities, experiences, and perspectives; with mechanisms in place to receive and act on critical feedback; implemented in a way to prevent harm to survivors and make repair if harm happens.
 - To further sustainable economic inclusion of survivors, federal agencies should look beyond consulting with survivors to also provide employment opportunities that include paid internships and fellowships and permanent employee positions.
 - Agencies must remove barriers to meaningful survivor engagement and employment that may be embedded in agency practices and norms.
 - The administration should review all federal brochures, posters, fact-sheets, webpages, social media accounts and other awareness-raising materials to remove inappropriate language and demeaning images or illustrations of trafficking victims.

- **The Business Case:** Forced labor and human trafficking are bad for business. Unscrupulous companies undercut responsible companies by creating unfair price competition. It's currently a high-profit/low-risk criminal enterprise.
 - All federal agencies with regulatory authority throughout the U.S. and global economies should strive to change the underlying economic incentives that drive trafficking.
 - Federal rules prohibit U.S. tax dollars from being spent on goods or services tainted by trafficking, and federal agencies should lead the way in anti-trafficking due diligence through their own procurement. Training of federal workers and implementation of these rules needs strengthening and greater transparency. Specifically:
 - Close loopholes in the Buy American Act and the Federal Acquisition Regulation that continue to allow the federal procurement of goods made with forced labor.⁵
 - Make publicly available the Certification Regarding Trafficking in Person Compliance Plans required under FAR⁶ and report publicly on non-compliance, including any prosecutorial referrals or actions.
 - Expand requirements of Certification Regarding Trafficking in Person Compliance Plans to require proof of remediation of FAR TIPS violations.
 - Federal demonstration projects that reward suppliers who conduct proper supply chain human rights due diligence should be developed and expanded to provide models for other agencies and the private sector.

- **Data-Driven Decision Making:** Reliable data on the scope and dynamics of trafficking inside the U.S. are lacking. As well, because different federal programs track results in different ways, there is limited information about the overall impact of U.S. funded anti-trafficking work. A 2024 federally-funded report from RAND Corp. found: “there is a lack of consensus on indicators and definitions of trafficking, prevalence is measured without any discussion of what to do with those estimates or how to use them to better serve people who experience trafficking...[and] there is limited focus on how prevalence estimates can be used to assess the effectiveness of various interventions and preventions⁷.” Work has begun to address these issues through projects guided by the National Institute of Justice⁸ and the State Department Office to Monitor and Combat Trafficking in Persons (J/TIP)⁹, but increased investment in research, data collection and production, stronger data coordination, and technical consensus on how to measure human trafficking and the impact of programs across executive branch and child welfare agencies is needed. This can ensure federal dollars are strategically targeted and the U.S. government can demonstrate progress to taxpayers.

- **Scaling & Integration:** The U.S. is the largest funder of anti-trafficking programs in the world, but the scale of forced labor still dwarfs this spending. The ILO estimates a global investment of \$212 billion over five years, roughly \$42 billion per year, is needed to successfully eradicate forced labor worldwide¹⁰. This investment would increase global GDP by \$611 billion per year¹¹. Not all of this programmatic funding could come from the U.S., but sizable increases in American funding at multiple agencies are needed to actually end forced labor at home and abroad. ATEST recommends:
 - Integrating anti-trafficking strategies into all appropriate domestic federal programs by reviewing projects through a trafficking lens and identifying opportunities for synergy. This should include the Federal Emergency Management Agency's disaster response efforts.
 - Integrating anti-trafficking activities into U.S. foreign assistance and humanitarian relief programs to cost-effectively scale-up international efforts.
 - U.S. delegates to the G7 and multilateral institutions must continue to advance anti-trafficking strategies with their counterparts from other nations to promote harmonization of forced labor regulations and corporate accountability standards.
 - ATEST provides annual recommendations to the Office of Management and Budget for federal spending across seven key agencies, which can be found on the [ATEST website](#)¹².

- **Preventing Exploitation Before It Starts:** Forced labor/human trafficking will not end until its underlying root causes are addressed. These causes include: a lack of social services for vulnerable populations, a lack of education and protection for youth, lax enforcement of business regulations, underfunded and unfair systems to process migrants and asylum seekers, inequitable worker protections that differ industry to industry, inadequate legal protections for victims and support for survivors to prevent re-trafficking, over-policing and subsequent criminalization of marginalized communities, gender-based violence and discrimination based on race, sex, sexual orientation and immigration status. Human trafficking is a symptom of these broader intersectional social and economic challenges.



SPECIFIC RECOMMENDATIONS FOR KEY FEDERAL AGENCIES

THE WHITE HOUSE | Executive Office of the President

Interagency Coordination and Oversight

The Executive Office of the President should require interagency coordination on counter-trafficking in persons (C-TIP) efforts across the whole of government:

- Promote a whole-of-government approach for efforts to prohibit the importation of goods made with forced labor, through enforcement of the Tariff Act of 1930 (P.L. 71–361) and the Uyghur Forced Labor Prevention Act (P.L. 117-78). The Forced Labor Enforcement Task Force¹³ coordinates interagency activity of nearly a dozen executive branch agencies.
- Ensure all agencies work to combat the use of technology and artificial intelligence by traffickers and use these same tools to advance anti-trafficking work.
- Implement the U.S. National Action Plan to Combat Human Trafficking¹⁴, which adds to law enforcement solutions to include human-rights approaches, including prevention.
- Implement the U.S. National Action Plan on Responsible Business Conduct¹⁵, which includes recommendations across many federal agencies for creating an enabling environment for businesses to succeed while upholding human rights.
- Designate a senior White House staffer to ensure every agency participates fully in the Senior Policy Operating Group and to facilitate coordination efforts between all relevant domestic and international-facing agencies.
- Require all agencies to integrate a C-TIP lens into programs that involve vulnerable populations. Many individuals do not know they meet the legal definition of trafficking victim and are left out of key services. As well, coordinate prevention and survivor support across federal programs (for example, the Violence Against Women Act provides housing support through the Department of Housing and Urban Development that also benefits trafficking survivors, and the Runaway and Homeless Youth Act supports numerous programs for vulnerable youth that also prevent teen and young adult trafficking).
- Require all agencies to consult with the U.S. Advisory Council on Human Trafficking¹⁶ on C-TIP efforts, ensure agencies implement recommendations in the council's annual reports, require all agencies establish procedures to meaningfully involve survivor consultants in program design and implementation, and compensate survivor consultants accordingly.

- Promote data sharing across agencies to increase coordination and reduce data fragmentation. Consider creation of a research and data initiative through the Office of Science and Technology Policy to harmonize data collection, data governance and research across federal agencies. Ensure data are anonymized to protect victims and survivors, and support cross-referencing to ensure cases are not being duplicated.
- Ensure enforcement of the Consumer Financial Protection Bureau’s rule that trafficking survivors may remove negative information from their credit reports that are a result of their trafficking experience, or their identities being stolen by their traffickers. Survivors report that credit reporting agencies frequently refuse to comply with this federal requirement.
- Ensure all agencies utilize the full definition of Severe Forms of Human Trafficking¹⁷ contained in the Trafficking Victims Protection Act to ensure that both labor and sex trafficking are included in all federal initiatives.

