

Trafficking in Persons: Grants for Victim Services in the United States

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Trafficking in Persons: Grants for Victim Services in the United States

Trafficking in persons (TIP), also known as human trafficking, occurs across the United States and around the world. Traffickers exploit vulnerable individuals for commercial sex and forced labor in a variety of legal and illegal industries. For over two decades, Congress has legislated to counter human trafficking in the United States. Through the Trafficking Victims Protection Act of 2000 (TVPA, Division A of P.L. 106-386) and its subsequent reauthorizations, related anti-trafficking legislation, and administrative initiatives, the federal role in countering trafficking continues to be centered on the core pillars of preventing trafficking, prosecuting perpetrators, and protecting victims.

In 2021, the White House issued a *National Action Plan to Combat Human Trafficking*, which outlined a variety of principles and associated priority actions to reinforce the three pillars of the nation's anti-trafficking efforts. Under the protection pillar, the plan delineates specific principles tailored to supporting trafficking victims. These involve identifying and engaging with victims in an equitable victim-centered, trauma-informed, and culturally competent manner; safeguarding victims from being inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being trafficked; improving access to immigration benefits and options so foreign national victims can receive efficient and effective assistance; expanding and improving assistance to victims encountered by federal law enforcement agencies; seeking financial remedies for victims; and offering or connecting victims to social services (including physical and mental health care, shelters and safe housing, education, and employment, among other forms of assistance) to increase short- and long-term stability.

With respect to offering and connecting trafficking victims to social services, several federal departments have programs or administer grants that are designed to support and provide ongoing protection and services to trafficking victims. The Department of Justice (DOJ) and the Department of Health and Human Services (HHS) are the primary departments administering grants for trafficking victim assistance.

- **DOJ.** The TVPA authorizes DOJ to make grants to develop, expand, or strengthen programs for victims of human trafficking. Among other programs, DOJ administers the Services for Victims of Human Trafficking program, which supports grantees that are (1) developing capacity to serve victims, (2) enhancing victim access to comprehensive services, or (3) providing specialized services for human trafficking victims. DOJ also administers the Enhanced Collaborative Model (ECM) Task Force to Combat Human Trafficking program, which supports task forces comprised of victim service providers, law enforcement, trafficking survivors, and other governmental and nongovernmental partners. Funding supports new or expanding ECM task forces that work to provide a multidisciplinary approach to delivering diverse and appropriate services to trafficking victims.
- **HHS.** The TVPA directs HHS to expand benefits and services to trafficking victims in the United States. HHS administers trafficking victim services grant programs for both U.S. and foreign national victims of trafficking. Under the Domestic Victims of Human Trafficking program, grantees may use funding to provide comprehensive case management, direct services, and referrals to services for *domestic individuals* (U.S. citizens and lawful permanent residents [LPRs]) who have experienced trafficking. The Trafficking Victim Services Program funds case management services for *foreign nationals* who have experienced trafficking and are pursuing HHS victim certification—a process that makes noncitizen victims eligible for certain benefits and services (for which they are ineligible without certification).

Data on victims served by providers receiving federal trafficking victim assistance grants indicate that there may be disparities in populations served; for instance, data on victims served by grantees from DOJ's and HHS's trafficking victim assistance programs indicate that more women than men are served, and more victims of sex trafficking than labor trafficking are served. Additionally, available data on victims served with federal victim assistance funding focus more on the quantity of victims served and less on the quality of the services delivered and the outcomes for victims receiving services. As such, as policymakers examine federal efforts to provide services for victims of trafficking, they may question whether this assistance is reaching victims equitably and effectively.

