DOT ADVISORY COMMITTEE ON HUMAN TRAFFICKING
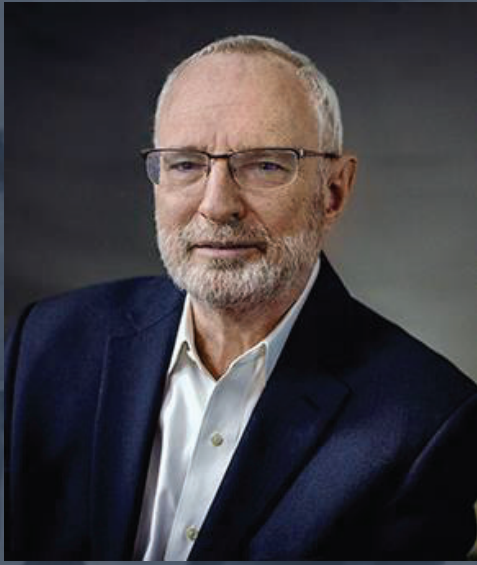
PUBLIC MEETING

March 13, 2024
9:30am – 5:00pm EST

U.S. Department of Transportation

WELCOME

RABBI DAVID SAPERSTEIN, CHAIR
Special Government Employee;
Director Emeritus and Senior Advisor for Policy and
Strategy, Religious Action Center on Reform Judaism

WELCOME AND INTRODUCTIONS

ESTHER GOETSCH, VICE CHAIRPERSON
Executive Director
Truckers Against Trafficking

WELCOME AND INTRODUCTIONS

BRITTANY JOHNSON
Licensed Mental Health Counselor
and Trauma Consultant

DOJ TRANSPORTATION-RELATED HUMAN TRAFFICKING STATISTICS & CONSIDERATIONS FOR INCREASED DATA COORDINATION + DISCUSSION

AMY LAUGER
Senior Statistician,
Bureau of Justice Statistics,
U.S. Department of Justice

HUMAN TRAFFICKING STATISTICS

Bureau of Justice Statistics

Human Trafficking Statistics

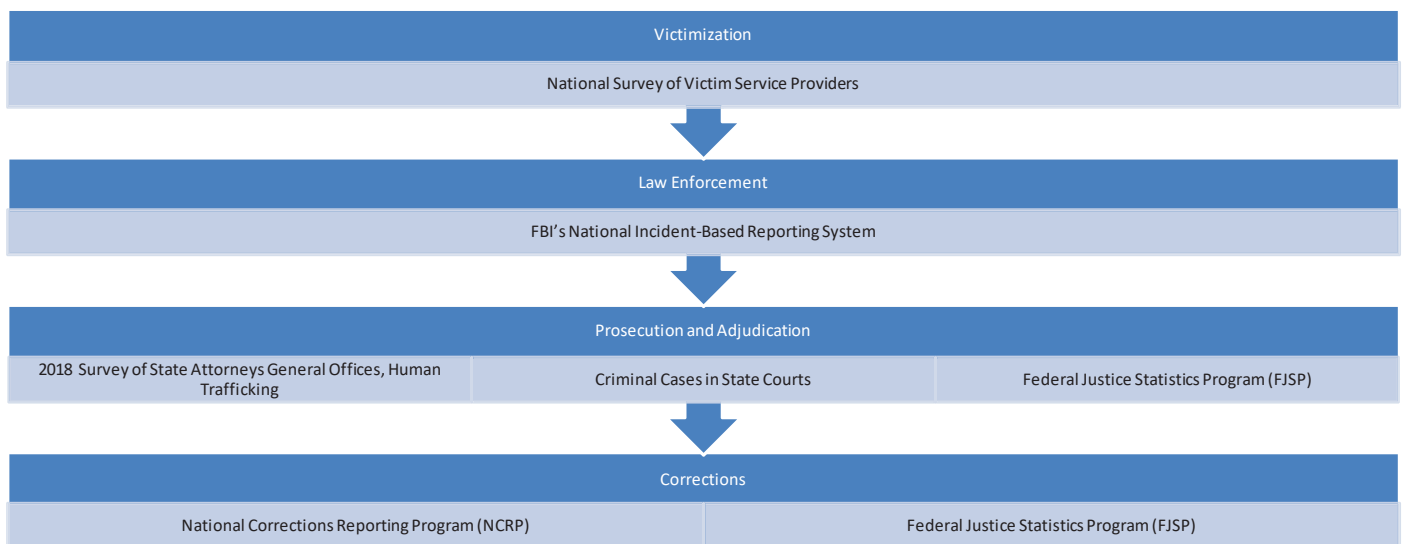**Amy D. Lauger**
Senior Statistician

March 13, 2024|DOT Advisory Committee on Human Trafficking

Not to bury the lead...

- DOJ has little to no data on trafficking offenses that involved commercial transit in particular.

- There is no comprehensive estimate of human trafficking prevalence in the U.S.

BJS tracks human trafficking statistics at all stages of the criminal justice system

Victimization		
National Survey of Victim Service Providers		

Law Enforcement		
FBI's National Incident-Based Reporting System		

Prosecution and Adjudication		
2018 Survey of State Attorneys General Offices, Human Trafficking	Criminal Cases in State Courts	Federal Justice Statistics Program (FJSP)

Corrections	
National Corrections Reporting Program (NCRP)	Federal Justice Statistics Program (FJSP)

2019 National Survey of Victim Service Providers (NSVSP)

NSVSP 2019 covered…

organizational resources required to provide services to crime victims

types of services provided to crime victims

characteristics of victims who received services

characteristics and background of staff who provided services to victims

organizational policies and practices

FBI's National Incident-Based Reporting System (NIBRS)

FBI's Uniform Crime Reporting (UCR) program began in 1930

Monthly **counts** of the number of crimes known to law enforcement from thousands of agencies throughout the United States.

Included major offense categories, for most serious offense

Added human trafficking in 2013

… and has since transitioned to incident-level reporting, which includes…

a broad array of offense types

up to 10 offenses associated with each incident

demographic information about victims, offenders, and persons arrested

what type of weapon, if any, was used in the incident

UCR and NIBRS coverage isn't complete

15,726 of **18,888** agencies reported to the UCR, either as counts or incidents, for 2022

77% of the U.S. population is covered by NIBRS-reporting law enforcement agencies

As of the last couple of years, national estimates are available

The UCR program uses standardized definitions for human trafficking…

- Commercial sex acts—inducing a person by force, fraud, or coercion to participate in commercial sex acts, or in which the person induced to perform such act(s) has not attained 18 years of age

- Involuntary servitude—obtaining of a person(s) through recruitment, harboring, transportation, or provision, and subjecting such persons by force, fraud, or coercion into involuntary servitude, peonage, debt bondage, or slavery (not to include commercial sex acts)
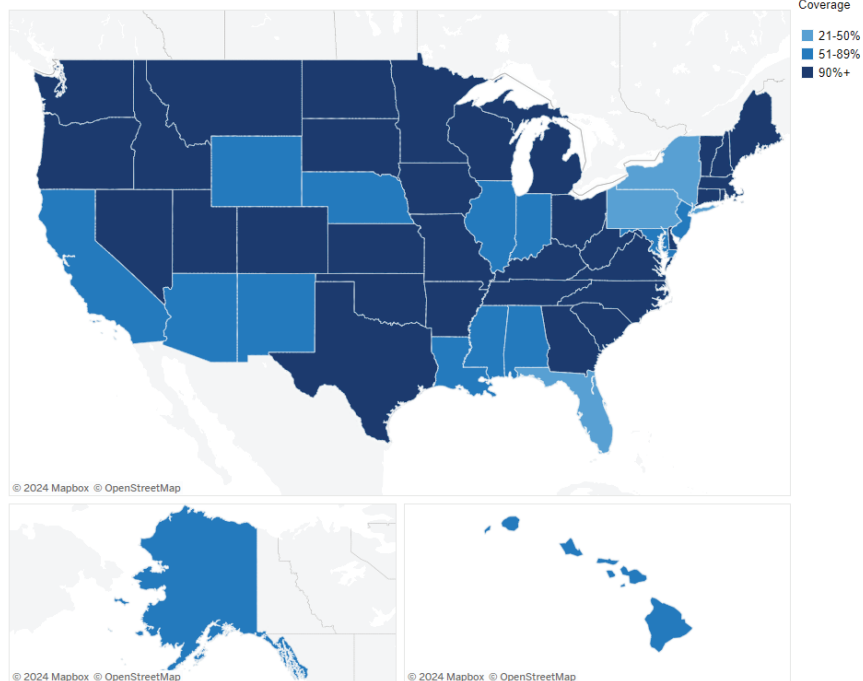
Population covered by agencies submitting to NIBRS varied by state, from 21% to 100%.

Source: Bureau of Justice Statistics. Law Enforcement Agency Reported Crime Analysis Tool (LEARCAT). www.bjs.ojp.gov.

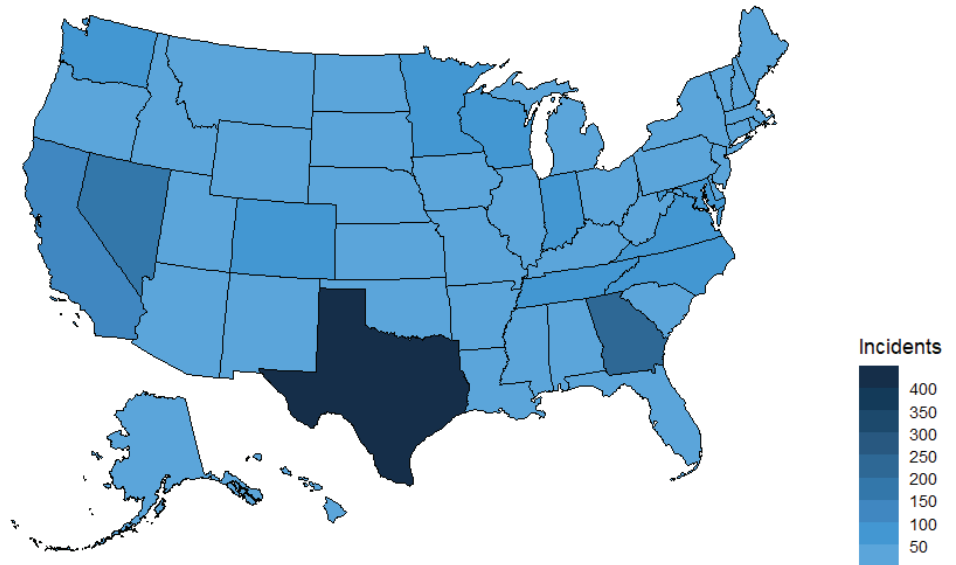NIBRS certified agencies and population coverage, by state, 2022

NIBRS Population Coverage
- 21-50%
- 51-89%
- 90%+

© 2024 Mapbox © OpenStreetMap

2,223 human trafficking incidents reported in 2022

- 49 states reported
- Ranged from 0 in Kansas to 433 in Texas

Incidents

400
350
300
250
200
150
100
50

BJS | Bureau of Justice Statistics

Prosecution and Adjudication

2018 Survey of State Attorneys General Offices, Human Trafficking

Survey topics covered…

charging practices for sex- and labor-trafficking cases

characteristics of offenders and victims of human trafficking

how cases are referred to state attorneys general

case outcomes

47 of 56
AG offices participated

43 states

District of Columbia

American Samoa

Guam

Northern Mariana Islands

Sex Trafficking Jurisdiction
(for state attorneys general)

Criminal Only

30 states, American Samoa, Guam

Civil and Criminal

11 states and the Northern Mariana Islands

Civil Only

1 state

None

1 state and DC

Legend:
- Both civil and criminal jurisdiction
- Criminal jurisdiction only
- Civil jurisdiction only
- No jurisdiction
- Did not respond to survey

Labor Trafficking Jurisdiction
(for state attorneys general)

Criminal Only
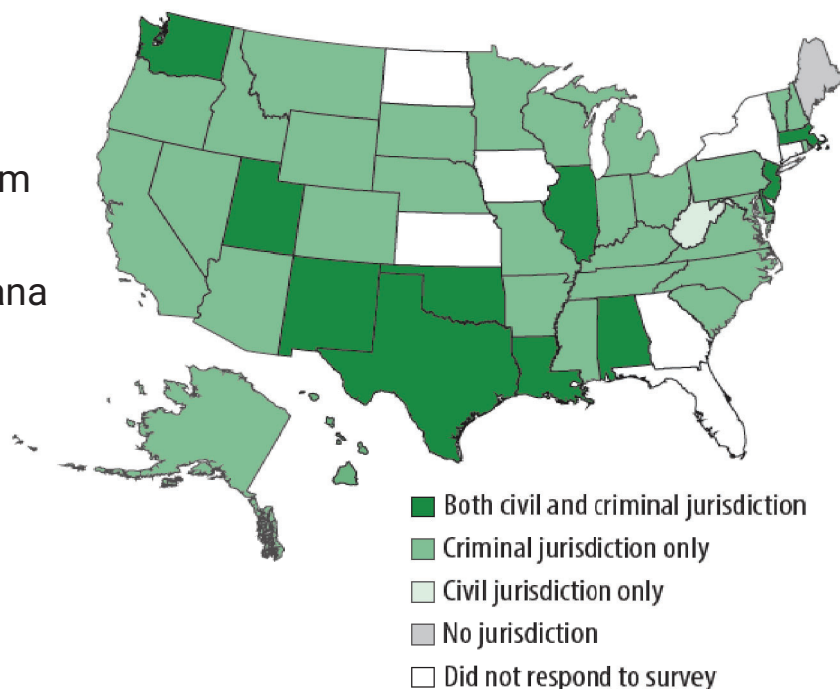
26 states, American Samoa, Guam

