



Alliance to End Slavery and
Trafficking
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February 29, 2016

The Honorable John Culberson, Chairman
House Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies

The Honorable Mike Honda, Ranking Member
House Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies

The Honorable Richard C. Shelby, Chairman
Senate Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies

The Honorable Barbara Mikulski, Ranking Member
Senate Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies

Dear Chairs Culberson and Shelby and Ranking Members Honda and Mikulski:

On behalf of the Alliance to End Slavery and Trafficking (ATEST) and the undersigned organizations, we are writing to seek your assistance to fund a series of authorized programs in the FY 2017 Commerce, Justice, Science and Related Agencies Appropriations bill that are absolutely critical to fighting the growing problem of human trafficking and forced labor.

The Trafficking Victims Protection Act (P.L.113-4) validated the Justice Department's role in investigating and prosecuting trafficking crimes, as well as serving its victims. The TVPA forms the core of the Department of Justice's efforts to prevent and prosecute human trafficking and protect the victims of trafficking and forced labor. Unfortunately, the problem of human trafficking and forced labor is growing. These victims often experience severe trauma that requires intensive therapy and rehabilitation. In addition, human trafficking and forced labor criminal cases are often complicated and involve lengthy legal proceedings requiring additional resources for prosecutors as well as victims. Many of these victims require comprehensive case management provided by victim service organizations to see them through their recovery and help them navigate the legal system.

With your help and leadership, we want to maintain and increase the resources available to the Department of Justice, victims, and the victim service organizations on the frontlines fighting to help the victims of these crimes. Therefore, we request the following:

Office of Justice Programs / State and Local Law Enforcement Assistance

1. Victim Services Grants: \$35,000,000 and Report Language

We request \$35,000,000 for the Victims of Trafficking Grant program for foreign nationals, and U.S. citizens and legal permanent residents. This amount reflects fully authorized amounts in the TVPA, as amended by the Trafficking Victims Reauthorization Act of 2013 (title XII of Public Law 113-4). Within this amount, we are seeking no less than \$17,500,000 for victim services grants for foreign national victims of trafficking as authorized by section 107(b)(2) of Public Law

106-386 as amended by Public Law 113-4; and \$17,500,000 for victim services grants to assist U.S. citizen and legal permanent residents as authorized by Section 213(a)(2) of the TVPA reauthorization of 2008 and Public Law 113-4. Thousands of U.S. citizens are becoming victims of these crimes whether for forced labor or commercial sexual exploitation. Despite increasing numbers of identified victims, DOJ is decreasing funding toward victim services grants, which is leading to fewer organizations that support human trafficking victims. According to the 2015 TIP Report, from July 1, 2013, to June 30, 2014, DOJ grantees provided victim services to more than 1,366 new victims, compared with 1,911 open client cases and 1,009 new victims in the previous year. In addition, DOJ funded 28 victim service organizations across the United States in 2014, totaling approximately \$10.9 million, compared with \$11.2 million in FY 2013 and \$5.4 million in FY 2012. A federally-funded study on labor trafficking in the United States found some local law enforcement officials did not recognize indicators of labor trafficking and some labor trafficking victims went months or years after their escape before being connected with service providers.

Consistent with the Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States (2013-2017), ATEST strongly encourages agencies throughout the budget process to focus on a comprehensive, holistic response to the needs of victims of all forms of human trafficking, including sex and labor trafficking. We are requesting \$35,000,000 to maintain the increase for the DOJ Victims of Trafficking Grant program secured in the FY16 Omnibus Appropriations Act (P.L. 113-114). Continuing funding is needed to support program development for victim services programs across the United States as more and more victims of trafficking are being identified. ATEST opposes moving the Victims of Trafficking Grant program to the Crime Victims Fund from the Office of Justice Programs. We also recommend the following bill and report language.