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Trafficking in persons (TIP), also known as human trafficking, occurs across the United States and around the world. Traffickers exploit vulnerable individuals for commercial sex and forced labor in a variety of legal and illegal industries. Although some estimates exist, comprehensive data on the incidence of human trafficking within the United States are not available.¹ Some metrics suggest that more foreign victims may be involved in labor trafficking than in sex trafficking, and that more U.S. citizen victims may be involved in sex trafficking than labor trafficking.² In addition, the federal government prosecutes more individuals for sex trafficking than for labor trafficking offenses.³

For over two decades, Congress has been legislating to counter human trafficking in the United States. The Trafficking Victims Protection Act of 2000 (TVPA, Division A of P.L. 106-386) and its subsequent reauthorizations have contained elements aimed at preventing human trafficking, strengthening criminal laws relevant to investigating and prosecuting traffickers, and providing protections and services for victims. Most recently, Congress passed legislation, including the Trafficking Victims Prevention and Protection Reauthorization Act of 2022 (P.L. 117-348) and the Abolish Trafficking Reauthorization Act of 2022 (P.L. 117-347), intended to further enhance the federal government's anti-trafficking efforts. These acts contained provisions that amended and reauthorized activities under the purview of the TVPA—including grants to support services for victims in the United States.

This report provides a brief background on human trafficking and the federal government's role in countering it. It specifically discusses the federal role in providing protection and services for victims and outlines federal grant programs authorized under the TVPA that provide funding for victim assistance. The report also includes considerations for policymakers as they evaluate the current landscape of victim services grants. While recognizing that there are important nuances between the terms, this report uses the terms *victim* and *survivor* in reference to individuals who have been trafficked.⁴

Conceptualizing Human Trafficking

Human trafficking in the United States is broadly conceptualized in two categories: sex trafficking and labor trafficking. Federal statutes do not formally define human trafficking or trafficking in persons. Rather, the TVPA defines *severe forms of trafficking in persons* as

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

¹ For a discussion of available data sources on human trafficking, see CRS Report R47211, *Criminal Justice Data: Human Trafficking*.

² U.S. Department of State, *2022 Trafficking in Persons Report: United States*, <https://www.state.gov/reports/2022-trafficking-in-persons-report/united-states/>. This is based on foreign national victims receiving trafficking victim services provided by the U.S. Department of Health and Human Services (HHS).

³ Ibid.

⁴ As outlined by the Department of Justice (DOJ), “[b]oth terms are important and have different implications when used in the context of victim advocacy and service provision. For example, the term ‘victim’ has legal implications within the criminal justice process and refers to an individual who has suffered harm as a result of criminal conduct. The laws that give individuals particular rights and legal standing within the criminal justice system use the term ‘victim.’ Federal law enforcement uses the term ‘victim’ in its professional capacity. ‘Survivor’ is a term used widely in service providing organizations to recognize the strength and courage it takes to overcome victimization.” DOJ, Office for Victims of Crime (OVC), *Human Trafficking Task Force e-Guide: Understanding Human Trafficking, Victim-Centered Approach*.

(B) the recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.⁵

Under the TVPA, force, fraud, or coercion are necessary elements to establish trafficking of an adult victim, but are not necessary elements to establish sex trafficking of a victim under age 18. It is not necessary to prove that people have moved across jurisdictional boundaries to establish that human trafficking has occurred. The term *human trafficking* is often used interchangeably with *human smuggling*, but they are distinct. As the U.S. Department of Homeland Security (DHS) has noted, “[h]uman trafficking does not require crossing a border. Human trafficking victims have been exploited by their trafficker for commercial sex acts or labor. By contrast, human smugglers engage in the crime of bringing people into the United States, or unlawfully transporting and harboring people already in the United States, in deliberate evasion of immigration law. In some situations, human smuggling may result in human trafficking.”⁶

Federal Role in Countering Human Trafficking

Through the TVPA, related anti-trafficking legislation, and administrative initiatives, the federal role in countering trafficking continues to be centered on the core themes of prevention, prosecution, and protection.⁷

Prevention. Efforts to prevent human trafficking are broad; they range from expanding community outreach and awareness training about vulnerable populations to reducing demand for sex and labor trafficking. Prevention activities may be conceptualized in three categories:

- **Primary prevention.** This includes efforts to prevent exploitation *before* individuals are victimized.
- **Secondary prevention.** This includes efforts to identify trafficking victims and provide an immediate response, such as emergency and medical care, to address short-term consequences.
- **Tertiary prevention.** This includes longer-term efforts such as providing rehabilitative services that aim to prevent further victimization.⁸

As these categories indicate, in addition to federal efforts to prevent exploitation before individuals are victimized, other efforts are aimed at identifying human trafficking victims in order to rescue and protect them from further exploitation. For instance, a number of federal agencies administer public awareness campaigns to help recognize the signs of trafficking, identify potential victims, and respond appropriately.⁹ These efforts intersect directly with activities to provide services and ongoing protection to support trafficking victims.

Prosecution. Most federal human trafficking cases are investigated by the Federal Bureau of Investigation (FBI) and U.S. Immigration and Customs Enforcement, Homeland Security

⁵ 22 U.S.C. §7102.

⁶ U.S. Department of Homeland Security (DHS), *Department of Homeland Security Strategy to Combat Human Trafficking, the Importation of Goods Produced with Forced Labor, and Child Sexual Exploitation*, January 2020, p. 5.

⁷ White House, *The National Action Plan to Combat Human Trafficking*, December 2021.

⁸ For more information about primary, secondary, and tertiary prevention, see HHS, *Information Memorandum: Definitions and Principles to Inform Human Trafficking Prevention*, April 24, 2019.

⁹ DHS’s Blue Campaign is one such example. More information on the Blue Campaign is available at <https://www.dhs.gov/blue-campaign>.

Investigations (ICE HSI), who coordinate with other agencies as appropriate. The U.S. Attorneys prosecute these cases.¹⁰

Protection. Several departments have programs or administer grants that are designed to support and provide ongoing protection and services to trafficking victims. (The Department of Justice [DOJ] and the Department of Health and Human Services [HHS] are the primary departments administering grants for trafficking victim assistance.) Such assistance may include temporary housing, independent living skills, cultural orientation, transportation, job training, mental health counseling, and legal assistance. Some observers may view these protection activities as part of tertiary prevention.

The Federal Role in Protections for Victims

Since the enactment of the TVPA, there has been greater awareness of the nature of human trafficking and breadth of victims' needs. These needs vary by individual and may include food, shelter, and clothing; medical, mental health, financial, and legal services; education and job training; immigration protections; and others. An enhanced understanding of human trafficking and its impact on victims has engaged a range of entities—including law enforcement, service providers, schools, child welfare, workforce development, and various industry sectors—in countering trafficking and providing victim assistance. Nonetheless, some analysts and advocates have noted gaps remain in services for victims.¹¹

In 2021, the White House issued a *National Action Plan to Combat Human Trafficking*, which outlined a variety of principles and associated priority actions to reinforce the three pillars of the nation's anti-trafficking efforts: prevention, prosecution, and protection. Under the protection pillar, the plan delineates specific principles tailored to supporting trafficking victims. These involve the following:

- identifying and engaging with victims in an equitable victim-centered, trauma-informed, and culturally competent manner;¹²
- safeguarding victims from being inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being trafficked;
- improving access to immigration benefits and options so foreign national victims can receive efficient and effective assistance with recovering from their victimization;

¹⁰ More information on DOJ's efforts to counter human trafficking is available at <https://www.justice.gov/humantrafficking/departments-justice-components>. More information on the FBI's role in investigating human trafficking is available at <https://www.fbi.gov/investigate/violent-crime/human-trafficking>. For information on ICE HSI's role in investigating human trafficking, see <https://www.ice.gov/features/human-trafficking>. In addition to federal investigations, human trafficking is also investigated at the state and local level. Every state has enacted laws criminalizing human trafficking in some way. For more, see National Conference of State Legislatures, *Human Trafficking State Laws*, August 12, 2020. The FBI collects some data on human trafficking offenses known to law enforcement through its Uniform Crime Reporting Program. For more information, see CRS Report R47211, *Criminal Justice Data: Human Trafficking*.