Civil and Criminal

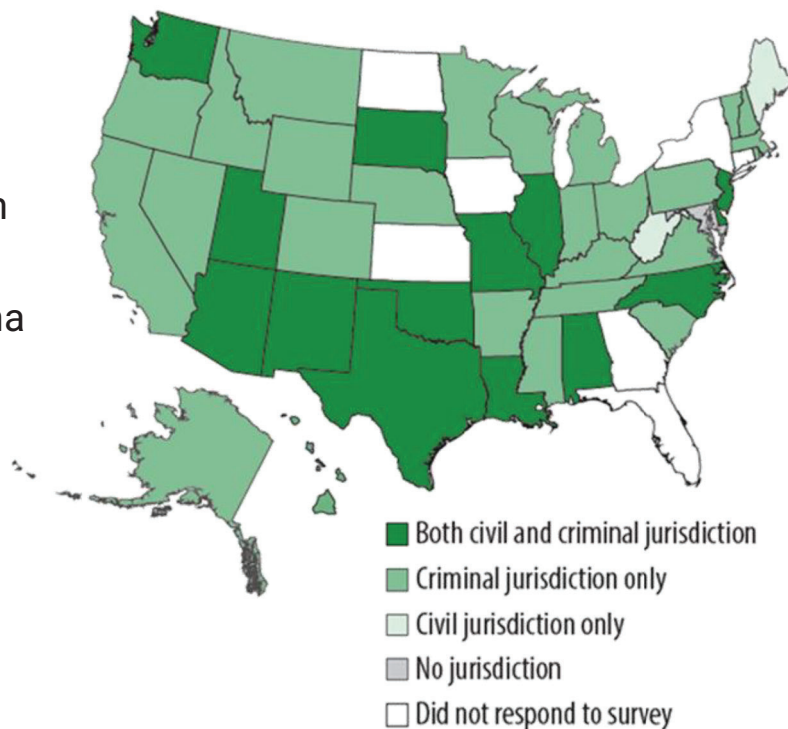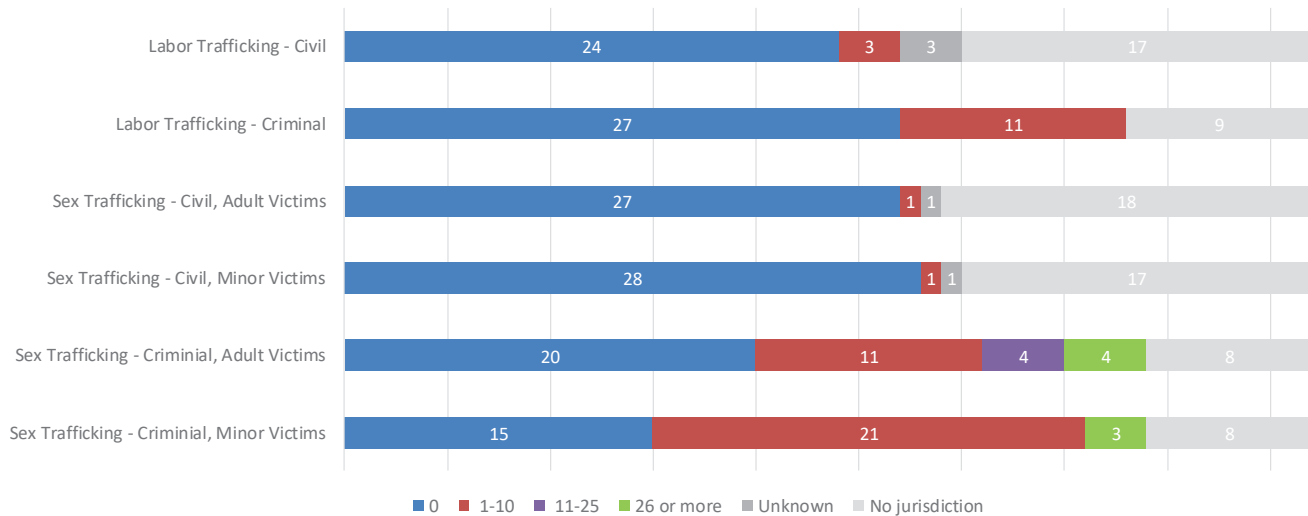14 states and the Northern Mariana Islands
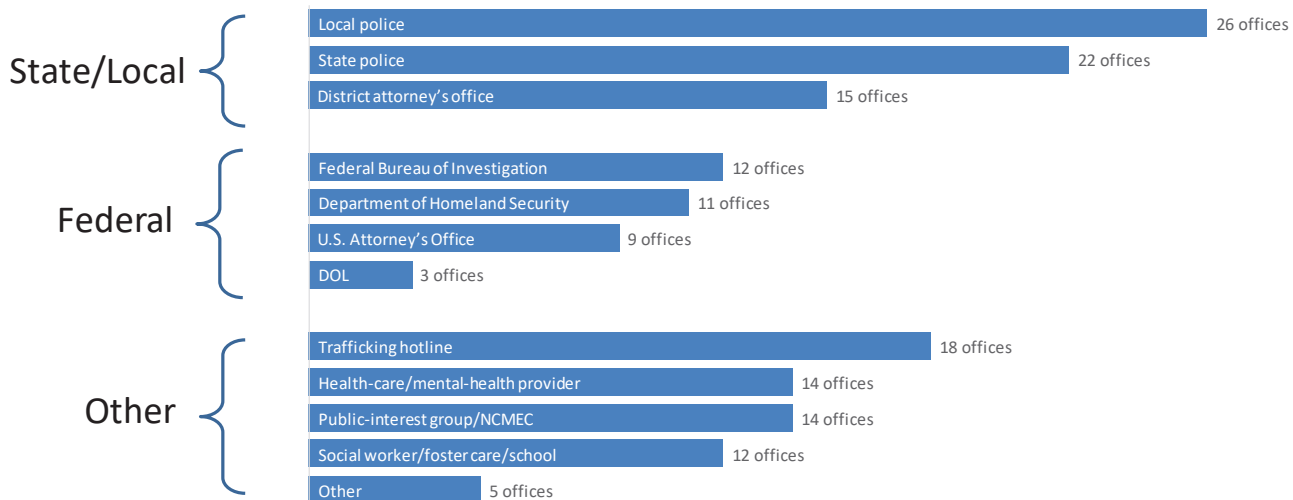
Civil Only

2 states

None

1 state and DC

Legend:
- Both civil and criminal jurisdiction
- Criminal jurisdiction only
- Civil jurisdiction only
- No jurisdiction
- Did not respond to survey

Almost all offices handled 10 or fewer of each type of HT case

Legend: ■ 0 ■ 1-10 ■ 11-25 ■ 26 or more ■ Unknown ■ No jurisdiction

Category	0	1-10	11-25	26 or more	Unknown	No jurisdiction
Labor Trafficking - Civil	24	3			3	17
Labor Trafficking - Criminal	27	11				9
Sex Trafficking - Civil, Adult Victims	27	1			1	18
Sex Trafficking - Civil, Minor Victims	28	1			1	17
Sex Trafficking - Criminial, Adult Victims	20	11	4	4		8
Sex Trafficking - Criminial, Minor Victims	15	21		3		8

Offices reported HT referrals from a wide variety of sources…

State/Local
- Local police — 26 offices
- State police — 22 offices
- District attorney's office — 15 offices

Federal
- Federal Bureau of Investigation — 12 offices
- Department of Homeland Security — 11 offices
- U.S. Attorney's Office — 9 offices
- DOL — 3 offices

Other
- Trafficking hotline — 18 offices
- Health-care/mental-health provider — 14 offices
- Public-interest group/NCMEC — 14 offices
- Social worker/foster care/school — 12 offices
- Other — 5 offices

Criminal Cases in State Courts

An effort to collect extracts from electronic court records

defendant demographics

type of legal representation of the defendant

court charges at the time of both case filing and disposition

adjudication status of the case

any sentence imposed

BJS is assessing whether CCSC can provide …

prosecutions	convictions	sentences imposed

Bureau of Justice Statistics

Prosecution and Adjudication

Federal Justice Statistics Program (FJSP)

FJSP contains data on federal defendants from several sources

Some sources only includes the most serious charge per case.

# HT categories are related to the federal code

- Peonage, slavery, forced labor, or sex trafficking
  - Peonage (18 U.S.C. § 1581)
  - Involuntary servitude (18 U.S.C. § 1584)
  - Forced labor (18 U.S.C. § 1589)
  - Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor (18 U.S.C. § 1590)
    - Makes it unlawful to recruit, harbor, transport, or broker persons for labor or services.
  - Sex trafficking of children or by force, fraud, or coercion
  - Unlawful conduct with respect to documents in furtherance of trafficking
- Child pornography production (Title 18 U.S.C. § 2251 and Title 18 U.S.C. § 2251A)
- Transportation for illegal sex activity (Title 18 U.S.C. § 2422 and Title 18 U.S.C. § 2423)

The number of persons investigated and prosecuted for HT offenses has increased over time
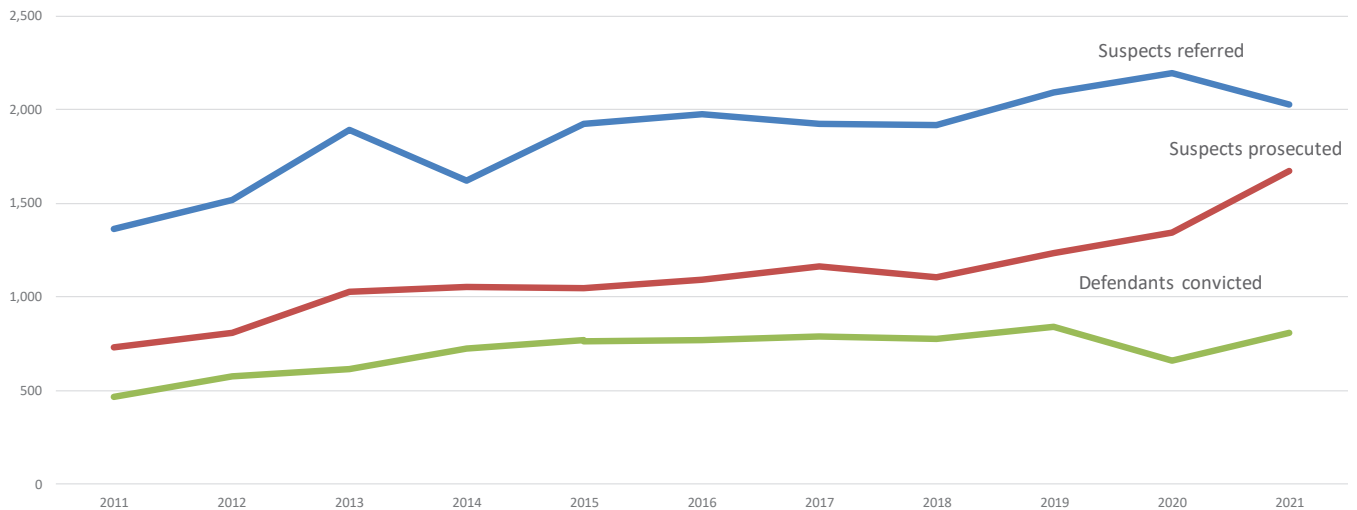
Corrections

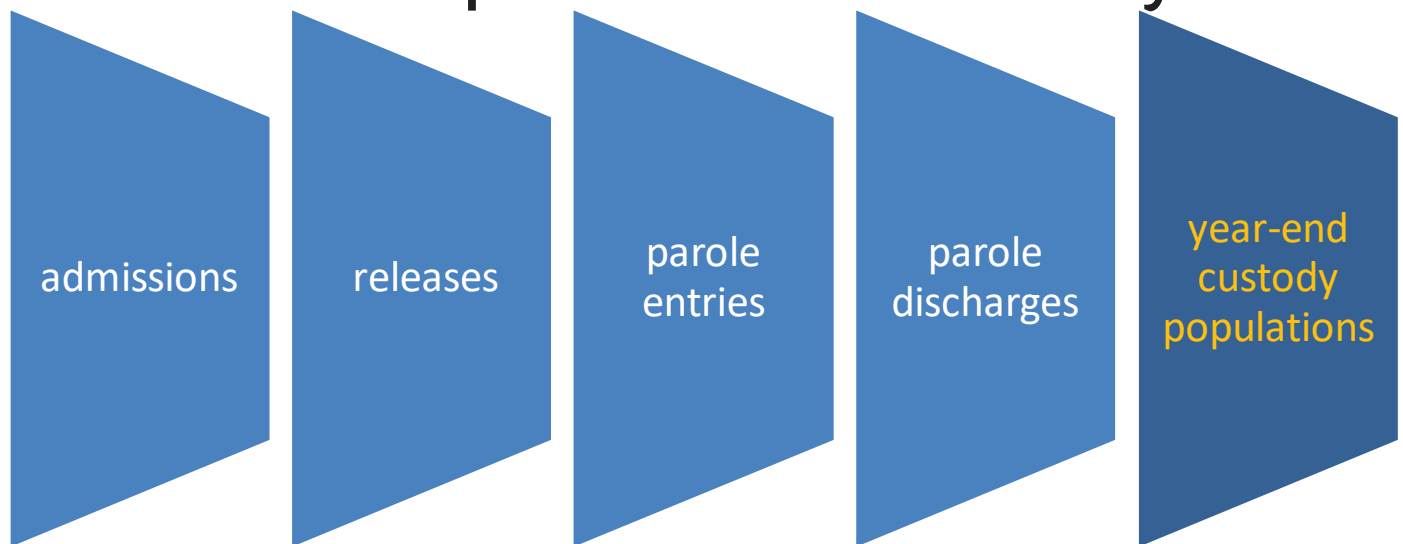# National Corrections Reporting Program (NCRP)