Leadership at State Department’s Anti-trafficking Office

Perhaps the single most instrumental individual in the U.S. government’s anti-trafficking team is the director of the Office to Monitor and Combat Trafficking in Persons (J/TIP). The director, appointed by the president and confirmed by the Senate, serves with the title of ambassador-at-large. This individual interacts with anti-trafficking counterparts around the globe and oversees most of America’s federally-funded international anti-trafficking work. As well, this individual coordinates domestic operations of the President’s Interagency Task Force on Human Trafficking, the Senior Policy Operating Group, and the U.S. Advisory Council on Human Trafficking, as well as supervising J/TIP participation in interagency teams that enforce bans on the importation of international goods tainted by forced or child labor.

Professional career staffers at J/TIP maintain operations during periods when no director has been confirmed. But the department’s influence and scope of duties requires that a presidentially-appointed and Senate-confirmed leader be in place. This key position must be filled early in the incoming administration, preferably by holding over the current ambassador, who received bipartisan Senate confirmation in December 2022 and has served only two years.

U.S. Trade Representative

Include Anti-trafficking Strategies in Trade Deals

The U.S. Trade Representative (USTR) has the opportunity to set a global standard for combating human trafficking and forced labor through strategic trade negotiations. The United States cannot continue to claim to be a leader in the C-TIP movement while allowing goods produced with forced labor at any point in the supply chain into our country.

Groundbreaking provisions to fight forced or compulsory labor are included in the U.S.-Mexico-Canada Agreement¹⁸, negotiated during President Trump’s first term. They can become a model for future agreements. Specifically, these include:

- Shift the burden of proof by presuming that an alleged violation affects trade and investment, unless otherwise demonstrated.

- Create a rapid-response mechanism to provide for an independent panel investigation of denial of labor rights at covered facilities.
- Protect workers' rights to organize and participate voluntarily in a union without employer interference or discrimination.

Before engaging in any trade deals, USTR should ensure the country is following a strict set of minimum trafficking-in-person standards. USTR should actively engage with foreign governments and civil society partners, including trade unions, around these standards, requiring minimum standards that are locally tailored and responsive to civil society discussions before any deal is signed. Compliance with these standards should be included in the main body of the agreements.

USTR should encourage countries with Tier 2 Watch List (T2WL) rankings in the State Department's annual Trafficking in Persons (TIP) Report¹⁹ to improve their efforts by including anti-trafficking requirements in any trade deal. USTR should not fast-track trade deals with countries receiving a T2WL ranking.

Finally, USTR should release a Forced Labor Trade Strategy that identifies the administration's comprehensive approach to combating forced labor in trade.

Office of Federal Procurement Policy

No Tax Dollars for Traffickers

No one wants their tax dollars to line the pockets of human traffickers, and the United States was the first country to enact rules to prevent it. Unfortunately, much remains to be done to effectively enforce this innovation in the Federal Acquisition Regulation (FAR)²⁰. We recommend the Office of Federal Procurement Policy expand efforts to effectively implement the FAR rule on trafficking, with an emphasis on consistent and transparent enforcement, including:

- Requiring increased transparency regarding how the regulations have been implemented by instructing agencies to publicly report on policies and procedures they have in place to implement this rule, how often compliance plans have been included in new contracts, whether compliance plans submitted include effectively-implemented best practices such as due diligence plans that include worker-driven participation, how often problems have been identified, including how many incidences have been reported by contractors to inspectors general and the outcomes of those cases, and what standards are being used to remediate any issues.
- Ensure the appointment of a labor compliance adviser at a senior level within key agencies to promote awareness of human trafficking-related regulations and train procurement officers in reviewing contracts and compliance plans, while also providing high-level oversight and monitoring.
- Close loopholes in the Buy American Act and the Federal Acquisition Regulation that continue to allow federal procurement of goods made with forced labor.
- Make publicly available the Certification Regarding Trafficking in Person Compliance Plans required under FAR and report publicly on non-compliance, including any prosecutorial referrals or actions.
- Expand requirements of Certification Regarding Trafficking in Person Compliance Plans

to require proof of remediation of FAR trafficking in persons violations.

There is a well-documented history of forced labor in U.S. agriculture, making it a particularly risky category for U.S. government procurement. To address this, a pilot could be conducted by including in new solicitations for hand-harvested tomatoes an incentive for producers to certify, prior to award, that their product was produced without forced labor in compliance with the Fair Food Program²¹, which has been proven to effectively eliminate forced labor by working directly with farmers and avoiding common pitfalls of corporate compliance auditing. Fair Food Program growers could get additional points in the bid weighting process. If the outcome of the pilot can show that additional value is provided to the U.S. government, the concept could be expanded into future solicitations for other products for which worker-driven social responsibility programs or union-ratified collective bargaining agreements can be shown to prevent forced labor.

Office of Management and Budget

Scale-up Investments to Combat Trafficking

Starting with the president's fiscal year 2026 budget request to Congress, due in early 2025, the administration should begin to systematically scale-up investments to combat trafficking across the federal government. ATEST urges the administration to move beyond "monitoring and combating" or "countering" human trafficking (as two of the government's largest anti-trafficking units are named), to envision the historic achievement of actually *ending* trafficking, and adjust spending levels accordingly over time.

A research team from the International Labor Organization, in consultation with governmental and civil society stakeholders in more than a dozen countries including the U.S., has recently published a discussion paper that calculates the global costs and worldwide GDP benefits of eradicating forced labor²². This report, funded in part by the U.S. government, identifies a key package of interventions that will be needed to achieve this goal, including components to prevent victimization of the vulnerable, prosecute perpetrators and protect survivors. A prevention-centered public health approach is a sound economic investment because the full impact of trafficking includes costs involving healthcare, public safety, education and the workforce.

ATEST provides OMB with detailed budgetary requests and justifications for seven key federal agencies for each year's budget. These letters are the most comprehensive stakeholder assessment of anti-trafficking budgetary needs. They may be found on the [ATEST website](#)²³.

Congressional Legislation

Providing Presidential Support for Measures in the 119th Congress

- **Trafficking Victims Protection Act Reauthorization:** Key reauthorizations contained in America's cornerstone anti-trafficking legislation, the bipartisan Trafficking Victims Protection Act (TVPA), lapsed in 2021 and have not been fully renewed by Congress.