Proposed Bill Language:

State and Local Law Enforcement Assistance

\$35,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106-386, as amended by Public Law 113-4; Provided, that no less than \$17,500,000 shall be for victim services grants for foreign national victims of trafficking and \$17,500,000 shall be for victim services grants for United States citizen and legal permanent resident victims.

Proposed Report Language:

State and Local Law Enforcement Assistance

The bill provides \$35,000,000 for the Victims of Trafficking Grant program as authorized by Public Law 106-386 and amended by Public Law 113-4 of which no less than \$17,500,000 is for victim services grants for foreign national victims of trafficking and \$17,500,000 for U.S. citizen and legal permanent resident victims.

2. Task Forces: \$10,000,000 and Report Language

Historically, funding for the Human Trafficking Task Forces has come from the Victim Services grants. However, section 1242 of the TVPRA of 2013 authorized for the first time \$10,000,000 specifically for human trafficking taskforces focused on all forms of human trafficking. This authorization also provides funds to train law enforcement personnel on how to identify human trafficking. Lack of training on the crime and on identification of victims is a significant barrier to

prosecution of cases by states. Specialized human trafficking taskforces funded by DOJ's Bureau of Justice Assistance (BJA) had been reduced from 26 to 16 across the country. This is a significant reduction in taskforces, which in the past funded more than 40 specialized taskforces. These dramatic reductions are occurring at a time when increased incidents of human trafficking are being reported. Therefore, we request that the Law Enforcement Taskforce funds receive additional appropriations and no longer be appropriated from the Victim Services Funds described above. We also request that the newly authorized \$10,000,000 be used for the Department of Justice's Human Trafficking Task Forces, which integrate federal, state, and local law enforcement, prosecutorial, and victim service organizations to prevent and prosecute human trafficking. ATEST opposes moving the Human Trafficking Task Forces to the Crime Victims Fund from the Office of Justice Programs.

Proposed Bill Language:

State and Local Law Enforcement Assistance

\$10,000,000 for Human Trafficking Task Forces and law enforcement training, as authorized by section 1242 of Public Law 113-4.

Proposed Report Language:

State and Local Law Enforcement Assistance

The bill provides \$10,000,000 for the Human Trafficking Task Forces and law enforcement training as authorized by Public Law 113-4.

3. Minor Victim Services Grants: \$10,000,000 and Report Language

The TVPRA of 2013 (P.L.113-4) created a grant program to “develop, expand and strengthen assistance programs for certain persons subject to trafficking.” Under this grant program the Attorney General is authorized under Section 202(i) to provide \$8,000,000 in grant funding to serve sex trafficked minors. Since the authorized funds are specific to sex trafficked minors, we are requesting an additional \$2,000,000 in grant funds to support the same services, training, and outreach for labor trafficked youth. We believe developing these programs simultaneously is imperative, given that the federal definition of human trafficking includes both sex and labor trafficking. Therefore, to ensure funds are available to meet the needs of all child victims of severe forms of trafficking, we are requesting \$10,000,000, of which \$8,000,000 is for sex trafficked minors and \$2,000,000 is for labor trafficked minors.

Specialized, comprehensive, trauma-informed, gender specific assistance to minor victims of human trafficking is essential to combating this crime. Minor victims of trafficking face major hurdles in recovering from the abuse and trauma of their trafficking situation. Law enforcement around the country has identified the lack of specialized housing programs as the greatest obstacle in bringing effective prosecutions against child traffickers. Anecdotal data from selected cities further illustrates the need for these funds. For example, in Los Angeles County, in 2012, 72 commercially sexually exploited children were processed through L.A. County's Succeed Through Achievement and Resilience (STAR) Court Program; similarly, in 2013, nearly 150 youth were arrested for prostitution. In addition, a 2013 report found that 469 children were commercially sexually exploited in the Portland, Oregon area over the previous four years.