NCRP collects DOC-provided data about persons in custody

| admissions | releases | parole entries | parole discharges | year-end custody populations |

In 2021, HT offenses were associated with …

570 — persons admitted to state prison

490 — persons released from state prison

171 — persons entering post-custody community supervision

136 — persons exiting post-custody community supervision

1,657 — persons in custody at year-end

* From 46 states able to report HT offenses to NCRP for 2021

Resources

A variety of resources are available

BJS Reports	• Human Trafficking Data Collection Activities, 2023 • Human-Trafficking Offenses Handled by State Attorneys General Offices, 2018 • Federal Prosecution of Human-Trafficking Cases, 2015
Dashboards	• BJS's Law Enforcement Agency Reported Crime Analysis Tool (LEARCAT) • FBI's Crime Data Explorer
Datasets	• National Archive of Criminal Justice Data (NACJD)

Amy D. Lauger

Senior Statistician

Amy.Lauger@usdoj.gov

(202) 353-5955

810 Seventh Street, NW, Washington, DC 20531 | Phone: +1 (202) 307-0765 | **bjs.ojp.gov**

COLLEEN PHILLIPS

Policy Counsel,
Human Trafficking Prosecution Unit,
Criminal Section, U.S. Department of Justice

SOURCES FOR & CHALLENGES TO DATA COLLECTION

Sources for and Challenges to Data Collection on the Use of Transportation in Human Trafficking

Colleen Phillips
Senior Policy Counsel / Attorney Advisor
Human Trafficking Prosecution Unit
Civil Rights Division

New FY2022 Case Data Points

- Name of **rideshare** used as method of transportation in trafficking scheme

- Name of **bus service** used as method of transportation in trafficking scheme

- Name of **train** used as method of transportation in trafficking scheme

- Name of **airline** used as method of transportation in trafficking scheme

4.1.6 MODES OF TRANSPORTATION IN COMMERCIAL SEX TRAFFICKING

Traffickers utilize a variety of transportation modes to transport victims in sex trafficking cases. In the sex trafficking cases filed in 2022, private vehicles (31%, 56) were the most common form of transportation.[88] Defendants also used: airplanes (5%, 9); rideshares (4%, 8); rental cars (3%, 5); buses (2%, 4); trains (1%,1); and taxis (1%, 1). Ninety-seven (54%) cases had an unknown form of transportation.

**NUMBER OF TRAFFICKING VICTIMS TRANSPORTED
BY TRANSPORTATION COMPANIES 2019-2022**

AIRLINES

AMERICAN AIRLINES	✈ ✈ ✈ 3
DELTA AIRLINES	✈ ✈ ✈ 3
SPIRIT AIRLINES	✈ ✈ ✈ 3
ALASKA AIRLINES	✈ ✈ 2
UNITED AIRLINES	✈ 1
SOUTHWEST AIRLINES	✈ 1
JETBLUE	✈ 1
PHILIPPINE AIRLINES	✈ 1

RIDESHARES

UBER	34
LYFT	7

BUSES

GREYHOUND	19
LOCAL BUS SERVICE	1

TRAINS

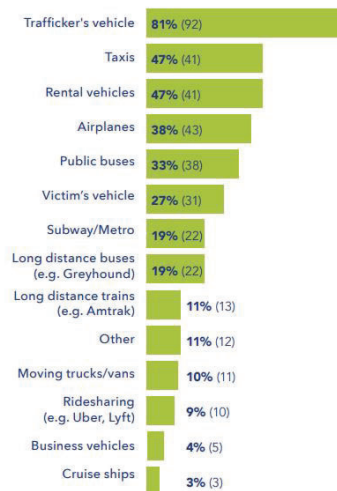|	
METRO	4
AMTRAK	3

On-Ramps,
Intersections,
and Exit
Routes:

A Roadmap for Systems and
Industries to Prevent and Disrupt
Human Trafficking

Polaris

Transportation
Industry

Types of Trafficking	Types of Transportation				
	Private vehicles (incl. rentals & business)	Airlines	Trains	Buses	Ridesharing & Taxis
Agriculture & Animal Husbandry	●	●		●	
Arts, Sports, & Entertainment	●	●			●
Bars, Strip Clubs, & Cantinas	●	●		●	●
Carnivals	●	●			
Commercial Cleaning	●	●			
Domestic Work		●		●	
Escort Services	●	●	●	●	●
Forestry & Logging	●	●		●	
Health & Beauty Services	●	●			
Illicit Activities	●				
Illicit Massage Businesses	●	●		●	●
Landscaping	●	●			
Peddling & Begging			●	●	
Pornography		●			
Residential Sex Trafficking	●	●		●	●
Restaurants & Food Service	●	●		●	
Traveling Sales Crews	●			●	

Figure 5.0: Methods of Transportation Used by Victims or Traffickers During Exploitation
Polaris Survivor Survey (n=104)

Method	Percent (count)
Trafficker's vehicle	81% (92)
Taxis	47% (41)
Rental vehicles	47% (41)
Airplanes	38% (43)
Public buses	33% (38)
Victim's vehicle	27% (31)
Subway/Metro	19% (22)
Long distance buses (e.g. Greyhound)	19% (22)
Long distance trains (e.g. Amtrak)	11% (13)
Other	11% (12)
Moving trucks/vans	10% (11)
Ridesharing (e.g. Uber, Lyft)	9% (10)
Business vehicles	4% (5)
Cruise ships	3% (3)

Data is non-cumulative. Survey respondents could select multiple options.

Attorney General's Annual Report to Congress on U.S. Government Activities to Combat Trafficking in Persons

U.S. Department of Justice

National Strategy to Combat Human Trafficking

January 2022

DOJ National Strategy

Chapter V Enhance Impact of DOJ-Wide Anti-Trafficking Efforts

B. Improve Data Gathering and Reporting

Improving the quality of information about human trafficking is critical to developing sound anti-trafficking policy….

Collecting [required] data will require upgrading and aligning information systems and adding necessary fields to databases, in order to capture missing data

Current Legislation

H.R.3684 – 2021 Infrastructure Investment and Jobs Act (P.L. 117-58)
Bipartisan Infrastructure Law (BIL)

SEC. 23020. REPORT ON HUMAN TRAFFICKING VIOLATIONS INVOLVING COMMERCIAL MOTOR VEHICLES.

…the Department of Transportation Advisory Committee on Human Trafficking… shall coordinate with the Attorney General to prepare and submit to Congress a report relating to *human trafficking violations involving commercial motor vehicles*, which shall include recommendations for countering human trafficking, including an assessment of previous best practices by transportation stakeholders.

Challenges for Discussion

- Definition of human trafficking violations *involving commercial motor vehicles*
  - Any transportation
  - Essential part of the violation

- Types of violations
  - Federal, state, or both
  - Criminal or civil

- How to collect information

TRAINING + AWARENESS SUBCOMMITTEE
UPDATE
+ DISCUSSION

Training + Awareness Subcommittee Update + Discussion

Michael Krumm
ACHT Training and Awareness Subcommittee Chair;
Lieutenant Colonel, Michigan State Police

DOT Advisory Committee On Human Trafficking

TRAINING + AWARENESS SUBCOMMITTEE UPDATE
March 13, 2024

Focus Areas/Scope

- Background/Introduction

- Initial Review/Revision

Methods

- Review of current feedback and consolidation of document.

- Focused on key recommendations, best practices and removing duplicate information .

- Format report into new template

Existing Resources

- Department of Transportation Leaders Against Human Trafficking (TLAHT)

- Department of Transportation & Department of Homeland Security Blue Lightning Initiative (DOT/DHS BLI)

- Truckers Against Trafficking

Analysis + Gaps

1. Information for victims

2. Insufficient utilization of data analytics

3. Training Fatigue

4. Insufficient Funding to support initiatives

Analysis Strengths

1. Robust Training

2. Increased Awareness Training

3. Collaborative Victim Centered Approach is Best Practice

ANALYSIS WEAKNESSES

1. Efficacy of Training

2. Back Facing Employee Training

RECOMMENDATIONS FOR DOT

- Update current DOT training, certify existing training from NGO's and develop an assessment tool to ensure training objectives are met. Upon completion of the training a certificate of completion should be issued as proof of completion.

- DOT Funding:

    1. For organizations that develop Human Trafficking Training Materials.

    2. For agencies losing revenue in lieu of advertising

RECOMMENDATIONS FOR DOT

- Technology- QR Codes and Phone Applications.

- Public Awareness: "See something say something"

- Develop training and awareness toolkits for each individual transportation sector.

- Engage in periodic review of training and awareness efforts to identify best domestic and global practices and to optimize the use of evolving technologies.

RECOMMENDATIONS FOR DOT

- Encourage augmented anti-trafficking public awareness campaigns based on vulnerable routes/cities/locations

- Encourage companies and agencies to participate in DHS/DOT BLI and TLAHT initiatives.

RECOMMENDATIONS NGO'S FEDERAL/STATE AGENCIES AND PRIVATE COMPANIES.

- Curriculum developers (NGO's Federal/State Agencies and Private Companies) that create initial and recurrent training. All training developed should use survivor-informed input. Survivor-led training and awareness materials are recommended and created with the knowledge and expertise of lived experience experts. Ideally, this consists of a multiple survivors who have different lived experiences including, but not limited to, labor and sex trafficking survivors and who are compensated for their work. Recurrent training should build upon previous trainings in identifying and handling suspect trafficking situations. Recurrent training could include: a) changes to legislation or regulations; b) updates to the organization's policy and procedures related to trafficking in persons; c) case studies (especially occurrences of trafficking in persons which may have occurred at that workplace/mode of transportation); d) references to organizations dealing with trafficking in persons and any new useful information or tools; and e) methods to measure employee learning. This training should be tracked and include the same criteria as set forth in recommendation #1.

RECOMMENDATIONS FOR ALL

- Training that is specifically developed to remove barriers and fears of reporting suspected human trafficking cases. The training should also focus the developing a mechanism for proper reporting protocol at their place of employment.

Recommendations for ALL

- Sector refresher training should be a yearly or bi-yearly requirement for employees. Initial training should be mandatory for new hires.

- Convene meetings between private stakeholders and government agencies to develop stronger trafficking prevention and reporting partnerships. TAT's Coalitions builds serves as a model example for these.

Recommendations (continued)

- Develop a guide on where to post trafficking awareness material in federal, state, local and private facilities by modal.

- Develop model policy language/activities to include partnership engagements.

RECOMMENDATIONS UNIQUE?

- Encourage labor unions to participate in DHS/DOT BLI and TLAHT initiatives. (Industry)

- Encourage/require transportation companies to consistently show pre-departure public service announcements with messaging for both potential reporters and victims. (U.S. Congress)

- Encourage Human Trafficking Awareness Training for certification required positions. (Police Officer, CMV Driver, Pilot, For Hire Drivers, Mass Transit Operators Etc.). (Various)

- Although there are laws moving forward to require awareness material to be posted within transportation facilities, an audit or method of ensuring compliance is needed to obtain traction.