President Trump signed reauthorization of the full act during his first term, but in the most-recent reauthorization cycle, only parts of the law have been reauthorized, while other parts have not. Reauthorizations that await Congressional approval include:

- Operations at the State Department's Office to Monitor and Combat Trafficking in Persons (J/TIP), which publishes the annual Trafficking in Persons (TIP) Report, oversees grants to nonprofits who conduct anti-trafficking work worldwide, and manages the President's Interagency Task Force on Human Trafficking, the Senior Policy Operating Group and the U.S. Advisory Council on Human Trafficking.
- Operations at the Department of Health and Human Services Office on Trafficking in Persons (OTIP), which supports victim services and prevention programs inside the U.S., including the National Human Trafficking Hotline.

Important new policy provisions are contained in the reauthorization, including:

- Update sanctions standards for countries on Tier 3 in the TIP Report.
- Expand the State Department's program to protect domestic workers trafficked into the U.S. by foreign diplomats.
- Integrate anti-trafficking strategies into all programs in the U.S. Agency for International Development.

If reauthorization has not been finalized by the completion of the 118th Congress, ATEST urges the Trump administration to redouble efforts to ensure the TVPA is fully reauthorized in the first 100 days of the 119th Congress. The U.S. cannot claim to be a world leader in combating human trafficking if it has allowed significant portions of its most basic anti-trafficking law to lapse.

- **Human Rights Due Diligence and Supply Chain Transparency:** Because human trafficking is thriving around the world, many of the products we use each day are tainted by forced labor. The Trump administration should aggressively pursue requiring companies to conduct due diligence to prevent forced labor in their supply chains and provide remediation to victims when forced labor is found. The United States was once seen as a leader on supply chain regulation, beginning with the California Transparency in Supply Chain Act²⁴, passed in 2010, which requires companies to publicly disclose if they have taken efforts to combat human trafficking. However, the European Union and several countries have gone further in recent years to require companies to actually conduct due diligence and mitigate problems, not merely report if they have taken any action. To keep pace, the United States must act to require companies to enact due diligence plans flowing through their entire supply chains, combined with mechanisms for liability for harms caused by their suppliers, especially when their operations are in countries or industries at high risk.
- **Runaway and Homeless Youth and Trafficking Prevention Act:** Youth and young adults (YYA) experiencing homelessness are particularly vulnerable to trafficking for labor, commercial sexual exploitation, or both, and present unique challenges for service and

engagement. An estimated 4.2 million young people (ages 13-25) experience homelessness annually. Numerous studies have found trafficking rates among YYA experiencing homelessness ranging from 19 to 40 percent²⁵, which means about 800,000 of the YYA who experience homelessness in a year in the U.S. may also be victims of sex trafficking or forced labor in cities, suburbs, rural communities and tribal nations²⁶. Traffickers exploit the particular vulnerabilities that these young people experience, including their lack of access to basic needs (like shelter, food, health care and personal connections), many of which can lead them to not seek services. Violence and abuse by some members of law enforcement are significant drivers of youth distrust in police. Runaway and Homeless Youth Act (RHYA) programs are embedded in local communities across the country and provide effective interventions that can actually prevent trafficking and other forms of exploitation. They do this by reducing vulnerability, while also helping to identify at an early stage where these crimes are taking place and providing much needed support, stabilization and opportunities to young victims. If passage of the Runaway and Homeless Youth and Trafficking Prevention Act reauthorization is not accomplished during the remaining days of the 118th Congress, passage should be a priority for the incoming administration in the 119th Congress.

- **Vacatur:** Victims and survivors are frequently ensnared in the criminal justice system because of activities and situations they are forced into by their traffickers. Most states allow survivors to clear their criminal records of such convictions, but the federal government does not. The administration must work with Congress to support passage of a federal Trafficking Survivors Relief Act and ensure the legislation applies to all crimes.
- **Closing the 13th Amendment Loophole:** President Trump has an opportunity to finish a job begun by Abraham Lincoln. Passed in 1865, the Thirteenth Amendment to the Constitution abolished slavery and involuntary servitude. But it includes an exception that allows slavery and involuntary servitude as punishment for crime. During Reconstruction, this exception encouraged the criminalization, incarceration, and re-enslavement of Black people. Today, people who are incarcerated in the U.S. are disproportionately Black and brown, and their enslavement is legally permissible. There is a double standard when it comes to fighting trafficking while also making it legal. It is time to close the loophole and make clear that slavery has no place in our democracy²⁷.

Note: this is not a complete list of legislative opportunities for presidential support that may arise during the 119th Congress.

Please also see recommendations listed earlier in this memorandum on Pages 4-6 for strategic thematic opportunities affecting all federal agencies, including survivor inclusion, the business case, data-driven decision making, scaling and integration, and preventing exploitation before it starts. ATEST provides annual recommendations to the Office of Management and Budget for federal spending across seven key agencies, which can be found on the [ATEST website](#)²⁸.



SPECIFIC RECOMMENDATIONS FOR KEY FEDERAL AGENCIES

DEPARTMENT OF LABOR

International Labor Affairs Bureau

The International Labor Affairs Bureau (ILAB) plays a central role in protecting the American economy from imported goods that are tainted by child or forced labor. ILAB's biennial list currently includes 204 goods from 82 countries.²⁹ The list helps conscientious companies avoid tainted raw materials, and ILAB has developed digital apps to make its database user-friendly. ILAB also invests in programs overseas to help end forced labor in supply chains involved in global trade. ILAB's expertise has been critical in launching enforcement of the Uyghur Forced Labor Prevention Act to block tainted imports from China, and in supporting the Department of Homeland Security's enforcement of Withhold Release Orders³⁰ that block tainted imports from elsewhere. ILAB is also tasked with enforcing trafficking related complaints under the U.S.-Mexico-Canada Agreement (USMCA)³¹ negotiated during the first Trump administration. ILAB's technical assistance and knowledge with other parts of the federal government and our trading partners on effective implementation and enforcement of forced labor import restrictions is immeasurable.

The administration should work with Congress to expand ILAB's staffing and financial capacity to fulfill these mandates. In particular, Congress has expanded ILAB's remit beyond the investigation of raw materials to include intermediate or finished products tainted by forced or child labor at any point in the production chain³². ILAB has begun implementation of this mandate but is extremely limited by budget. In addition, ILAB should continue to receive additional funding to allow it to continue Mexico-specific technical assistance in support of ongoing USMCA implementation by advancing labor protections, improving working conditions, stabilizing labor relations, increasing public awareness and engagement. In addition, dedicated USMCA funding will enable ILAB to continue its work to strengthen government capacity in Mexico to address risks of child labor and forced labor and support the successful implementation and enforcement of forced labor import restrictions required under USMCA.