While we support the need for additional funding for trafficked minors, especially sex trafficked minors, we believe DOJ must carefully administer this new grant fund in close collaboration with

the Department of Health and Human Services (HHS) and that the key areas within the grant fund include: residential care, 24-hour response services, clothing and basic necessities, case management services, mental health counseling, comprehensive, trauma-informed, and gender specific services, legal services, and specialized training for social service providers, public and private sector personnel, and outreach and education. HHS in its runaway and homeless youth programs and other services grant areas already have technical expertise in all of the above-listed areas.

Proposed Bill Language:

State and Local Law Enforcement Assistance

\$10,000,000 for victim services programs for minor victims of sex and labor trafficking, provided that no less than \$8,000,000 shall be for victim services grants for sex trafficked minors as authorized by section 202(i) of Public Law 113-4.

Proposed Report Language:

The bill provides \$10,000,000 for Minor Victims of Trafficking Grant program, of which \$8,000,000 is for victim services grants for sex trafficked minors as authorized by Public Law 113-4, and the remaining \$2,000,000 is for victim services grants for labor trafficked minors. The Committee encourages DOJ to work in close coordination with the Department of Health and Human Services to encourage collaboration and reduce duplication of effort.

Legal Activities / Civil Rights Division

4. \$6,500,000 for the Human Trafficking and Slavery Prosecution Unit (HTSPU) and Report Language

We request \$6,500,000 for the HTSPU. The cases HTSPU handles are resource intensive because they are procedurally complex and involve multiple jurisdictions and defendants. Without this critical funding, the Department of Justice will be unable to effectively investigate and prosecute trafficking and slavery cases. We ask that report language be added encouraging HTSPU and the recently created Anti-Trafficking Coordination teams (a joint DOJ/DHS/DOL program) to work with victim service providers and non-governmental organizations to ensure victims' needs are met.

Proposed Report Language:

Legal Activities / Salary and Expenses / General Legal Activities

The Committee provides \$6,500,000 for the Human Trafficking and Slavery Prosecution Unit (HTSPU) and encourages HTSPU and the Anti-Trafficking Coordination Teams to continue working with victim service providers and non-governmental organizations to ensure victim needs are prioritized as part of the overall strategy to combat human trafficking and forced labor in the United States. Furthermore, the Committee directs the Human Trafficking and Slavery Prosecution Unit (HTSPU) to report to the Committees on Appropriations no later than 120 days following enactment of this Act on (1) the total number of human trafficking cases it prosecuted or assisted in prosecuting within the last three years disaggregated by type of trafficking, (2) the number of (a) Assistant U.S. Attorneys, (b) federal law enforcement, and (c) state and local law enforcement who received training on human trafficking within the last three years that included sex and labor trafficking, disaggregated from those who receive training just on sex trafficking,

and (3) the number of Assistant U.S. Attorneys who received training on restitution for human trafficking victims within the last three years.

Legal Activities / United States Attorneys

5. Report Language Creating a Point of Contact in each U.S. Attorney's Office

We request that the Subcommittee include report language that continues to require a point of contact (POC) in each U.S. Attorney's Office (USAO) to serve as the coordinator of all human trafficking and forced labor matters within each USAO and to serve as a liaison with victim service organizations within each respective jurisdiction to improve coordination and communication.

Proposed Report Language:

Salaries and Expenses / United States Attorneys

The Committee directs the Executive Office of U.S. Attorneys, in consultation with the United States Attorneys, to designate a point of contact in each U.S. Attorney's office who shall serve as the coordinator for all activities within that office concerning human trafficking and forced labor matters covered by the Trafficking Victims Protection Act (TVPA). Designating a point of contact will improve communication and coordination within each jurisdiction, including victim services organizations, in order to better serve the victims of human trafficking and forced labor.

6. Report Language Creating a Process for Survivors to Obtain Expedited Letter of Support

We request that the Executive Office of U.S. Attorneys, in consultation with the Department of Homeland Security, to develop a process to enable survivors with T-visas to obtain an expedited letter of support from the Department of Justice when their criminal case is closed.