LUNCH BREAK

Research + Data Subcommittee Update + Discussion

Research + Data Subcommittee Update + Discussion

Kezban Yagci Sokat
ACHT Research & Data Subcommittee Member;
Assistant Professor of Business Analytics,
San Jose State University

DOT ADVISORY COMMITTEE ON HUMAN TRAFFICKING

RESEARCH + DATA SUBCOMMITTEE UPDATE

March 13, 2024

BACKGROUND

Sub-Committee Members

- ACHT Members
  - Shamere McKenzie, CEO, Sun Gate Foundation
  - Leslie Richards, CEO, SEPTA
  - Benito Ybarra, Executive VP of Global Standards, Guidance, and Certifications, The Institute of Internal Auditors
- ACHT SC Members (*non-ACHT members*)
  - Leslie Richards, CEO, SEPTA
  - Earlyne Alexander, Supplier Diversity Compliance Manager, Port Authority of NY & NJ
  - Lori Ann Chaussinand, Strategic Sales Development and Training, Pilot Company
  - Erin DiCesare, Associate Professor, Johnson C. Smith University
  - David Lorenzen, Systems Operations Division Director, Iowa Department of Transportation
  - Kezban Yagci Sokat, Assistant Professor, San Jose State University

FOCUS AREAS/SCOPE

- Additional data and/or research, especially since last report

- Incorporating the comments from first subcommittee report

- Incorporating other subcommittee work

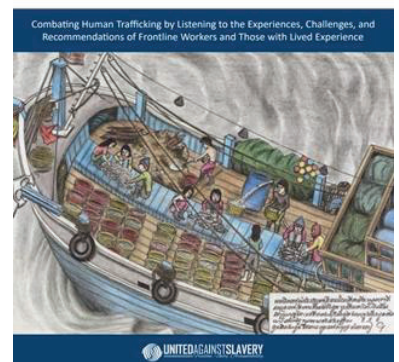- More, detailed, and targeted analysis and recommendations

METHODS

- Literature review

- Interviews

- Expert input

EXISTING RESOURCES: NATIONAL OUTREACH SURVEY FOR TRANSPORTATION

Key findings include:

- Nearly one-third of 2,792 respondents reported mandatory human trafficking training at their place of employment, while 23% were unsure.
- 85% of 3,870 respondents have never reported signs of human trafficking. This includes 62% of 341 law enforcement, 87% of 2,002 aviation workers, 92% of 266 transit workers, 97% of 935 roadway workers, and 47% of the remaining 326 respondents.
- 60% of 923 transportation workers stated that their agency has an established protocol for reporting suspected human trafficking.
- Among 3,551 respondents, 48% indicated they had concerns about misidentifying signs of human trafficking.
- During their exploitation, 65% of 158 survivors never saw a hotline number posted. In particular, 32% of 95 trafficking survivors never saw human trafficking awareness information in a restroom, and 23% said they rarely saw such information as they moved from location to location.
- 60% of 44 victim service providers say obtaining transportation services for their clients is difficult

2021
NATIONAL OUTREACH SURVEY
FOR TRANSPORTATION

Combating Human Trafficking by Listening to the Experiences, Challenges, and Recommendations of Frontline Workers and Those with Lived Experience

UNITED AGAINST SLAVERY

Existing Resources

- Transit monitoring capacity expansion: analytics for combating human trafficking

- Forced labor and transportation: multi-disciplinary perspectives

- Unintended consequences at the intersection of human trafficking and autonomous vehicles: A transportation research need

- Automotive supply chains and forced labor

Analysis & Gaps

- Very limited, inconsistent data across all agencies and organizations

- Limited data and research on ongoing efforts
  - Tracking of agency training and awareness efforts

- "Quantity" of the problem

- Work on supply chains

- Labor

RECOMMENDATIONS

- Evaluation
  - Evaluation of awareness campaigns
  - Evaluation of training
- Tracking of legislation outcomes
  - CDL
- Additional research and advocacy for research
  - Support for research
- Advocacy for data
  - Assign a personnel/budget for data collection
- Learning from other agencies and their (sub)committees
  - Senior Policy Operating Group's (SPOG) Procurement and Supply Chains Committee
  - Health and Human Services

QUESTIONS AND FEEDBACK

Questions?

Preventing and Addressing Human Trafficking in Supply Chains
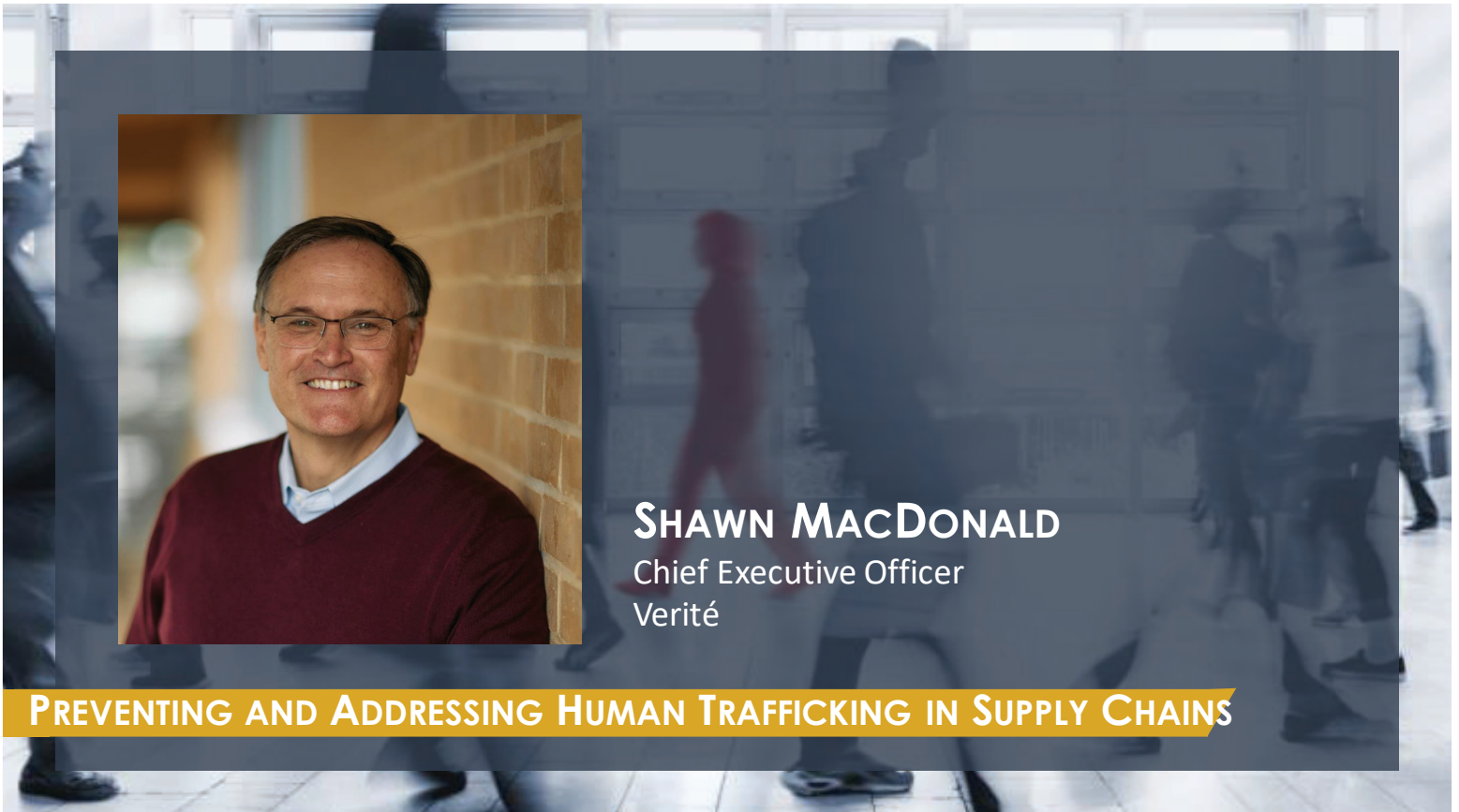
Shawn MacDonald
Chief Executive Officer
Verité

Human Trafficking Risks in Transportation Supply Chains

Shawn MacDonald, CEO

Verité
Fair Labor. Worldwide.

Our Vision

A world where people work under safe, fair, and legal conditions

Verité at a Glance

— Independent, non-profit organization

— Over 25 years of experience working with Fortune 500 corporations, suppliers, civil society organizations, governments, and workers

— Experience in over 70 countries

Interventions and Issues

INTERVENTIONS

- Assessments and Research
- Consulting
- Training
- Policy Advocacy and Coalition-Building
- Resource Development

KEY FOCUS ISSUES

- Forced Labor and Labor Trafficking
- Child Labor
- Migrant and Refugee Labor
- Worker Agency and Power
- Discrimination and Inequality
- Decent Work

What is Human Trafficking?

Trafficking Victims Protection Act (TVPA):

"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**."

What is Forced Labor?

The use of force, fraud, or coercion to exploit the labor or services of another person

ILO Convention 29 defines it as:

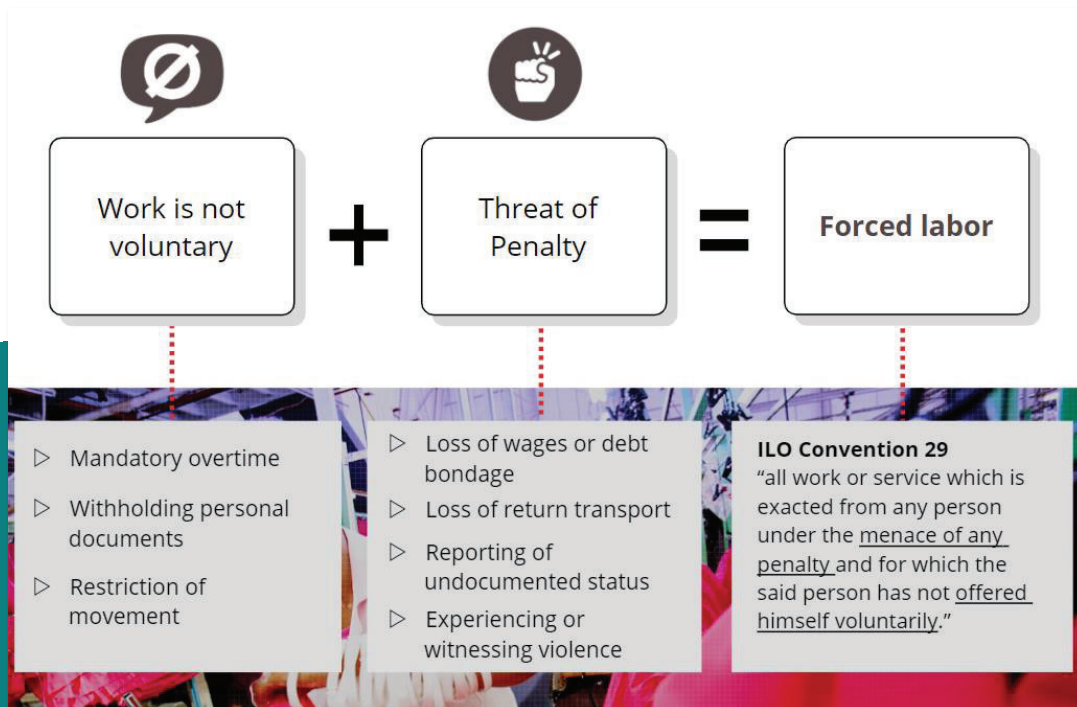"All work or service which is **exacted from any person:**

- ✓ **under the menace of any penalty,** and
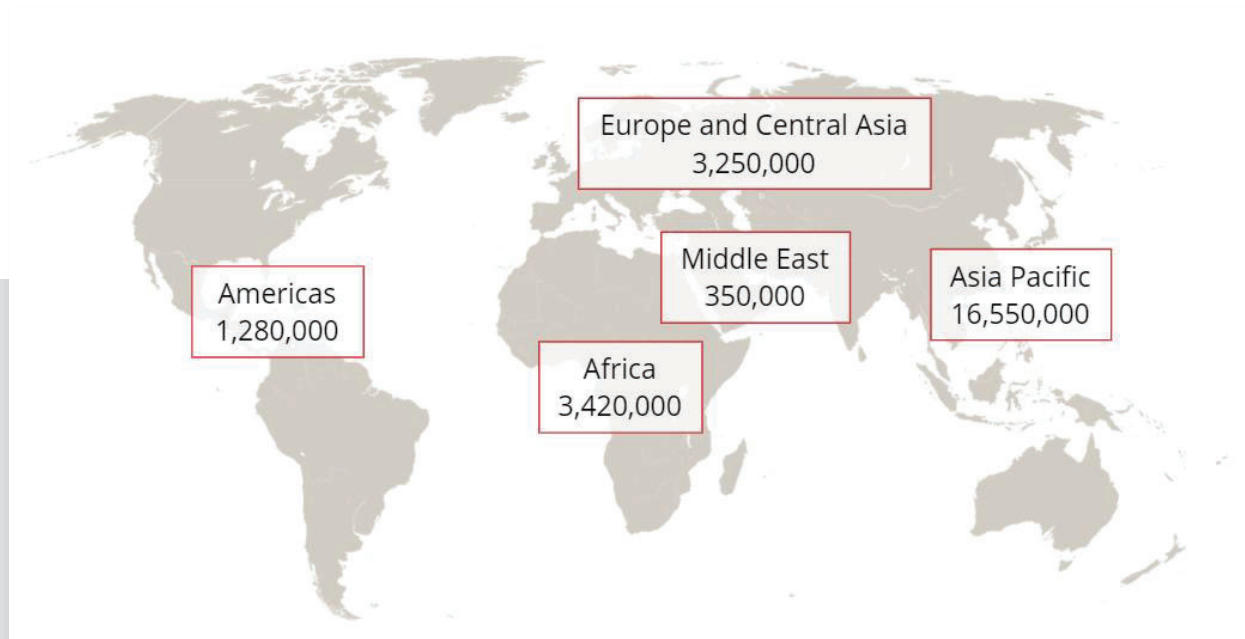- ✓ for which the said person has **not offered himself voluntarily.**"