Wage and Hour Division

Among its many responsibilities, the Wage and Hour Division (WHD) enforces fundamental worker protections including minimum wage, overtime, child labor, recordkeeping, and anti-

retaliation requirements under the [Fair Labor Standards Act](#)³³, wages and working conditions under the [Migrant and Seasonal Agricultural Worker Protection Act](#)³⁴, and enforcement of labor standards under the [Immigration and Nationality Act](#)³⁵ for certain temporary nonimmigrant workers. Robust and widespread enforcement of these laws is critical to protecting workers from exploitation and forced labor. Recent news reports highlight widespread child labor violations in U.S. factories.

Despite expansive enforcement responsibilities, WHD is understaffed and vastly underfunded. In 2022, WHD had 810 investigators working to protect more than 165 million workers; in 1948, there were 1,000 investigators overseeing the protection of 22.6 million workers.³⁶ As the number of H-2A and H-2B temporary visas issued by the State Department has tripled, the number of WHD wage theft investigations has remained largely flat. Despite the fact that farmworkers are particularly vulnerable to human trafficking, in total, fewer than 1% of agricultural employers are investigated per year by WHD for violations of the laws that they enforce.

In addition to temporary visa abuses, in FY 2023, WHD concluded 955 investigations that found child labor violations, a 14% increase from the previous year. WHD found 5,800 children employed in violation of the law - an 88% increase since 2019. By persistently underfunding WHD, the U.S. government enables widespread wage theft, child labor and trafficking violations, and other violations both in temporary visa programs and rules to protect U.S. workers.

To address the rise in child labor and the unique needs of unaccompanied minors within U.S. supply chains, emphasis should be placed on targeted interventions and robust support for community-based efforts, which are essential for remediating and preventing child labor. Through coordinated action, agencies can better ensure protection for vulnerable children and strengthen supply chain resilience and oversight. Labor inspectors should focus on employers with a history of violating workplace rights.

WHD should consult with the U.S. Advisory Council on Human Trafficking, unions and community-based providers to develop and institute mandatory uniform training policies on forced labor for labor inspectors and other frontline Department of Labor staff who may encounter human trafficking victims.

Foreign Labor Recruiters

Foreign labor contractors are increasingly utilized to facilitate the recruitment of temporary workers needed for U.S. industries. It is well documented that foreign labor contractors are often complicit with or directly involved in the trafficking of workers. Strong statutory fixes are needed from Congress, but much can be done administratively by the Department of Labor. Most problematic is that contractors often charge exorbitant service fees for their services, forcing workers into debt bondage. Recruiters frequently falsify documents and deceive workers about their terms and conditions of work. Administrative action can include:

- Ensuring employers pay all recruitment-related costs across all visa categories and employers document to the Department of Labor that any foreign labor recruiter they utilize

is not charging workers fees.

- Maintain systems where workers can easily report if they are charged fees, make information about bad acting employers/recruiters publicly available, and provide mechanisms for administrative, civil and criminal remedies for foreign workers exploited by recruiters.
- Ensure all Wage and Hour field offices remind staff of the agency's authority to enforce the Fair Labor Standards Act regarding any covered worker, regardless of visa category, even when there is no specific regulatory authority with respect to specific visa program rules.
- Ensure that guest workers are allowed to leave abusive and exploitative employers and seek alternative employment without fear of deportation. It is important to conduct a thorough review and, if necessary, amend specific provisions within the visa that could contribute to trafficking vulnerabilities.

Please also see recommendations listed earlier in this memorandum on Pages 4-6 for strategic thematic opportunities affecting all federal agencies, including survivor inclusion, the business case, data-driven decision making, scaling and integration, and preventing exploitation before it starts. ATEST provides annual recommendations to the Office of Management and Budget for federal spending across seven key agencies, including the Department of Labor, which can be found on the [ATEST website](#)³⁷.



SPECIFIC RECOMMENDATIONS FOR KEY FEDERAL AGENCIES

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families Office on Trafficking in Persons

Victim Services

The U.S. government should dedicate more resources and attention to the needs of victims and survivors of human trafficking and forced labor. The federal response to trafficking has focused too heavily on prosecution of traffickers, leaving behind victims in need of assistance and making many survivors more vulnerable to re-exploitation. Survivors serving in the U.S. Advisory Council on Human Trafficking have urged the need for comprehensive programs at the Office of Trafficking in Persons (OTIP): “Services need to be tailored to not only focus on physical safety and well-being but also the psychological and emotional aspects of healing. Medical, dental, vision, housing, job training and placement, access to banking services, substance abuse treatment and mental health are some of the services needed to provide wraparound support for victims and their families.”³⁸ ATEST recommends:

- To promote fairness in program development, it is essential for OTIP to focus not only on women and minors but on all vulnerable communities, including men and boys.
- OTIP should expand outreach and training programs that take a public health approach to ending trafficking and forced labor.
- OTIP should receive an exponential increase in funds to enable the agency to serve both foreign national and U.S. citizen survivors. OTIP should collect information on the true cost of providing shelter/housing to survivors and provide funding recommendations to address these unmet housing needs.
- OTIP’s match requirement for victim grant programs run by nonprofit organizations should be eliminated or substantially reduced.
- OTIP should develop a federal address confidentiality program that helps protect the home addresses of trafficking survivors, especially if they are testifying against their trafficker and may have safety concerns regarding retaliation. Not all states offer this, and a federal program would be helpful.

- OTIP should collaborate with the Federal Emergency Management Agency and other disaster relief organizations to improve responses to natural disasters, which often affect victims of human trafficking.
- OTIP should collaborate with the Department of Transportation to advocate for expanded public transportation. Human trafficking is often disproportionately high in regions where there is not reliable access to public transit. Without public transit, people can't escape traffickers easily and may be more vulnerable to traffickers when they must ask strangers for rides to buy groceries or commute.

National Human Trafficking Hotline

The National Human Trafficking Hotline³⁹ is a toll-free 24/7 crisis line that serves as the backbone of the nationwide community response to victims and survivors. Through calls, chats, and texts, the Trafficking Hotline connects victims and survivors of human trafficking with appropriate trauma-informed services across the country (including emergency shelter, case management, and legal services). The Trafficking Hotline reports any situation to law enforcement that involves a child, includes evidence of imminent harm, or at the request of the victim or survivor. Calls can be answered in over 200 languages. The public is also able to submit tips and seek information via email and webform. The Trafficking Hotline's resource and referral directory contains almost 3,000 direct service providers, trained law enforcement officials, and other resources. Since the Trafficking Hotline's inception in 2007, the call volume to the hotline has increased more than forty-fold. In 2023, the Trafficking Hotline received information about 9,619 situations of potential trafficking involving 16,999 victims.

The Trafficking Hotline is a trusted and vital component of America's whole-of-government anti-trafficking approach; however, the cost of the program is not sufficiently funded, jeopardizing the quality and coverage available for victims and survivors who are in crisis. The need for the vital services that the Trafficking Hotline provides will only grow in the future. To ensure its effectiveness, OTIP should fully fund the Trafficking Hotline to provide optimal services for victims, including training to assist labor trafficking survivors who call seeking help.