The Committee directs the Executive Office of U.S. Attorneys, in consultation with the Department of Homeland Security, to develop a process to enable survivors with T-visas to obtain an expedited letter of support from the Department of Justice when their criminal case is closed.

Federal Bureau of Investigation

7. FBI Salaries and Expenses: \$15,000,000 for Investigations into Severe Forms of Trafficking and Report Language

We request \$15,000,000, as authorized by Sec. 113(h) of the TVPA of 2000 (P.L. 106-386), as amended by the TVPRA of 2005 (P.L. 109-164) and the TVPRA of 2008 (P.L. 110-457), for the Federal Bureau of Investigation's (FBI) Salaries and Expenses account to investigate severe forms of trafficking in persons. As the lead federal law enforcement agency, the FBI's ability to combat trafficking and forced labor would be significantly enhanced through additional resources devoted specifically to this crime.

Continued Presence, a temporary form of immigration relief, was explicitly created under the TVPA of 2000 to provide status to potential trafficking victims. Too often victims are not receiving this form of relief in a timely matter, and additional burdens are placed on the cooperating victim as well as the service providers assisting the victim who remains without status in the United States.

Additionally, the FBI leads the Innocence Lost taskforces. Each year these taskforces lead coordinated cross-country operations. The most recent being in January 2016 during human trafficking awareness month. Service providers report that many potential adult victims of trafficking are arrested and cited as part of these operations and often even minor children are arrested. To ensure that potential victims are identified and treated appropriately, we ask for more transparency in the results of these operations through the addition of the following report language.

Proposed Report Language:

Salaries and Expenses / Federal Bureau of Investigation

The bill provides \$15,000,000 for the FBI to investigate severe forms of trafficking in persons. As the lead federal law enforcement agency, the FBI's ability to combat trafficking and forced labor would be significantly enhanced through additional resources devoted specifically to the growing problem of trafficking and forced labor. The funding shall be used for investigations into trafficking and forced labor and providing victim witness coordinators when needed on an emergency basis.

The Committee directs FBI to identify potential victims of human trafficking and forced labor early in any FBI or FBI-led investigations and provide informational materials and referrals for victim assistance as quickly as possible prior to any legal action. The Committee encourages FBI to work with non-governmental organizations and victim service providers on victim referrals and assistance. The Committee also encourages FBI to seek: (1) Continued Presence for potential trafficking victims as soon as possible to assist in the prosecution of traffickers and aid in victim recovery and (2) assist local and state law enforcement to understand the requirements of CP and promptly respond to any state or local requests by law enforcement for CP for potential victims of human trafficking.

The Committee shall direct the FBI to issue a public report for all its past Innocence Lost Taskforce Operations that details the (1) number of potential traffickers arrested, (2) the number of adults in prostitution arrested, (3) the number of minor victims identified and arrested on (a) an open warrant or (b) for new prostitution charges, and (4) the placement and social service support secured for each child for each state operation. Beginning in 2016 and annually thereafter the FBI will compile a report and submit to OMB and make publically available the above listed information.

8. Federal Bureau of Investigation (FBI): Training for Agents

FBI agents are on the frontlines of our efforts to combat human trafficking, investigating cases of labor and sex trafficking of adults and children. FBI agents play a critical role in apprehending the perpetrators of this crime. However, too often, victims are treated as criminals rather than the victims they are. Additionally, victims are not provided with the benefits and support that is mandated by the TVPA. It is critical that FBI agents receive the training they need to identify and assist trafficking victims. To accomplish this goal, we ask that the following language be included in the Committee Report for the FY 2017 Commerce, Justice, Science and Related Agencies Appropriations bill.

Proposed Report Language:

FBI plays a critical role in investigating criminal organizations trafficking individuals within the United States. The Committee encourages the FBI to work with appropriate non-governmental organizations and victim services providers to improve the training of FBI agents in the field to assist in the identification of all forms of human trafficking – including both sex and labor victims – and provide appropriate referrals to victim services organizations.