The indicators are:
- Abuse of vulnerability
- Deception
- Restriction of movement
- Isolation
- Physical and sexual violence
- Intimidation and threats
- Retention of identity documents
- Withholding of wages
- Debt bondage
- Abusive working and living conditions
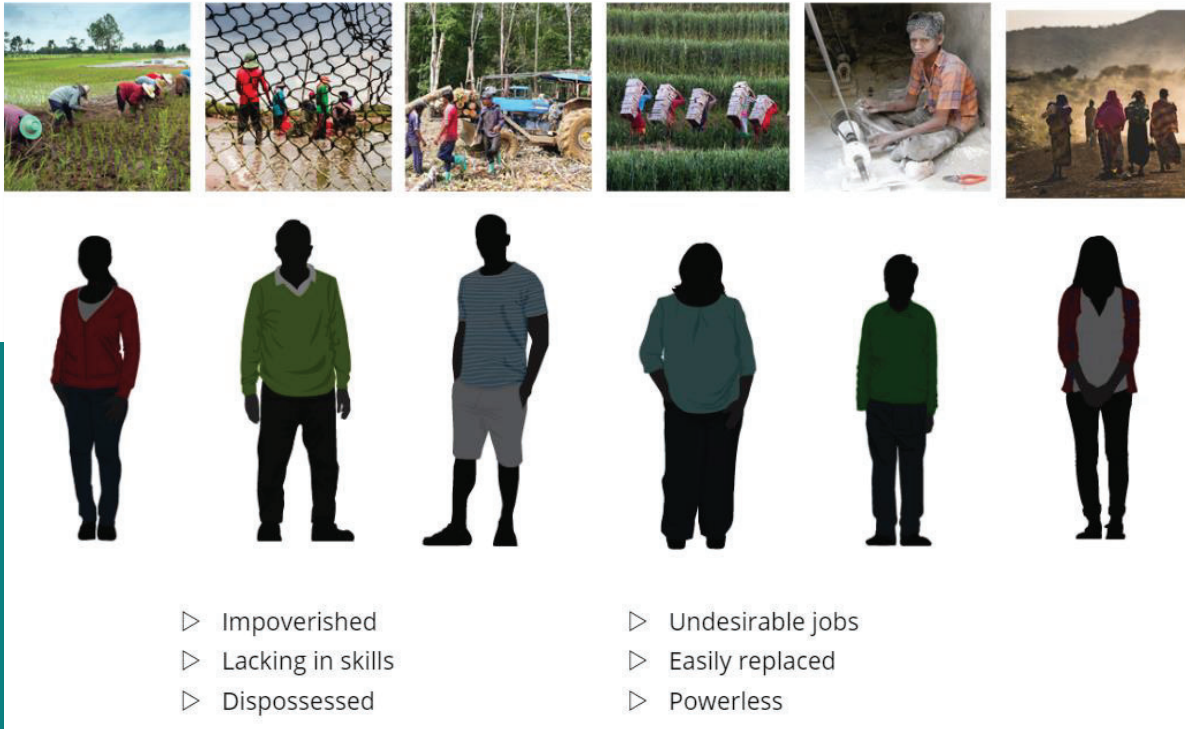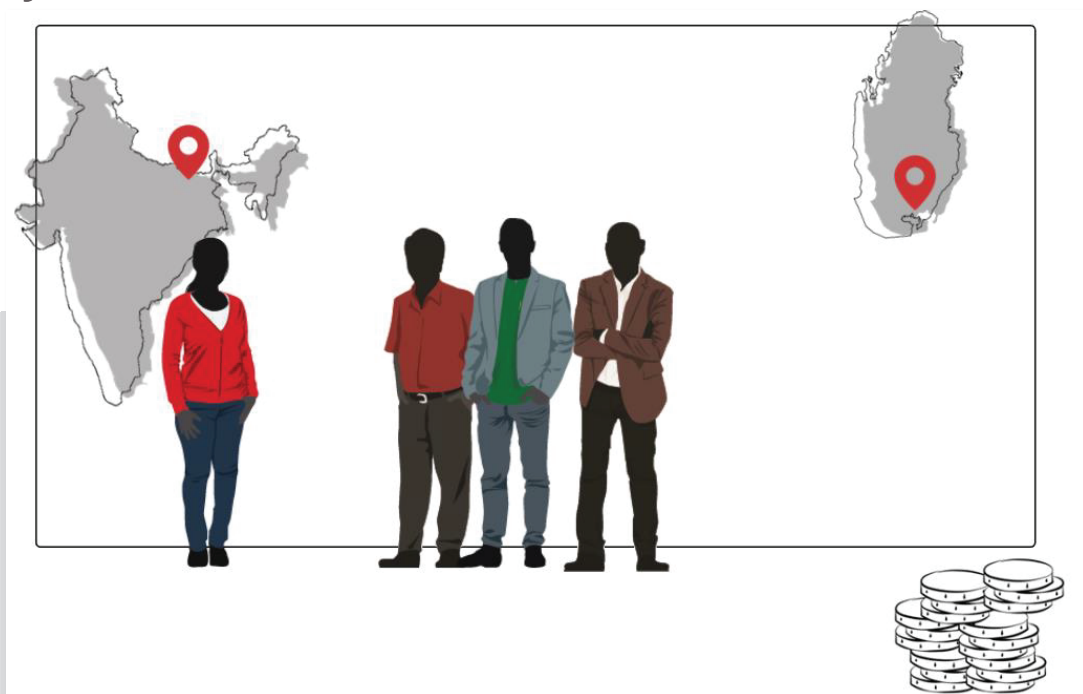- Excessive overtime

What is Forced Labor?

Work is not voluntary **+** Threat of Penalty **=** Forced labor

- ▷ Mandatory overtime
- ▷ Withholding personal documents
- ▷ Restriction of movement

- ▷ Loss of wages or debt bondage
- ▷ Loss of return transport
- ▷ Reporting of undocumented status
- ▷ Experiencing or witnessing violence

ILO Convention 29
"all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily."

Forced Labor in the Global Economy

Europe and Central Asia
3,250,000

Middle East
350,000

Asia Pacific
16,550,000

Americas
1,280,000

Africa
3,420,000

Industries

Vulnerable Populations

- ▷ Impoverished
- ▷ Lacking in skills
- ▷ Dispossessed
- ▷ Undesirable jobs
- ▷ Easily replaced
- ▷ Powerless

Recruited, Trafficked, and Bound by Debt

International Standards and Frameworks

1930
Tariff Act

2000
Trafficking Victims Protection Act

2015
Revisions to Existing Anti-Human Trafficking Federal Acquisition Regulation (FAR) Clauses

2015
UK Modern Slavery Act

2018
Australia Modern Slavery Act

2019
Dutch Child Labor Due Diligence Law

2010
California Transparency In Supply Chains Act

2012
Executive Order 13627

2015
Trade Facilitation and Trade Enforcement Act

2017
French Corporate Duty of Due Diligence

2021
EU Mandatory Human Rights Due Diligence Law

1925   1975   2000   2025

Section 307 of the U.S. Tariff Act of 1930

- Prohibits the importing of any product that was mined, produced, or manufactured wholly or in part by forced labor (including forced or indentured child labor)

- U.S. Customs and Border Patrol (CBP) enforces the prohibition through a Withhold Release Order (WRO), where the imported goods are detained at U.S. ports to prevent entry into domestic commerce

- Any person who has reason to believe that merchandise produced by forced labor is being, or is likely to be, imported into the U.S. may report an allegation that CBP is required to evaluate
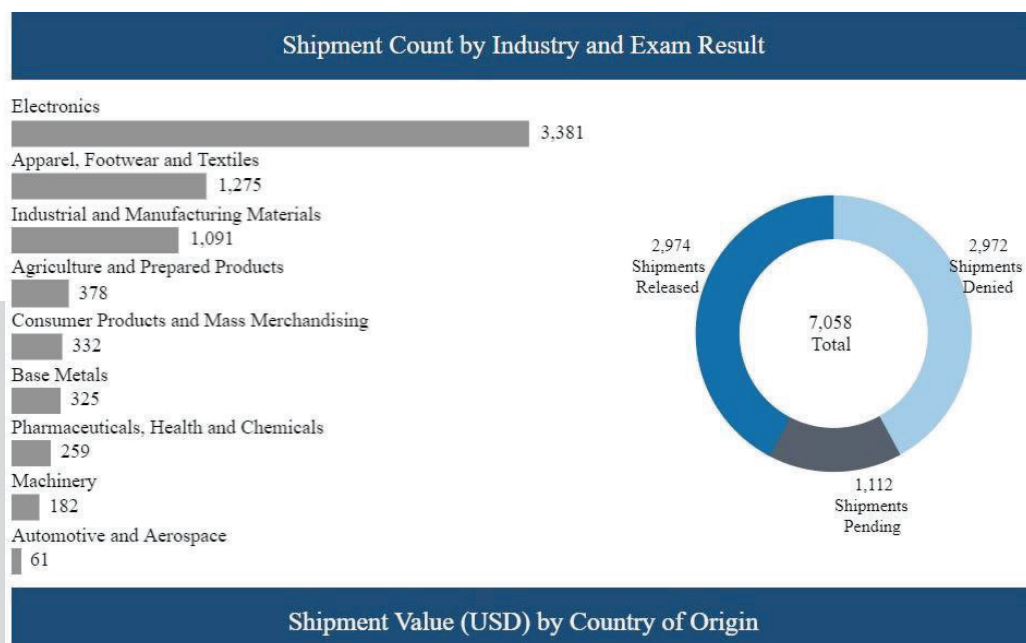
CBP UFLPA Enforcement Statistics (FY22-FY24 To Date)

- Established a "rebuttable presumption" (presumes something is true unless proven otherwise) that goods mined, produced, or manufactured wholly or in part in Xinjiang (or by an entity on the UFLPA Entity List) are prohibited from entering the U.S.

- Since enforcement began, CBP has detained over 7,000 shipments totaling an overall value of $2.6 billion
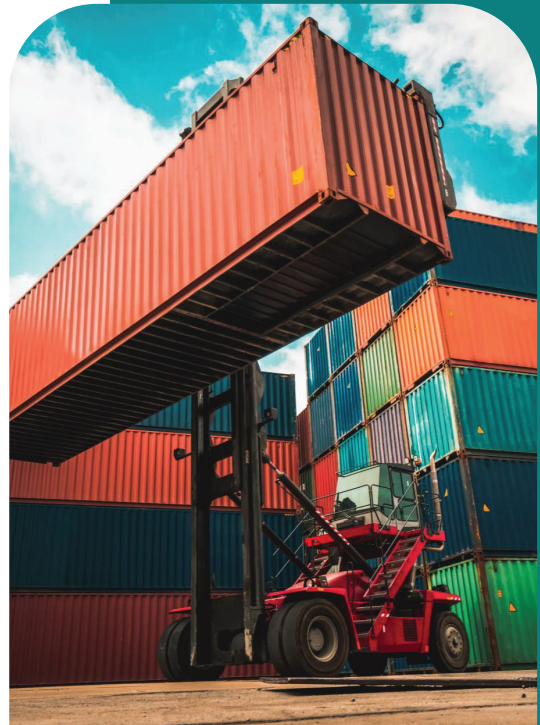
CBP's Dashboard Stats on UFLPA Enforcement

Shipment Count by Industry and Exam Result

Industry	Count
Electronics	3,381
Apparel, Footwear and Textiles	1,275
Industrial and Manufacturing Materials	1,091
Agriculture and Prepared Products	378
Consumer Products and Mass Merchandising	332
Base Metals	325
Pharmaceuticals, Health and Chemicals	259
Machinery	182
Automotive and Aerospace	61

2,974 Shipments Released

2,972 Shipments Denied

7,058 Total

1,112 Shipments Pending

Shipment Value (USD) by Country of Origin

Child Labor Allegations in Automotive Industry

- In July 2022, a Reuters investigation alleged that subsidiaries of Hyundai-Kia in Alabama were employing underage workers (most of whom were refugee children from Central America)
  - Regulators were first tipped off about suspected child labor by an official at a local school where one of the children was enrolled
  - These children were illegally employed to operate heavy machinery and experienced workplace injuries

- The Office of Refugee Resettlement (ORR) found that the children experienced exploitation from debt bondage (e.g., repaying smuggling debts) and some of the children experienced threats of deportation from company officials
- The U.S. Department of Labor (DOL) and Alabama Department of Labor fined them repeatedly for violating the child labor provisions under the Fair Labor Standards Act and state laws
- Working to ensure future compliance with child labor regulations