The administration must also protect the Trafficking Hotline from proposals by state and local law enforcement agencies that information be provided to law enforcement whether or not a caller wishes that to happen. The Trafficking Hotline does alert law enforcement when appropriate, and a significant percentage of cases are referred, but many callers are seeking to connect with victim and survivor service providers, not police. It must be the victim's choice to trigger police intervention or press criminal charges.

Administration for Children and Families

Highly Vulnerable Population Study

Because homeless and human trafficked youth are often indiscernible and unwilling to disclose their housing and victimization status, a new 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, large-scale research is needed to gather data and information on the number, characteristics, and needs of unaccompanied homeless youth in the United States.

Office of Refugee Resettlement

Adequate funds should be directed to the Office of Refugee Resettlement (ORR) to manage the temporary placement of unaccompanied minor immigrants applying for asylum. The increase in child migrants has overwhelmed ORR's capacity to vet sponsors and maintain contact.

ORR facilities are required to release unaccompanied minors when they reach their 18th birthday. In cases where reunification has not yet been achieved, youth are released to shelters, unstable situations, or homelessness. To meet the needs of these youth, the majority of whom need only short-term support, ORR needs adequate resources to support unaccompanied youth who transition out of ORR facilities. This funding can support community-based organizations who provide housing, supportive services, reunification support, travel, education, employment or translation. It is fundamental to create a program that will provide support to those who are aging out of ORR care to prevent trafficking.

Please also see recommendations listed earlier in this memorandum on Pages 4-6 for strategic thematic opportunities affecting all federal agencies, including survivor inclusion, the business case, data-driven decision making, scaling and integration, and preventing exploitation before it starts. ATEST provides annual recommendations to the Office of Management and Budget for federal spending across seven key agencies, including the department of Health and Human Services, which can be found on the [ATEST website](#)⁴⁰



SPECIFIC RECOMMENDATIONS FOR KEY FEDERAL AGENCIES

DEPARTMENT OF STATE

Office to Monitor and Combat Trafficking in Persons

Trafficking in Persons (TIP) Report Integrity

The annual Trafficking in Persons (TIP) Report⁴¹ is one of the centerpieces of U.S. foreign policy related to human trafficking. As the world's premiere reference guide on governmental actions to combat trafficking, the integrity and accuracy of this report is critical to U.S. diplomatic credibility when engaging foreign governments on their counter-trafficking efforts. Past years have seen efforts by some in the U.S. government to tilt the scales of the clearance process so that trade or national security priorities prevail over the interests of transparency and integrity. While we recognize the need to balance interests and equities, the credibility and strength of the TIP Report outweigh other concerns when it comes to the integrity of the State Department's reporting.

The integrity of the TIP Report is a foundation on which other U.S. government interventions can be based. In particular, efforts to leverage trade policy to achieve anti-trafficking objectives, as we call for above, would be greatly hampered by the perception of a lack of objectivity in the report, but would be significantly bolstered by a perception of integrity and credibility, creating a lever to push trade partners to effect real change.

We recommend the Office to Monitor and combat Trafficking in Persons (J/TIP) continues to use standards established in the Trafficking Victims Protection Reauthorization Act of 2017 (P.L. 115-427) including: 1) clarifying that tier rankings can only be based on concrete actions taken by the country during the TIP Report's reporting period; and 2) placing governments that direct trafficking in persons and/or support it through government policy automatically on Tier 3. The report should include an analysis of forced prison labor.

Child Protection Compacts | Partnerships to Prevent Trafficking

State Department Child Protection Compacts (CPCs) support cost-efficient 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. This assistance can be provided in the form of grants, cooperative

agreements, or contracts to or with national governments, regional or local governmental units, or non-governmental organizations with expertise in the protection of victims of severe forms of human trafficking. CPCs have been established in Columbia, Ghana, Jamaica, Mongolia, Peru, Philippines, and Côte d'Ivoire. The first CPC, in Ghana, helped lift the country from the Tier 2 Watch List to Tier 2, demonstrating the success of this approach. The CPC program should be expanded to other countries, as should the State Department's newly-launched Partnership to Prevent Trafficking in Persons (P2P) Compact program, which extends the strategy beyond children and is currently being piloted in Zambia.

U.S. Advisory Council on Human Trafficking

Engaging survivors in policy development is critical to creating and implementing effective policies and practices, and the presidentially-appointed members of the advisory council help fill this role. The administration must ensure that vacancies on the council are promptly filled, that adequate training is provided and Congressionally-mandated compensation for council members is protected. The administration must ensure that council recommendations are followed by executive branch agencies. In consultation with council members, the administration might consider if the council's expertise could be extended to Congress through interaction with nonpartisan offices such as the Congressional Research Service or Legislative Council. While there is survivor involvement in the implementation of many federal laws, there is no formal structure to ensure it in the drafting of legislation.

Other State Department Offices

Visa Classification Abuse

A troubling trend has emerged of deliberate visa misclassification to avoid compliance with worker rights laws in the United States. Unlike an A-3 visa, which is intended for private domestic workers of diplomats and consular officials, an A-2 visa is intended for general embassy employees and confers few rights upon the recipient. The law permits A-3 and G-5 visa holders to remain in the United States to sue their employers for abuse. In contrast, A-2 visas, usually reserved for technical and administrative staff, include no such protections. The Vienna Convention explicitly delineates between services staff of embassies and private domestic workers. The Department of State needs to implement a monitoring and accountability system to ensure domestic workers are not misclassified under less-protected visas in order to avoid worker protections. Countries that intentionally misclassify workers should be suspended from visa privileges. To create accountability so that domestic worker employers will be discouraged from misclassifying their domestic workers to avoid the worker rights protections attached with A-3 visa holders, we recommend that the Secretary of State suspend the issuance of A-3 and G-5 visas to applicants seeking to work for officials of a diplomatic mission or an international organization if the State Department determines that there is credible evidence that one or more employees of such mission have sought to classify an A-3 visa holder as an A-2 visa holder or a G-5 visa holder as a G-1 visa holder to avoid the protections of this section.

Bureau of Democracy, Human Rights and Labor

Within the Bureau of Democracy, Human Rights and Labor we recommend the administration prioritize activities that support labor rights, labor recruitment reform and corporate accountability activities, as well as efforts to combat gender-based violence and harassment. We encourage the administration to prioritize activities centered on advocacy and capacity building aimed at supporting survivors, advocates and survivor-advocates. To this end, multi and cross-sector engagement ensures more inclusive and sustainable support in preventing and addressing violence, trafficking and exploitation. These important programs strengthen multi-stakeholder engagement including but not limited to preventing and addressing forced labor and sex trafficking in supply chains (including products or services exported to the United States). Examples of these programs have included 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.