¹¹ See, for example, State Department, *2022 Trafficking in Persons Report: United States*, <https://www.state.gov/reports/2022-trafficking-in-persons-report/united-states/>. See also Polaris Project, *Human Trafficking Issue Brief: Victim Assistance*, Fall 2015.

¹² These terms are defined in White House, *The National Action Plan to Combat Human Trafficking*, December 2021, pp. 59–60.

- expanding and improving assistance to victims encountered by federal law enforcement agencies;
- seeking financial remedies for victims; and
- offering or connecting victims to social services (including health and mental health care, shelters and safe housing, education, and employment, among other forms of assistance) to increase short- and long-term stability.¹³

These principles reflect an evolution in understanding the specific needs of trafficking victims. In line with this recognition, DOJ and HHS announced the need to develop standards of care specific to trafficking victims.¹⁴ While DOJ’s Office for Victims of Crime (OVC) has model standards of care for serving victims of crime generally,¹⁵ anti-trafficking experts have considered a need for standards specific for trafficking victim service providers. OVC awarded a cooperative agreement to Freedom Network USA to help develop these standards.¹⁶ Once they are developed, policymakers may examine the role these standards may play in federal agency victim assistance grant solicitations.

Grants for Victim Services

A major aspect of U.S. anti-trafficking efforts is victim assistance—providing immediate services when victims are identified and helping them recover from their victimization. The TVPA has been the chief legislative vehicle authorizing these grants. In addition to funding grants for victim services, the federal government provides other forms of support for trafficking victims, such as the coordination of victim assistance by federal law enforcement¹⁷ as well as immigration relief for certain noncitizen trafficking victims.¹⁸ This section highlights TVPA-authorized grants for victim services in the United States, administered by DOJ and HHS.

DOJ Grants for Trafficking Victim Services

Through the TVPA and its subsequent reauthorizations, Congress authorized DOJ to administer grants for trafficking victim services in the United States. Specifically, “the Attorney General may make grants to states, Indian tribes, units of local government, and nonprofit, nongovernmental victims’ service organizations to develop, expand, or strengthen victim service programs for

¹³ White House, *The National Action Plan to Combat Human Trafficking*, December 2021.

¹⁴ DOJ, OVC, *Podcast Transcript: Standards of Care for Human Trafficking Survivors*, <https://ovc.ojp.gov/program/human-trafficking/standards-care-human-trafficking-survivors-transcript.pdf>.

¹⁵ OVC, *Achieving Excellence: Model Standards for Serving Victims & Survivors of Crime*, 2016.

¹⁶ OVC, *Developing Standards of Care for Anti-Trafficking Service Providers*, <https://ovc.ojp.gov/program/human-trafficking/standards-care-human-trafficking-survivors-transcript.pdf>. OVC noted that draft standards will be put out for public comment so that when they are finalized, all voices will have been incorporated. See OVC, *Podcast Transcript: Standards of Care for Human Trafficking Survivors*, <https://ovc.ojp.gov/program/human-trafficking/standards-care-human-trafficking-survivors-transcript.pdf>.

¹⁷ For example, for information on ICE’s Victim Assistance Program, see <https://www.ice.gov/partnerships-centers/vap>, and for information on the FBI’s victim specialists, see <https://www.fbi.gov/investigate/violent-crime/human-trafficking>.

¹⁸ The TVPA created a new nonimmigrant category, known as T status or the T-visa, for aliens who are victims of severe forms of trafficking in persons. For a detailed discussion of immigration relief that may be available to foreign national victims of trafficking, see CRS Report R46584, *Immigration Relief for Victims of Trafficking*; and CRS Report R47404, *Immigration Relief for Noncitizen Crime Victims*.

victims of human trafficking.”¹⁹ Using this authority, DOJ, through the OVC, funds a range of victim service grant programs, including the following:²⁰