9. \$2,500,000 for The National Human Trafficking Resource Center

We are seeking \$2,500,000 to support the National Human Trafficking Resource Center (NHTRC) as authorized by section 107(b)(1)(B)(ii) of the 2000 TVPRA as amended (22 U.S.C. 7105(b)(1)(B)(ii)). The NHTRC is a national, toll-free hotline, available to answer calls from anywhere 24 hours a day, seven days a week, every day of the year. The hotline is used to collect tips on human trafficking cases, to connect victims with anti-trafficking services in their area, and to provide training and technical assistance and specific anti-trafficking resources. The NHTRC receives calls and provides services to both domestic and foreign national victims of human trafficking.

Proposed Report Language:

The Committee recommends \$2,500,000 to support the National Human Trafficking Resource Center (NHTRC) as authorized by section 107(b)(1)(B)(ii) of the 2000 TVPRA as amended (22 U.S.C. 7105(b)(1)(B)(ii)).

The number of cases reported to the hotline and overall call volume have increased dramatically since 2007. In 2015, 5,544 cases of human trafficking in the United States were reported to the NHTRC, and the hotline received a total of 21,947 calls, along with 2,810 emails and online tips. This is over 500 more cases and over 500 more calls than the hotline received in 2014. Putting this into further perspective, the NHTRC received just 3,516 calls in 2008. Since 2007, the NHTRC has identified 24,156 cases of human trafficking and close to 24,000 victims.

Not only is the overall volume of cases and calls increasing, but the amount of calls received directly from survivors has also increased. In 2015, 16% of the calls came directly from victims and survivors. By contrast, 12.7% of the 2014 calls and 10.5% of the 2013 calls came from victims and survivors. This steady increase demonstrates that this community is continuing to recognize the hotline as a safe, beneficial resource for assistance.

While the costs of operating the hotline have continued to rise, in large part due to increased call volume, government funding for the hotline has stayed relatively flat. In FY 2017, the total cost of operating the hotline will be approximately \$2,500,000. However, in FY 2016, HHS provided only \$1,000,000 in funding, and in prior years, HHS provided just \$800,000 per year.

The NHTRC has proven to be a strong return on investment, as demonstrated by the tremendous amount of cases and victims it has identified and calls it receives compared to the low funding levels it requires. In the the FY 2016 omnibus appropriations package, Congress included in the report language direction to HHS to “increase funding for the national human trafficking hotline to help respond to increased call volume and overall need for services.” In order to allow the NHTRC to maintain its high level of service and handle the continuing rise in call volume, we request \$2,500,000 for the NHTRC in FY 2017.

We understand the extremely difficult funding situation you are facing in FY 2017. We have carefully vetted our requests to reflect true priorities that are targeted and focused on the most important and most effective programs. We thank you for your consideration of these requests and your continued leadership in fighting the scourge of human trafficking and forced labor. If you have any questions, please contact Melysa Sperber, ATEST Director, at msperber@humanityunited.org or (631) 374-0749.

Sincerely,

Coalition to Abolish Slavery and Trafficking (CAST)

Coalition of Immokalee Workers (CIW)

ECPAT-USA

Free the Slaves

Futures Without Violence (FUTURES)

International Justice Mission

National Domestic Workers Alliance (NDWA)

National Network for Youth (NN4Y)

Polaris

Safe Horizon

Solidarity Center

Verité

Vital Voices Global Partnership

ATEST is a diverse alliance of U.S.-based human rights organizations, acting with a shared agenda to end all forms of modern-day slavery and human trafficking domestically and globally. ATEST member organizations include: Coalition to Abolish Slavery and Trafficking (CAST), Coalition of Immokalee Workers (CIW), ECPAT-USA, Free the Slaves, Futures Without Violence (FUTURES), International Justice Mission, National Domestic Workers Alliance (NDWA), National Network for Youth (NN4Y), Polaris, Safe Horizon, Solidarity Center, Verité, and Vital Voices Global Partnership.