Please also see recommendations listed earlier in this memorandum on Pages 4-6 for strategic thematic opportunities affecting all federal agencies, including survivor inclusion, the business case, data-driven decision making, scaling and integration, and preventing exploitation before it starts. ATEST provides annual recommendations to the Office of Management and Budget for federal spending across seven key agencies, including the State Department, which can be found on the [ATEST website](#)⁴²



SPECIFIC RECOMMENDATIONS FOR KEY FEDERAL AGENCIES

U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Counter-Trafficking in Persons (C-TIP) Integration

The effectiveness of foreign assistance in reducing poverty and generating economic development relies in part on community resilience against human trafficking. We know from a growing body of evidence that the benefits of freedom from forced labor 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 law⁴³. These social improvements, in turn, reduce vulnerability to trafficking.

USAID updated its C-TIP policy in 2021⁴⁴ and ATEST recommends that the agency fully integrate anti-trafficking work into USAID programs including but not limited to health, food security, education, disaster response and economic development.

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 by U.S. investments and enhance the impact of existing interventions; and c) help reinforce and support broader development objectives.

We recognize that human trafficking is inexorably linked to current global challenges of climate change, migration (including conflict-related migration), and international trade. For these reasons, we request a greater emphasis on implementation of anti-trafficking strategies in the field, by requiring a point of contact and mandatory training in anti-trafficking policies and programs for USAID staff in missions. It is critical that all USAID staff know, understand, and implement the agency's anti-trafficking policies and integration strategy. All future Country Development Coordination Strategies, as well as Regional Development Coordination Strategies, must integrate robust C-TIP approaches.

Integration should also include USAID headquarters staffers to conduct C-TIP policy education and implementation activities throughout the agency. These include periodic training sessions and a help-desk function for mission-based staff seeking guidance on C-TIP policy

implementation, as well as assistance to missions in conducting landscape analyses, project design and monitoring, evaluation, and learning.

Global Labor Program

The Global Labor Program (GLP) plays a crucial role in addressing the underlying root causes of human trafficking and strengthening labor rights and workers' organizations around the world. The GLP strengthens human trafficking prevention initiatives by supporting coordinated cross-border and regional programs that improve the economic, social, and democratic development of vulnerable workers, including migrant, informal economy, and women workers (without minimizing the victimization of men and boys and vulnerable communities). These workers are particularly vulnerable to human trafficking, forced labor, and gender-based violence. The GLP also supports country-based regional and global programs on adherence to core labor standards.

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SPECIFIC RECOMMENDATIONS FOR KEY FEDERAL AGENCIES

DEPARTMENT OF JUSTICE

Labor Trafficking Focus

In 2023, the Department of Justice prosecuted 204 trafficking cases, 98% of them for sex trafficking offenses and 2% for labor trafficking offenses⁴⁶. To correct this ongoing imbalance, the Abolish Trafficking Reauthorization Act of 2022 (P.L. 117-347) requires the FBI to establish a team of not less than 10 agents to specialize exclusively in the investigation of labor trafficking violations. The FBI is a critical law enforcement partner in fighting human trafficking. The presence of the FBI in trafficking investigations significantly increases the chances of success. Furthermore, with trafficking investigations often crossing state lines, the presence of the FBI becomes critical. Federal law enforcement efforts, however, have focused too heavily on sex trafficking, leaving those trafficked on farms; in factories, restaurants and hotels; at mines and construction sites; and in private homes as domestic and home health care workers without adequate law enforcement protection. The Justice Department must pursue a more balanced approach, as directed by Congress.

Victim Screening Protocol

The Abolish Human Trafficking Act (P.L. 115-392) required the Justice Department to work with the Department of Homeland Security to create a unified national victim screening protocol by July 2019 to ensure trafficking survivors are not arrested for crimes their traffickers forced them to commit and to ensure victims are placed at the center of all task force efforts in a client-centered and trauma-informed manner. This deadline has not been met. Across the country, law enforcement often uses arrest and/or threats of prosecution to persuade individuals to identify that they are human trafficking victims, which further traumatizes survivors and deepens divisions between service providers and law enforcement. A standardized set of victim-centered protocols to unify federal law enforcement and local and state task force engagement with human trafficking victims is urgently needed. This protocol should prohibit requiring a victim or support provider from having to report a trafficking case to law enforcement as a precondition for receiving legal or support services.

Restitution and Civil Remedies

Convicted traffickers are mandated to pay restitution to their victims (18 U.S.C. § 1593), however federal courts ordered only 33% of defendants to pay restitution in 2023⁴⁷. ATEST recommends U.S. Attorney's offices are instructed to request restitution in every sentence related to human trafficking. The Money Laundering and Asset Recovery Section of the Justice Department should be given adequate resources to educate prosecutors and federal judges that restitution is mandatory in human trafficking cases and provide technical assistance as needed. The administration should also explore innovative mechanisms to promote and enhance the collection and provision of restitution to survivors. The department should increase the capacity of human trafficking investigators to pursue financial crimes investigations in parallel with human trafficking investigations. Prosecutors are also not incentivized to help trafficking survivors apply for restitution, and many survivors are not even aware that restitution is an option; many return to homelessness where they are at risk of being trafficked again.

For cases that are criminally declined, victims are often left without a pathway to seek justice. The Justice Department should coordinate closely with the Labor Department and Equal Employment Opportunity Commission to ensure trafficking survivors learn about opportunities to pursue civil judgments against traffickers and injunctive relief.

It is extremely difficult to find a private attorney who knows how to represent a civil case against a trafficker, and depending on the jurisdiction, it is even tougher to find an attorney who will represent a case pro bono. Legal assistance for trafficking survivors, especially those who are children, is imperative.

Office of Victims of Crime

The U.S. government has an obligation to comply with both domestic anti-trafficking law and international human rights law in providing effective, trauma-informed, long-term, comprehensive services to victims, regardless of the nature of their exploitation. However, the investment in victim services at the federal level falls drastically short to honor this obligation. Services such as healthcare and housing meet immediate needs without which survivors find themselves in situations of extreme vulnerability. Medium to longer-term services such as employment and training or legal assistance help survivors address needs that allow empowerment and avoid re-victimization. ATEST recommends:

- Match requirements for grants to nonprofit organizations be eliminated or substantially reduced.
- Funding for the Crime Victims Fund be stabilized to ensure service providers have a consistent stream of resources.
- Victim services money is not diverted to fund law enforcement operations through anti-trafficking task forces.
- Sufficient funding is secured to provide a full range of survivor support, including universal healthcare, scholarships for education, stipends for housing and legal representation. Allow flexibility for survivors to determine their own priority needs.
- Direct funding into non-carceral, community-centered, public health approaches. Fund prevention task forces that do not engage the criminal legal system; instead fund

community partnerships and to reduce societal risk. Potential partners in these task forces might be the local department of health, housing/homelessness, early childhood enrichment, education, and a variety of non-governmental community-based organizations that represent the needs of underserved populations at statistically higher risk.