- The Services for Victims of Human Trafficking program supports grantees that are (1) developing capacity to serve victims, (2) enhancing victim access to comprehensive services, or (3) providing specialized services for human trafficking victims. A range of services are funded through this program, including information and referral services; personal advocacy and accompaniment services; emotional support, safety, and health services; shelter and housing services; civil and criminal justice system assistance; and education, employment, and life skills services.²¹
- The Enhanced Collaborative Model (ECM) Task Force to Combat Human Trafficking program supports task forces comprised of victim service providers, law enforcement, trafficking survivors, and other governmental and nongovernmental partners. Funding supports new or expanding ECM task forces that work to provide a multidisciplinary approach to delivering diverse and appropriate services to trafficking victims. ECM task forces also train law enforcement and stakeholders on victim identification and victim-centered investigations.²² Similar to the Services for Victims of Human Trafficking program, services supported by ECM task force funding include information and referral services; personal advocacy and accompaniment services; emotional support, safety, and health services; shelter and housing services; civil and criminal justice system assistance; and education, employment, and life skills services.

OVC also supports a number of more nuanced trafficking victim services grants, such as a program focused on providing housing assistance for victims and one focused on serving minor victims of labor trafficking.²³

Congress provides funding for trafficking victim services grants through annual appropriations. The Consolidated Appropriations Act, FY2023 (P.L. 117-328) provided \$95.0 million to DOJ for trafficking victim services under the State and Local Law Enforcement Assistance account.²⁴ Additional financial support for these grants comes from the Domestic Trafficking Victims’ Fund.

¹⁹ 22 U.S.C. §7105(b)(2).

²⁰ DOJ, *Justice Department Awards Over \$90 Million to Combat Human Trafficking and Support Victims*, October 26, 2022.

²¹ For more information on specific services allowable under this grant, see OVC, *OVC FY2022 Services for Victims of Human Trafficking*, grant number O-OVC-2022-171307.

²² For more information, see OVC, *OVC FY2022 Enhanced Collaborative Model Task Force to Combat Human Trafficking*, grant number O-OVC-2022-171264.

²³ For more information on the full range of grants supported by DOJ in FY2022, see DOJ, *Justice Department Awards over 90 Million to Combat Human Trafficking and Support Victims*, October 26, 2022.

²⁴ The act specifies that funding is “for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of the Victims of Trafficking Act [TVPA], by the TVPRA of 2005 [Trafficking Victims Protection Reauthorization Act of 2005; P.L. 109-164], or programs authorized under P.L. 113-4 [Violence Against Women Reauthorization Act of 2013].”

Domestic Trafficking Victims' Fund

The Justice for Victims of Trafficking Act of 2015 (JVTA; P.L. 114-22) established an additional \$5,000 penalty assessment on anyone convicted of certain federal trafficking-related offenses including peonage, slavery, or trafficking in persons; sexual abuse; sexual exploitation and other child abuse; transportation for illegal sexual activity; and certain human smuggling offenses. These monies are deposited into the Domestic Trafficking Victims' Fund (established by the act). The fund is to be administered by the Attorney General, in consultation with the Secretary of HHS. Money from the fund may be used to support certain existing grant programs authorized by the TVPA or to enhance programming for victims of child pornography served under the Victims of Child Abuse Act. There is a prohibition on the use of monies from the fund for medical items or health care services. Instead, an amount equal to that collected by the special assessments is to be transferred into the fund from money appropriated for community health centers (but not less than \$5 million or more than \$30 million); these funds may be used for grants supporting medical items or health care or services for victims served under the previously referenced TVPA grant programs and for victims of child pornography.

The fund was most recently reauthorized by the Abolish Trafficking Reauthorization Act of 2022 (P.L. 117-347). The act removed sunset provisions that had previously been attached to the fund. In FY2022, \$1,552,525 in penalty assessments was deposited into the fund; in addition, \$5 million was transferred into the fund from HHS, as is done each fiscal year.²⁵

HHS Grants for Trafficking Victim Services

Through the TVPA, Congress directed HHS to “expand benefits and services to victims of severe forms of trafficking in persons in the United States.”²⁶ Under this directive, HHS’s Office on Trafficking in Persons (OTIP) administers trafficking victim services grant programs for both domestic and foreign national victims of trafficking.