Sources:
Reuters.com | Dol.gov | Dol.gov | Shu.ac.uk

Identifying & Understanding Risks in Transportation Supply Chains

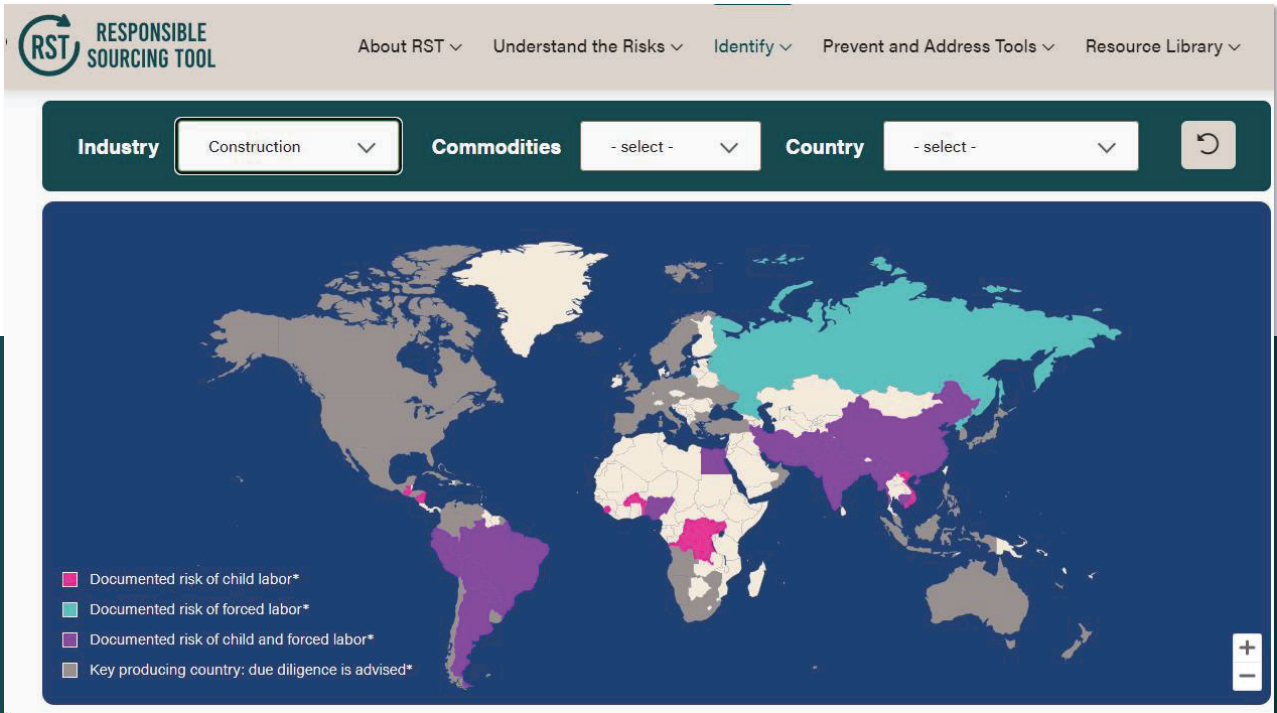## Is Forced Labor Hidden in Your Global Supply Chain?

This tool will help you **understand**, **identify**, **prevent**, and address the risks and harms to workers.

The Responsible Sourcing Tool (RST) is the result of the multi-year collaboration between Verité and the U.S. Department of State's Office to Monitor and Combat Trafficking in Persons, which funds and supports the RST initiative.
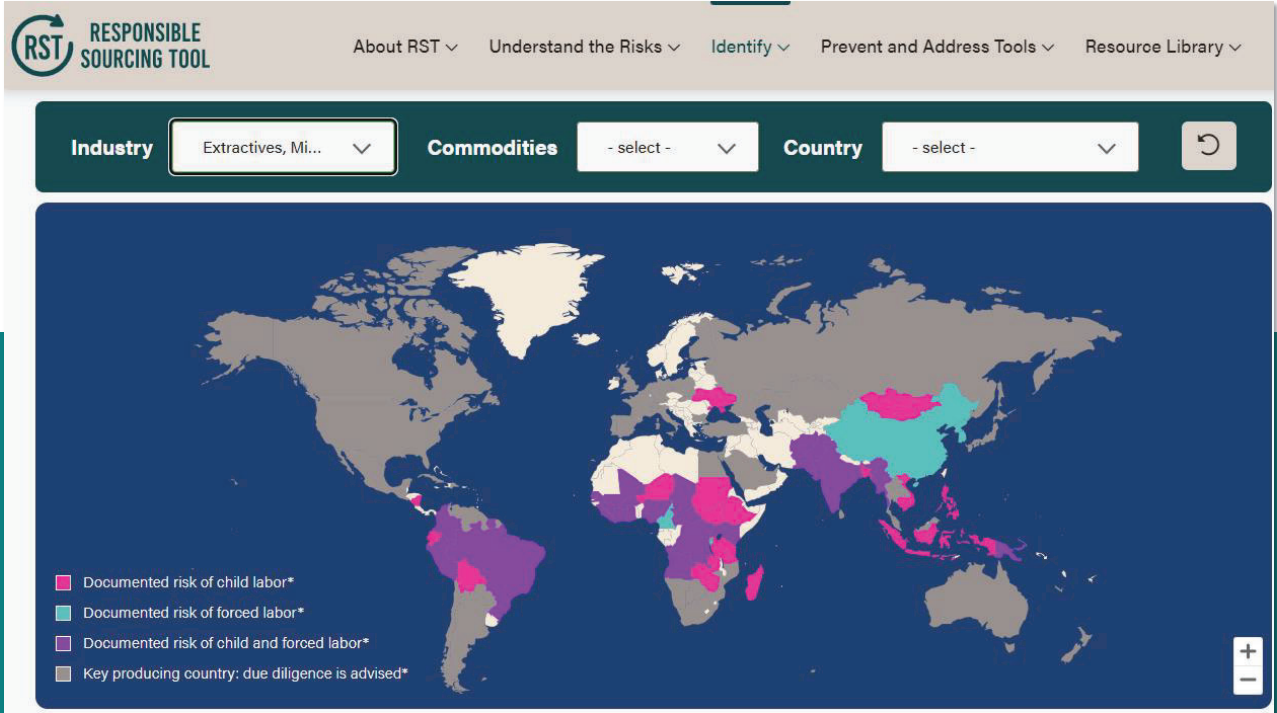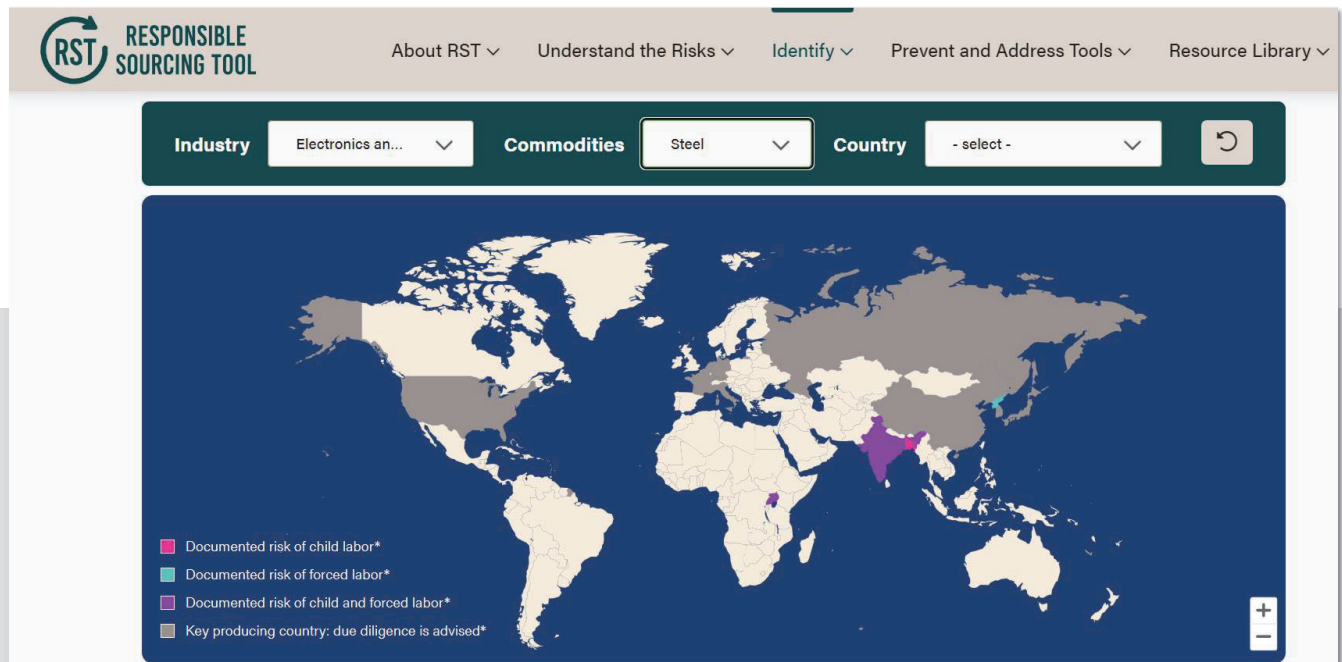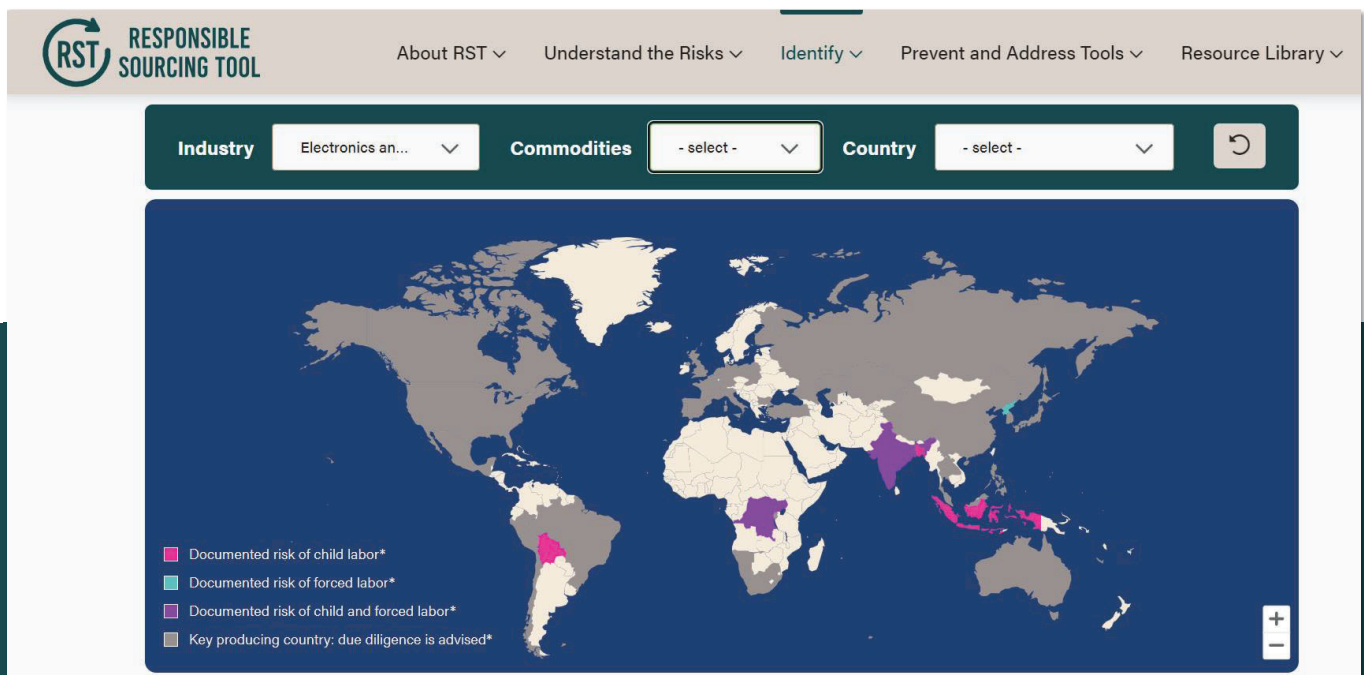
Risk Map: Transportation and Warehousing

RESPONSIBLE
SOURCING TOOL

About RST ⌄   Understand the Risks ⌄   Identify ⌄   Prevent and Address Tools ⌄   Resource Library ⌄

Industry [Transportation... ⌄]   Commodities [- select - ⌄]   Country [- select - ⌄]   ↺