- Utilize culturally-specific organizations that are already trusted by specific communities to end exploitation by using frameworks and approaches that are appropriate to their communities. Allow human trafficking service and prevention funding to be used to fund groups that support the wellness of individuals from BIPOC, LGBTQ, farm worker, domestic worker, sex worker, migrant, disabled, and homeless communities.

Prison Labor

Prison labor undercuts local businesses. DOJ should prohibit labor trafficking in federal and federally-funded prisons and detention facilities. Many incarcerated people do not have a choice about whether or not to work. Even when work within prisons is deemed “voluntary,” the need for funds to purchase food, hygiene products, medical care, or phone calls, as well as threats of punishment like solitary confinement, makes work under these conditions involuntary. The U.S. is one of the few democratic countries in the world to not have outlawed forced prison labor. To ensure labor performed by incarcerated people is truly voluntary and safe, and regardless of criminal convictions, the Justice Department should:

- Implement performance measures for correctional facilities that review the voluntary nature of work performed by inmates.
- Compensate workers in prisons and detention facilities adequately so as not to undermine local employment markets.
- Work with Congress to expand coverage of the Fair Labor Standards Act and National Labor Relations Act to incarcerated persons.
- Improve oversight and audits to prevent sex trafficking of inmates within prisons, run by inmates or guards.
- Improve access to healthcare, quality food, library and education services in all prisons to reduce pressure to work for basic needs.

Executive Office for United States Attorneys

Human Trafficking Coordinators

The Executive Office for United States Attorneys provides national leadership and support to the U.S. Attorneys around the country, including legal education, administrative oversight, technical support and the creation of uniform policies. To consolidate human trafficking expertise and increase prosecutions, the Abolish Human Trafficking Act (P.L. 115-392) requires human trafficking coordinators and an Assistant U.S. Attorney in every U.S. Attorney’s office across the U.S.

To better serve victims and improve prosecutions, the Justice Department should:

- Work with local nonprofit local service providers to provide regional training for human trafficking coordinators.
- Ensure U.S. Attorneys apply for continued presence status within 24 hours of identifying a non-citizen human trafficking survivor.
- Require that only Assistant U.S. Attorneys trained on human trafficking prosecute human trafficking cases. This training should be designed with survivor input and civil society guidance.
- Incentivize and/or require prosecutors to help trafficking survivors access restitution and inform them what it is.

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SPECIFIC RECOMMENDATIONS FOR KEY FEDERAL AGENCIES

DEPARTMENT OF HOMELAND SECURITY

Center for Countering Human Trafficking

The 117th Congress authorized and funded a major reorganization of anti-trafficking efforts at the Department of Homeland Security (DHS) to improve coordination and effectiveness. The incoming administration should ensure that DHS continues to effectively implement the reforms required by three key congressional initiatives.

- The Countering Human Trafficking Act (P.L. 117-322) mandated the coordination of 16 Department of Homeland Security (DHS) anti-trafficking programs and staff by the new [Center for Countering Human Trafficking \(CCHT\)](#)⁴⁹. The law authorizes \$14,000,000 for the Center, requires minimum staffing of 45 employees, directs the new unit to broaden its historical focus on sex trafficking to include increased attention on forced labor, and instructs CCHT to take a victim-centered approach in programming and modernize infrastructure.
- The Trafficking Victims Prevention and Protection Act (TVPPA) of 2022 (P.L. 117-348) includes a \$20,000,000 authorization for DHS to fund enforcement of 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), which both prohibit the importation into the U.S. of goods produced by child or forced labor.
- The Abolish Trafficking Reauthorization Act of 2022 (Public Law 117-347 section 406 (d)) includes a \$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.

Uyghur Forced Labor Enforcement Act and Tariff Act Implementation

Congress enacted the Uyghur Forced Labor Prevention Act (UFLPA) in 2021 (P.L. 117-78) to block imports from China that are tainted by forced labor. This complements the Tariff Act of 1930 Section 307 (P.L. 71–361), which blocks imports from any nation that are tainted by child or forced labor. Complex interagency work to enforce the UFLPA is coordinated by the DHS Forced Labor Enforcement Task Force, whose website dashboard⁵⁰ indicates that nearly 4,000 tainted shipments from China worth nearly \$3.6 billion have been blocked so far. However, it is clear that

the emphasis on blocking tainted imports from China has diverted staffing and resources at DHS from blocking tainted imports from elsewhere. For more than a year, other nations have had, in essence, unpoliced access to import tainted products into the United States. Tariff Act Section 307 enforcement is publicly disclosed via the DHS Withhold Release Order (WRO) website dashboard⁵¹, which indicates only two WROs have been issued since November 2022. Adequate resources need to be provided to DHS so that it can effectively ban tainted imports from all countries, not only one.

Tainted imports not only fuel human rights abuses abroad, but they also create unfair competition for American businesses and foreign companies who do not abuse their workers. The U.S. has a leadership role in helping its trading partners who have implemented forced labor import restrictions, Mexico and Canada in particular, with technical assistance and collaboration to ensure that goods tainted with forced labor do not enter the United States via our northern or southern borders. Furthermore, a strong inter-agency collaboration on establishing standards for assessing forced labor under Section 307 is needed to ensure a substantive, coherent approach to remediation for workers. Specifically:

- Institute a substantive approach to remediation including inter-agency collaboration and partnerships on standards for assessing forced labor remediation under Section 307.
- Ramp up information sharing and technical assistance on forced labor import ban enforcement with key trading partners.
- Increase funding and transparency on forced labor enforcement.
- Develop systems to prevent tainted shipments from being reclaimed by an importer and sent to another country.

T-Visas: An Essential Tool for U.S. Law Enforcement in Combating Trafficking

Congress established the T-visa program with bi-partisan support in 2000 to enable foreign national trafficking victims to remain in the U.S. to assist U.S. law enforcement during the investigation and prosecution of their traffickers. The Department of Homeland Security designed the T-visa with the dual purpose of stabilizing trafficking victims and promoting cooperation between law enforcement and trafficking victims.⁵² The T-visa encourages human trafficking victims to report their victimization to law enforcement and enables victims to participate in the detection, investigation or prosecution of the crimes committed against them, even if they lack lawful immigration status.

Since the program was established, these visas have become an essential tool for law enforcement agencies to combat human trafficking. While other forms of immigration relief exist (such as the S-visa) the T-visa is unique in that it is the only visa program specifically tailored to combat human trafficking. Without the T-visa, law enforcement will have a far more challenging time building trafficking cases involving foreign national victims. Without an option to remain safely in the United States, a victim-witness could be deported or leave the U.S. prior to the completion of a trafficking prosecution. The dangers posed to these victims for cooperating with law enforcement are significant since their traffickers often are from the same country of origin.