- Under the Domestic Victims of Human Trafficking Program, grantees may use funding to provide comprehensive case management, direct services, and referrals to services for *domestic individuals* (U.S. citizens and lawful permanent residents [LPRs]) who have experienced trafficking. Services may include short- and long-term housing options, substance abuse treatment, mental health counseling, educational opportunities, job training and skills development, legal advocacy, and financial advocacy and counseling. HHS notes that these grants promote trauma-informed and victim-centered services.²⁷
- The Trafficking Victim Services Program funds case management services for *foreign nationals* who have experienced trafficking and are pursuing HHS victim certification (see the text box below). Grantees can help with case management, referrals, and emergency assistance; they may also assist certified individuals and certain family members with navigating federal and state benefits and services systems. Further, they may help victims access housing, employability services, mental health screening and therapy, medical care, and legal services.²⁸

²⁵ Data provided to CRS by DOJ, February 24, 2023.

²⁶ 22 U.S.C. §7105(b)(1)(B).

²⁷ For more information, see HHS, OTIP, *Victim Assistance: Victim Assistance Grants*; see also HHS, OTIP, *Fact Sheet: Domestic Victims of Human Trafficking (DVHT) Program*.

²⁸ See HHS, OTIP, *Victim Assistance: Victim Assistance Grants*.

Victim Services: Certification for Noncitizen Trafficking Victims

Because noncitizens are ineligible for certain public benefits, the TVPA established a *certification* process through which noncitizen victims of trafficking who are certified as such are eligible for certain benefits and services.²⁹ (U.S. citizen and LPR trafficking victims are not required to be certified in order to be eligible for these benefits and services.) The HHS Secretary, after consultation with the Secretary of Homeland Security, is responsible for issuing certification letters to adult noncitizen victims of trafficking.³⁰

Certification by HHS affirms that a victim (1) is willing to assist in every reasonable way in the investigation and prosecution of severe forms of trafficking in persons and (2) has made a bona fide application for a T-visa that has not been denied, or has been granted continued presence in the United States by the Secretary of Homeland Security to effectuate the prosecution of traffickers in persons.³¹ Certification allows these noncitizen trafficking victims access to services including housing, medical care, monetary assistance, employment, education, and programs providing multiple needs assistance.³²

Like DOJ's victim services programs, Congress funds HHS's trafficking victim services grants through annual appropriations. Funding is allocated from HHS's Refugee and Entrant assistance account. The Consolidated Appropriations Act, FY2023 (P.L. 117-328) provided funding for activities authorized under a number of acts, including Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA; P.L. 110-457) and the TVPA.³³ Similar to the DOJ grants for victim services, additional funding for HHS trafficking victim services grants comes from the Domestic Trafficking Victims' Fund.

Congressional Considerations

Data on victims served by providers receiving federal trafficking victim assistance grants indicates that there may be disparities in populations served; for instance, data on victims served by grantees from DOJ's and HHS's trafficking victim assistance programs indicates that more women than men are served, and more victims of sex trafficking than labor trafficking are served.³⁴ Additionally, available data on victims served with federal victim assistance funding focus more on the quantity of victims served and less on the quality of services and outcomes for individuals receiving services. As such, as policymakers examine federal efforts to provide services for victims of trafficking, they may question whether this assistance is reaching victims equitably and effectively.

²⁹ See 22 U.S.C. §7105.

³⁰ Under the TVPA, to receive certain benefits and services, noncitizen victims of severe forms of trafficking who are at least 18 years old must be certified by HHS. Noncitizen trafficking victims under age 18 do not have to be certified to receive benefits and services, but HHS issues *eligibility letters* to such victims. For more information, see <https://www.acf.hhs.gov/otip/victim-assistance/eligibility-letters>.

³¹ For more information about victim certification, see <https://www.acf.hhs.gov/otip/victim-assistance/certification>.