- ■ Documented risk of child labor*
- ■ Documented risk of forced labor*
- ■ Documented risk of child and forced labor*
- ■ Key producing country: due diligence is advised*
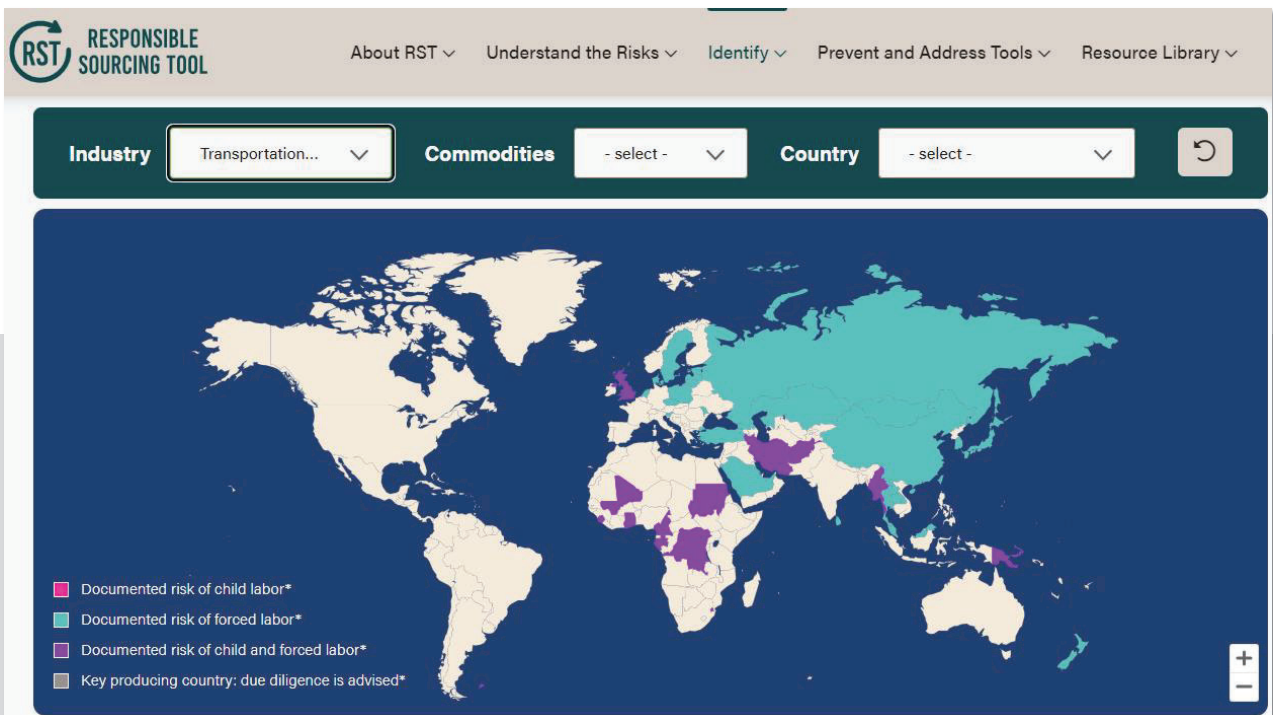
Risk Map: Construction

Risk Map: Extractives, Mining and Metals

Risk Map: Steel

Risk Map: Electronics

Risk Map: Rubber

Verité
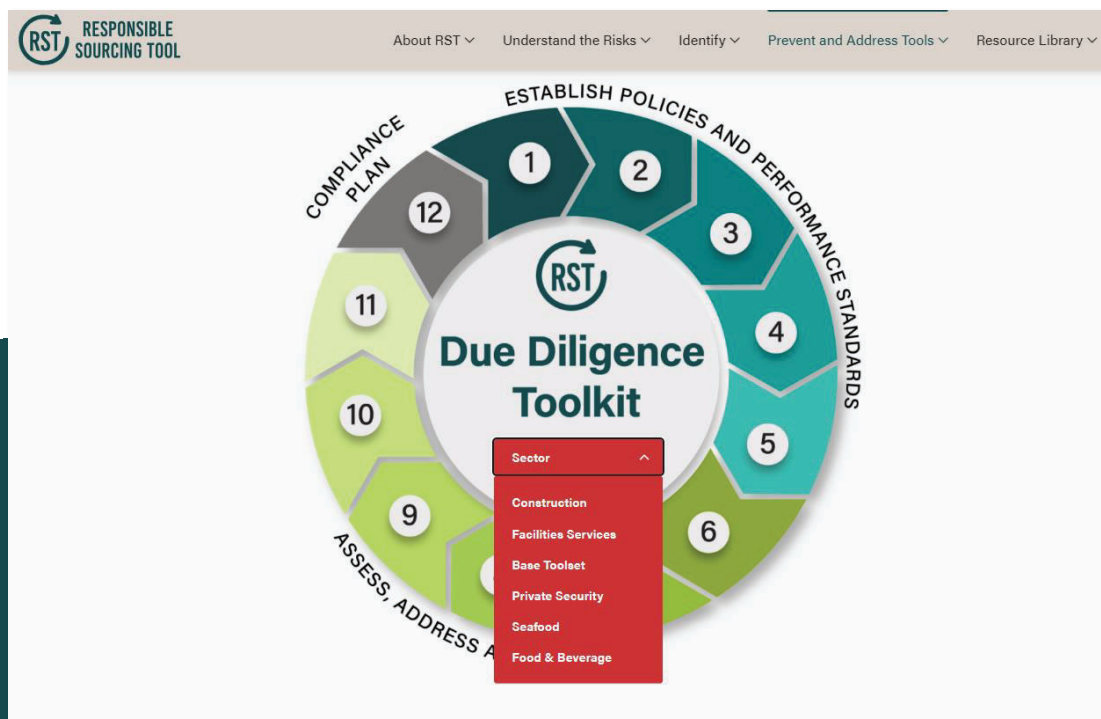Fair Labor. Worldwide.

www.verite.org

Publicly available resources for managing and preventing forced labor
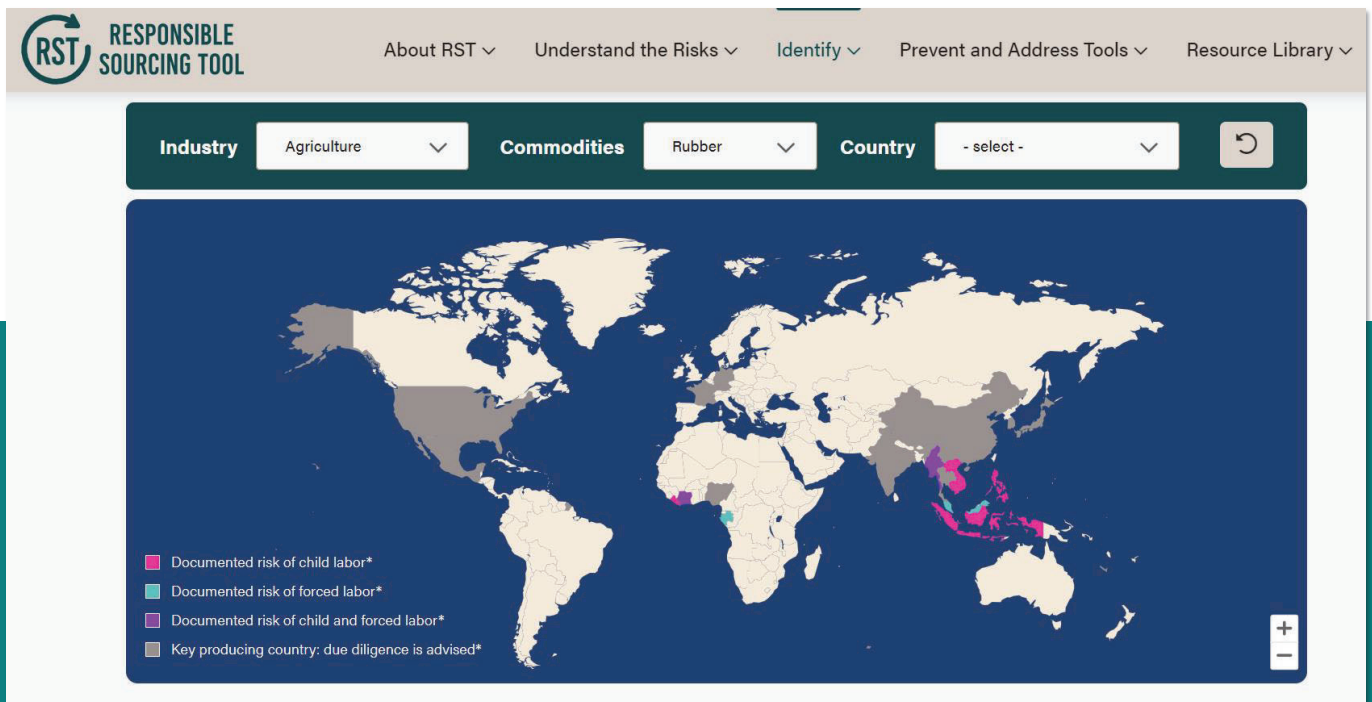
Base Toolset

Toolsets: Sectors

Supply Chain Traceability Matrix

— The Supply Chain Typology section describes supply chain features that have implications for labor risks and the implementation of a traceability system. Each profile includes descriptions of these features, notes upstream inputs and associated downstream goods and sectors, and highlights traceability examples.

— The goods profiled in the Supply Chain Typology are a selection of goods included on the U.S. Department of Labor's List of Goods Produced by Child Labor or Forced Labor.

CUMULUS Forced Labor Screen

- Enables company-level due diligence
- Maps labor supply chains and recruitment agents back to the sending country
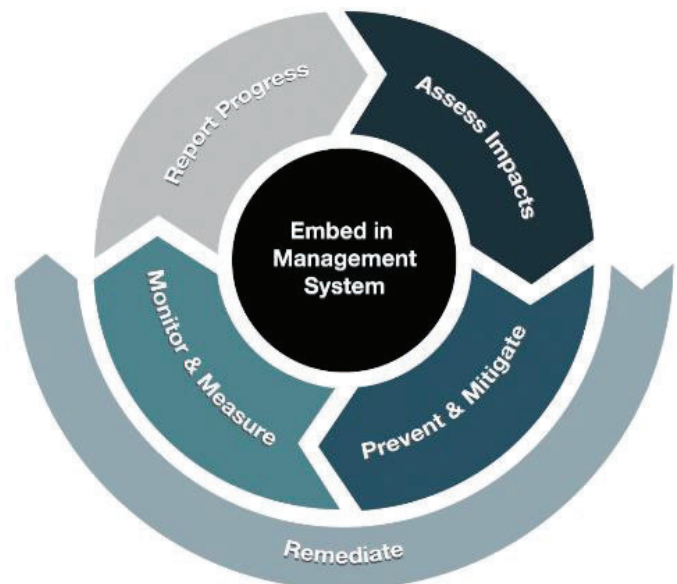- Assesses practices of the company and its labor recruiters
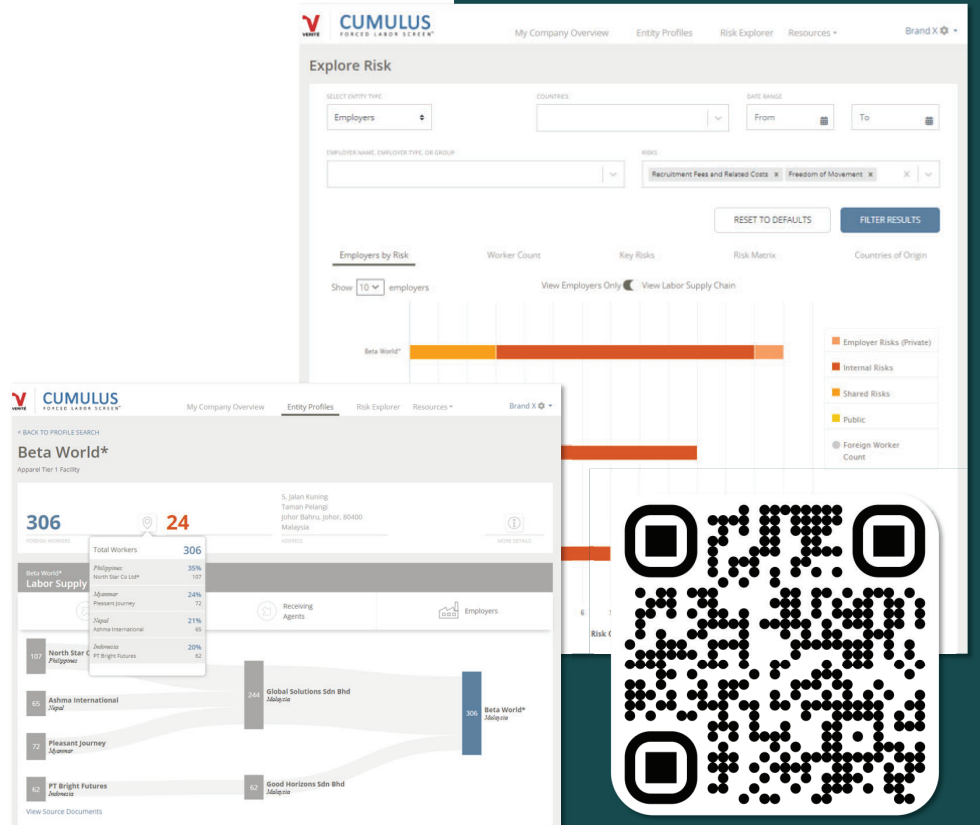
Due Diligence Training for US Government Officials

Understanding Forced Labor Risks

Organisation for Economic Co-operation and Development (OECD) Due Diligence Guidance

- Embed in Management Systems
- Assess Impacts
- Prevent & Mitigate
- Monitor & Measure
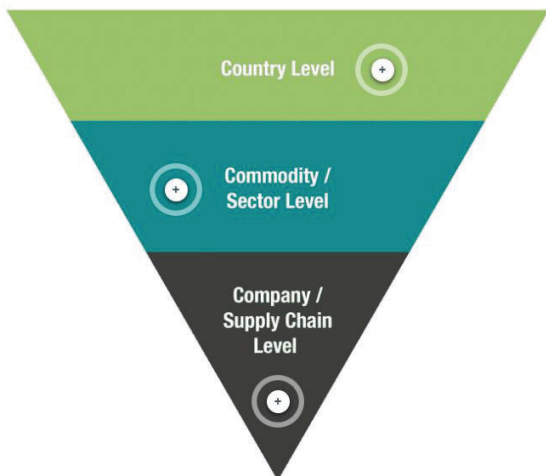- Remediate
- Report Progress

Supply Chain Mapping

Assess Impacts

1. Identify First-tier Suppliers
2. Identify Second-tier Suppliers
3. Identify Labor Providers and Recruitment Agents
4. Repeat to the Bottom of the Supply Chain

Risk Mapping

Assess Impacts

Understanding risk by level

Country Level

Commodity / Sector Level

Company / Supply Chain Level

Understanding risk in migration

Cotton Farmer

Cotton Ginner

Traders & Merchants

Yarn & Thread Spinner

Fabric Mill

Cut & Sew

Retailer

Recognizing Good Practice

Assess Impacts

How effectively have they mapped their supply chains and forced labor risk?