S-visas are not an appropriate substitute for T-visas, as there are far too few (only 250) available each year. Moreover, 50 of those 250 are reserved for individuals who “provide critical, reliable information concerning a terrorist organization,” so it is unlikely that S-visas would be available to trafficking victims. In addition, victims cannot petition for S-visas, which can only be requested by a prosecutor.

The Trump administration should ensure that T-visa applications are quickly adjudicated because survivors may be vulnerable to revictimization while awaiting visa status determinations.

Labor Trafficking in Immigration Detention Facilities

Immigration and Customs Enforcement’s Voluntary Work Program allows private immigration detention centers to pay detainees less than one dollar a day for their work, according to a rate set by Congress in 1950, which has never been statutorily increased, nor adjusted for inflation. The work is not truly voluntary, and immigrant workers are punished by withholding of essential items, isolation, or being moved to more dangerous housing units for attempting to take a day off or refusing to work. The U.S. government should prohibit government contracts with private detention centers and establish performance measures for detention centers that review the voluntary nature of work performed by immigration detainees. Work performed by detainees should be compensated adequately, and federal, state and local safety and health standards must be followed. Immigration workers in detention facilities should be covered by Fair Labor Standards Act and National Labor Relations Act protections.

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SPECIFIC RECOMMENDATIONS FOR KEY FEDERAL AGENCIES

DEPARTMENT OF EDUCATION

Grants to Local Education Agencies

The Department of Education interfaces with approximately 50 million elementary and secondary school children each year, and is, therefore, in a unique position to reach vulnerable youth. The department should:

- Develop materials regarding all forms of human trafficking, including sex and labor trafficking, to ensure that educators and students are aware of how to identify and treat all types of trafficking; to understand the dynamics of how children can be recruited; and to provide age-appropriate information on consent, bodily autonomy, and legal rights.
- Maintain plans to integrate youth back into the educational system after being trafficked or exploited and provide resources to support their continued education.
- Consult stakeholders — including educators, non-governmental organizations, labor and sex trafficking survivors, and the U.S. Advisory Council on Human Trafficking — on the development of materials.
- Consider building a child trafficking survivor peer mentor program to help youth navigate the education system and day-to-day recovery

Education Support for Students Experiencing Homelessness

The intersection between homelessness and trafficking is well documented. Schools provide a critical system to decrease the vulnerability of students experiencing homelessness, provide support to help students experiencing homelessness graduate, and ensure these students are able to access colleges and universities, even without access to a parental tax return. To decrease student vulnerability to trafficking and open opportunities for economic upward mobility, the department should:

- Increase monitoring of the McKinney-Vento Education for Homeless Children and Youth program to ensure that all state and local education agencies are fully implementing the law.
- Ensure all higher education institutions are aware of guidance issued in July 2024 that unaccompanied homeless youth are not required to provide parental tax return information to complete the Free Application for Federal Student Aid (FAFSA).
- Implement student loan forgiveness, as student loan debt creates risk of homelessness

and poverty that traffickers use for coercive exploitation.

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About the Alliance to End Slavery and Trafficking

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 and forced labor around the world. We promote 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 in more than 30 U.S. cities and 100 countries gives us unparalleled breadth and depth of expertise.

We believe in a holistic, comprehensive approach to anti-trafficking work, striving to address the needs and vulnerabilities of communities particularly at risk. We are committed to advancing racial and gender fairness throughout our work. We promote victims' rights and access to justice and remedy, and the decriminalization of coerced and forced conduct. We take a victim-centered, trauma-informed, and worker-experience approach and center our work in a human rights, civil rights, and worker rights framework. We advocate for the inclusion of survivor voices in shaping and implementing anti-trafficking policies and programs.

Learn more: www.endslaveryandtrafficking.org

ATEST Member Organizations

- Coalition to Abolish Slavery and Trafficking
- Coalition of Immokalee Workers
- Covenant House
- Free the Slaves
- HEAL Trafficking
- Human Trafficking Legal Center
- Humanity United Action
- McCain Institute
- National Network for Youth
- Polaris
- Safe Horizon
- Solidarity Center
- United Way Worldwide
- Verité
- Vital Voices Global Partnership

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The recommendations in this memorandum are brief summaries intended to outline areas for discussion between civil society stakeholders and executive branch officials during the presidential transition and beginning of the incoming administration. Not all federal anti-trafficking programs and opportunities are included; we have focused on priorities for action. This document has been developed in consultation with human trafficking survivors. Published: November 2024.

Endnotes

- ¹ P.L. 106-386
- ² U.S. Definition: 22 U.S.C. 7102(11)
- ³ https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/publication/wcms_854733.pdf
- ⁴ <https://www.ilo.org/publications/major-publications/acting-against-forced-labour-assessment-investment-requirements-and>
- ⁵ From Bait to Plate—How Forced Labor Taints America’s Seafood Supply Chain: Hearing before the Congressional-Executive Commission on China ([Statement of Professor Robert Stumberg](#)), October 24, 2023.
- ⁶ [52.222-56 Certification Regarding Trafficking in Persons Compliance Plan. | Acquisition.GOV](#)
- ⁷ https://www.rand.org/pubs/research_reports/RRA108-28.html??cutoff=true&utm_source=AdaptiveMailer&utm_medium=email&utm_campaign=701QK00000Hel3GYAR&utm_term=00vQK00000CVgwwYAD&org=1674&lvl=100&ite=292060&lea=3878234&ctr=0&par=1&trk=a0wQK000007dwhdYAA
- ⁸ <https://nij.ojp.gov/library/publications/improving-identification-prevalence-estimation-and-earlier-intervention>
- ⁹ https://cenhtrou.uga.edu/news/PRIF_results_from_the_field_conference/
- ¹⁰ <https://www.ilo.org/publications/major-publications/acting-against-forced-labour-assessment-investment-requirements-and>
- ¹¹ <https://www.ilo.org/publications/major-publications/acting-against-forced-labour-assessment-investment-requirements-and>
- ¹² <https://endslaveryandtrafficking.org/appropriations-guide/>
- ¹³ <https://www.dhs.gov/forced-labor-enforcement-task-force>
- ¹⁴ <https://www.whitehouse.gov/wp-content/uploads/2021/12/National-Action-Plan-to-Combat-Human-Trafficking.pdf>
- ¹⁵ <https://www.state.gov/wp-content/uploads/2024/03/2024-United-States-Government-National-Action-Plan-on-Responsible-Business-Conduct.pdf>
- ¹⁶ <https://www.state.gov/u-s-advisory-council-on-human-trafficking/>
- ¹⁷ U.S. Definition: 22 U.S.C. 7102(11)
- ¹⁸ <https://ustr.gov/trade-agreements/free-trade-agreements/united-states-mexico-canada-agreement>
- ¹⁹ <https://www.state.gov/trafficking-in-persons-report/>
- ²⁰ <https://www.acquisition.gov/far/subpart-22.15>
- ²¹ <https://fairfoodprogram.org/>
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