³² HHS, OTIP, *Victim Assistance: Services Available to Survivors of Trafficking*, <https://www.acf.hhs.gov/otip/victim-assistance/services-available-victims-trafficking>. Certification allows trafficking victims access to the same benefits and services that are available to refugees.

³³ The account received \$6.377 billion for FY2023, though Congress did not specify the portion that should be directed to trafficking victim services.

³⁴ DOJ, *Attorney General's Annual Report to Congress on U.S. Government Activities to Combat Trafficking in Persons: FY2020*, March 2022.

Human Trafficking Data: A Complicating Factor

In evaluating services to human trafficking victims, or any subset of this population, a primary complicating factor is a lack of knowledge about the true prevalence of human trafficking. Better data on human trafficking could help researchers, advocates, policymakers, and others better evaluate how well services are reaching the target population.

Although comprehensive data on human trafficking within the United States are not available, some estimates exist.³⁵

- Available **criminal justice data** may help further understanding of the prevalence of human trafficking. The FBI collects data from local, state, and federal law enforcement agencies on certain criminal offenses known to law enforcement through its Uniform Crime Reporting (UCR) program. In 2013, the FBI began collecting certain human trafficking data as part of this program, and agency participation in collecting these data has increased over time. In addition, data on arrests and prosecutions of human trafficking cases can provide another snapshot of human trafficking. Data from the FBI and ICE—the primary federal agencies investigating human trafficking—can speak to the portion of human trafficking offenses that (1) fall under the jurisdiction of federal law enforcement and (2) are officially investigated and potentially prosecuted at the federal level.
- The **National Human Trafficking Hotline data** provide another view of human trafficking. This hotline collects data on reported, but unverified by law enforcement, instances of human trafficking across the United States. These reports are made by individuals reporting victimization themselves, community members, and nongovernmental organizations, among others.
- The federal government and other entities conduct and fund several studies that capture data on human trafficking, as either an express purpose or an included variable. These **surveys and studies data** can provide insight into trafficking victim experiences or victim estimates in certain locales.
- Human trafficking **victim services data** provide yet another angle from which to understand human trafficking. For example, data from federal grantees providing victim services can offer insight into the subset of trafficking victims receiving federally funded services. As another example, data on various forms of immigration relief can provide snapshots into a subset of the noncitizen trafficking victim population.

These snapshots may not be mutually exclusive, though the true extent to which they overlap is unclear. For instance, individuals who report potential victimization to the National Human Trafficking Hotline may or may not also report this information directly to law enforcement, and their victimization may or may not also be captured by victim service providers or in any number of research studies.

Comparing Services for Sex Trafficking and Labor Trafficking Victims

The United States prosecutes more cases of sex trafficking than labor trafficking. In line with these prosecutions, federally funded service providers assist more victims of sex trafficking than labor trafficking. The State Department’s *2022 Trafficking in Persons Report* indicated that of the victims served by DOJ’s trafficking victim services grantees, 68% were sex trafficking victims, 23% were labor trafficking victims, 7% were victims of both sex and labor trafficking, and 9% were victims whose type of victimization was unknown.³⁶ Similarly, researchers from the Urban Institute conducted an evaluation of 10 of DOJ’s Enhanced Collaborative Model task forces (funded from 2015 to 2017) and found that 70% of individuals served by victim service providers were victims of sex trafficking, and 30% were victims of labor trafficking. The researchers also identified some potential barriers in serving labor trafficking victims. These include that law enforcement may be more likely to focus resources and efforts on identifying and prosecuting sex trafficking cases; law enforcement may not have the “proper infrastructure, expertise, or training

³⁵ For more information on available sources of human trafficking data, see CRS Report R47211, *Criminal Justice Data: Human Trafficking*.