Brand X Answer:

We know which fabric mills supply our cut & sew suppliers.

- ○ There is a clear risk
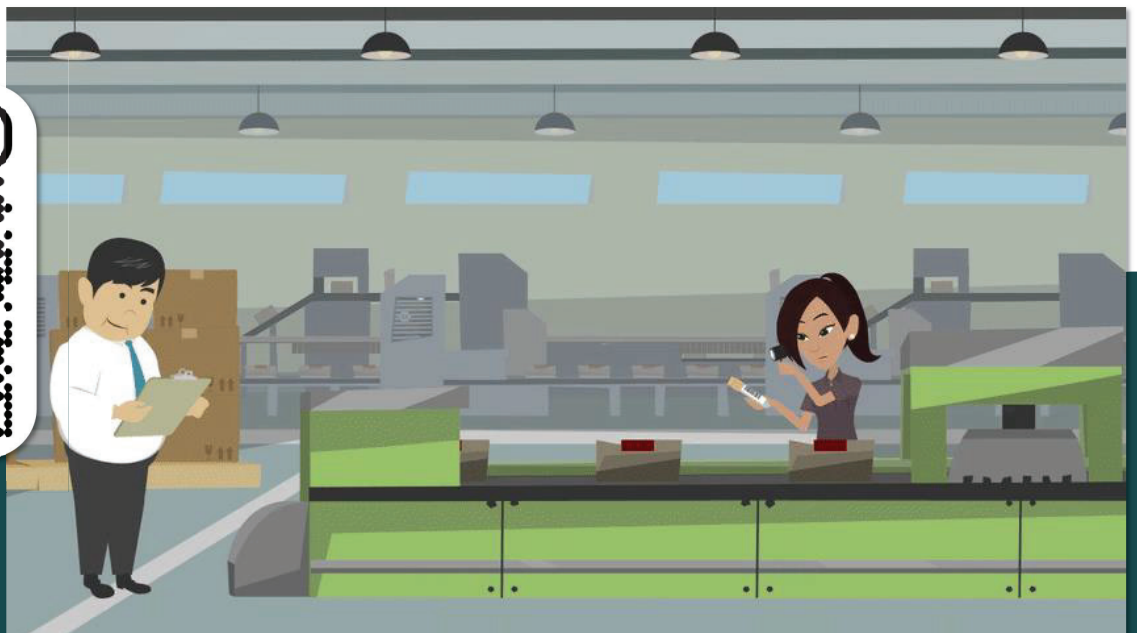- ○ Not enough information
- ○ Good practice

Brand A Answer:

We have mapped to the source of all the raw materials.

- ○ There is a clear risk
- ○ Not enough information
- ○ Good practice

FREE TRAINING

Corruption in Foreign Worker Recruitment

Nice Products: A Story of Corruption, Recruitment, and Forced Labor

Foreign Worker Recruitment Process

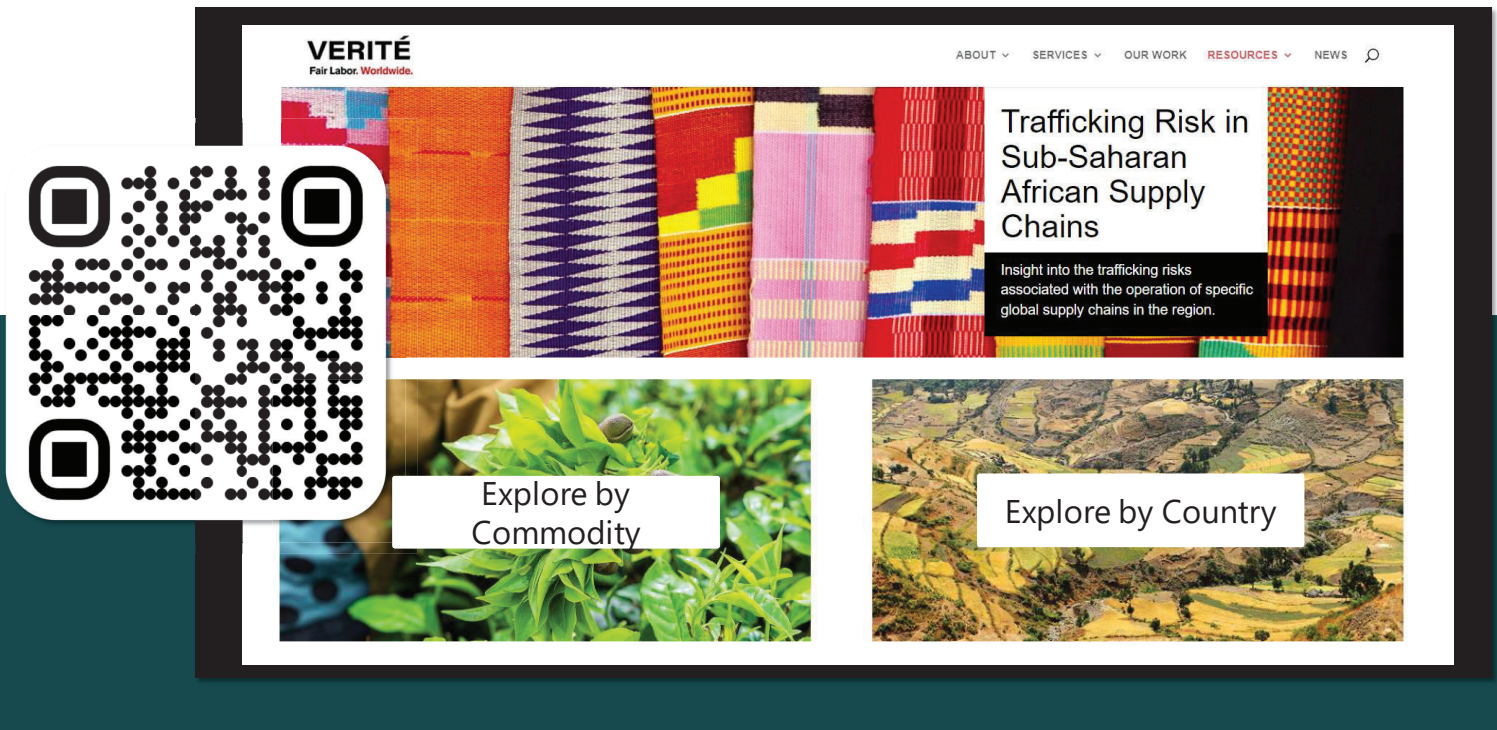# Introductory Course on Forced Labor

Trafficking Risk in Sub-Saharan African Supply Chains

Resources

- Due Diligence Training for US Government Officials
- Corruption in Foreign Worker Recruitment
- Introduction to Forced Labor
- Traceability Matrix
- Responsible Sourcing Tool
- Trafficking Risk in Sub-Saharan African Supply Chains
- CUMULUS Forced Labor Screen

Shawn MacDonald
CEO, Verité
smacdonald@verite.org

**Learn more at
verite.org**

BREAK

Policies & Partnerships Subcommittee Update
+ Discussion

POLICIES & PARTNERSHIPS SUBCOMMITTEE UPDATE + DISCUSSION

SAM CHO
ACHT Policies & Partnerships SC Chair;
Commission President, Port of Seattle

Jessica Power
ACHT Policies & Partnerships SC Vice Chair;
Chief Safety Office for Bus and Rail, Trinity Metro

DOT ADVISORY COMMITTEE ON HUMAN TRAFFICKING

POLICIES + PARTNERSHIPS SUBCOMMITTEE UPDATE
March 13, 2024

Focus Areas/Scope

Modes of Transportation

1. Airlines/Airports
2. Buses/Motor Coaches
3. Law Enforcement
4. Mass Transit (Bus/Rail)
5. Maritime Ports
6. State Entities
7. Trucking, Truck Stops & Travel Centers

Scope of Task

- ❖ Expertise by Mode
- ❖ Research and Review
- ❖ Evaluated
- ❖ Analyzed
- ❖ Collaborated
- ❖ Drafted

Methods

- Data Research
- Interviewed Stakeholders
- Interviewed Non-Profit Organizations
- Survivor Interviews
- Review existing Transportation Policies and Procedures
- Agency Collaborations
- Webinars
- Survey Results
- Focus Group Results
- Internet
- News and Archives
- Blogs
- Collaborated with Law Enforcement
- Analyzed Statistical Data

Existing Resources

Human Trafficking Hotline Data	**DOJ Support for Victims/Survivors**
DHS	**Attorney General Guidelines for Victim and Witness Assistance**
TAT	**Office of Juvenile Justice and Delinquency**
FTA	**National Center for Missing & Exploited Children**
USDOT	**Office on Violence Against Women**
BOTL	**National Children Alliance**
Surveys	**Office of Victims of Crimes**
Studies	**Attorney Generals Annual Report**
NGO's	**Polaris**
Survivor Interviews	**Bureau of Justice Statistics**
Case Studies	**NCHRP Project: 20-121A: Countering Human Trafficking: A Toolkit for State DOTs**

ANALYSIS + GAPS

- Multiple sources of Human Trafficking Training ⟶ Training geared toward specific environments – operators, security, rail, port authority – more trauma informed training.

  - ❖ Local resources – where and how to access resources

- Limited on data and statistics ⟶ Need a centralized location where all industries can combine data, trends, training materials, case studies, policies, best practices, lessons learned, etc.

- Lack of coordination and communication between Transportation modes and other industries.
  - ❖ Transportation
  - ❖ Health Care
  - ❖ Hotels
  - ❖ Agriculture
  - ❖ Manufacturing
  - ❖ Construction

ANALYSIS + GAPS (CONTINUED)

- Technology is continuously advancing but limited data on technology that can help with human trafficking for the Transportation industry.

- Most research discusses training and community outreach materials but lacks in leadership buy in, partnerships, and policy implementation for the Transportation industry.

  - ❖ All industries need to have a roundtable discussion

- Funding is lacking on the Human Trafficking issue for Transportation industry.

RECOMMENDATIONS

- **A multi-faceted approach** that involves various stakeholders, including government agencies, law enforcement, NGOs, and the transportation sector itself.
- **Policy and Procedure Implementations**:
  - ❖ Urge Transportation modes to implement an HR hiring policy that discourages hiring anyone with a human trafficking criminal charge.
  - ❖ Implement a procurement policy specifying prohibiting purchases from human trafficking-charged businesses.
  - ❖ Leadership to sign the pledge to stop human trafficking.
  - ❖ Implement procedures to investigate (**where applicable**) and report human trafficking incidents and train on local resources for victims/survivors.
- **Privacy Policy:** Urge all stakeholders to create and strengthen existing policies to incorporate privacy policies for victims.
  - ❖ Policies should prohibit employees who report suspected incidents of human trafficking from sharing sensitive or detailed information outside of management or law enforcement.

RECOMMENDATIONS (CONTINUED)

- **Law Enforcement:** Adopt the Enhanced Collaborative Model (IACP 2024), mandate that all law enforcement officers receive trauma-informed training, and provide local resources for victims/survivors.
- **Public/Private Partnerships:**
  - ❖ Ex. Truckers Against Trafficking + Walmart
  - ❖ Mandate partnerships with Transportation modes, Law Enforcement, and local task forces.
  - ❖ Encourage grants that promote job training and employment for survivors of human trafficking.
- **Job Training:**
  - ❖ Urge Transportation modes to work with local NGOs to hire survivors and have work programs.
- **Legislation:** Recommendations to Congress
- Transportation modes should be encouraged to implement a community outreach program.
- **Funding**: Increase annual grant funding for the Transportation industry.
- Surveys and research studies of legislation across the country on state and local level

POLICIES + PARTNERSHIPS SUBCOMMITTEE

The report is moving forward

❑ Designated Transportation mode

❑ Scope of areas that influenced the body of the report

❑ Methods used to collect data

❑ Analyses and Gaps discovered from data

❑ Recommendations

Next Steps

❑ Review, review, review

❑ Format and citations

❑ Set goals for the future movement of initiatives

PUBLIC COMMENT

Next Steps and Closing