³⁶ State Department, *2022 Trafficking in Persons Report: United States*, <https://www.state.gov/reports/2022-trafficking-in-persons-report/united-states/>.

to fully investigate labor trafficking”³⁷; and labor trafficking can be harder to identify.³⁷ Researchers also note that additional barriers to serving labor trafficking victims—who are more often foreign nationals—include victims’ and service providers’ hesitancy to contact law enforcement for fear that doing so will punish the victim for coming forward by subjecting them to removal (deportation) if they do not have a lawful immigration status.³⁸

The 2022 *Trafficking in Persons Report* noted that the United States had not made progress toward comprehensively addressing labor trafficking. It also noted that services for “boys and men, LGBTQI+ persons, survivors struggling with substance abuse issues, persons with limited English proficiency, and children aging out of services, as well as those who did not wish to participate in the criminal justice system, continued to be insufficient.”³⁹ Among its priority recommendations, the report urged an enhancement of efforts to identify labor trafficking victims and provide them with services.⁴⁰ DOJ, under its authority to develop, expand, or strengthen services to trafficking victims, administers a grant program focused on minor victims of labor trafficking.⁴¹ In its oversight of the federal grants serving trafficking victims, Congress may examine the extent to which federal departments administering grants for victim services—namely DOJ and HHS—may be evolving their efforts to reach the labor trafficking victim population.

Evaluating Victim Assistance: Output vs. Outcome

When reporting metrics on trafficking victim assistance, analyses often include data such as the number of victim service organizations receiving grants, the range of services offered by these organizations, and the number of victims receiving support funded by these grants. These are *outputs*, or quantifiable data that can help track the provision of victim services. However, there are relatively few *outcome* measures or indices that can increase understanding of the effectiveness and impact of victim services. Some researchers have been developing tools to further this understanding, generally. For example, RTI International, an independent, nonprofit research institute, worked with the Justice Research and Statistics Association and the Georgia Statistical Analysis Center to develop a survey that victim service providers can use to collect information from individuals served regarding the quality and impact of the services rendered.⁴² This survey, the Outcomes for Human Trafficking Survivors (OHTS) Instrument, measures progress of clients receiving victim services in four areas: safety, well-being, connectedness, and self-sufficiency.⁴³ Additionally, the Urban Institute is currently partnering with the nonpartisan and objective research organization NORC at the University of Chicago to evaluate the reliability and validity of the OHTS Instrument and evaluate selected victim service providers with the

³⁷ Urban Institute, *Findings from an Evaluation of the Enhanced Collaborative Model Task Forces to Combat Human Trafficking*, January 2022.

³⁸ Ibid. For more information on immigration relief for trafficking victims, see CRS Report R46584, *Immigration Relief for Victims of Trafficking*; and CRS Report R47404, *Immigration Relief for Noncitizen Crime Victims*.

³⁹ State Department, *2022 Trafficking in Persons Report: United States*, <https://www.state.gov/reports/2022-trafficking-in-persons-report/united-states/>.

⁴⁰ Ibid.

⁴¹ For more information on this program, see OVC, *OVC FY2022 Services for Minor Victims of Labor Trafficking*, <https://ovc.ojp.gov/funding/opportunities/o-ovc-2022-171292>.

⁴² RTI International, *Shifting the Focus of the Victim Service Field from Measuring Outputs to Outcomes*, <https://www.rti.org/impact/victim-service-providers-outcomes>.

⁴³ For more research on the OHTS Instrument, see <https://www.rti.org/focus-area/human-trafficking>. This instrument was supported by a National Institute of Justice grant, 2016-VT-BX-0001.

tool.⁴⁴ Analysts and policymakers may examine how well this type of tool can evaluate *outcomes* of human trafficking victim services, including evaluating those providers that facilitate a broad range of services, such as mental health, job training, legal services, and housing assistance, and those that support a specialized service type, such as housing assistance. Congress may debate whether additional federal support for evaluating the OHTS Instrument and other tools helps not only evaluate the effectiveness of federal grants for trafficking victim services but also helps provide the most useful services for victims.

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⁴⁴ This research is supported by an NIJ grant, 15PNIJ-21-GG-03631-MUMU.