



Polaris Federal Public Policy Priorities: 2024 Updates

Priority #1: Fully Resource Victim and Survivor Services and Supports

Recommendations:

- Pass the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act (TVPRA).
- Increase investment in services that support victims and survivors — including the U.S. National Human Trafficking Hotline (Trafficking Hotline) — in the FY25 Labor, Health and Human Services, and Education Appropriations bill.

Background: Most victims and survivors face an uphill battle to regain independence and truly thrive. This is why it is so important to pass the TVPRA and pertinent funding bills in a timely manner in order to fund needed services and programs.

This ongoing need is highlighted in Polaris’s 2023 [National Survivor Study](#) (NSS) which surveyed 457 survivors of human trafficking across the U.S. Their responses revealed significant system failures and a resulting array of needs before, during, and after their trafficking experiences. As children, most survivors experienced physical, sexual, or emotional abuse (96%); struggled with drug abuse or mental health issues (93%); lived with someone who experienced drug abuse or mental health issues; and lived in poverty (83%). At the time they exited trafficking, their top needs included trauma-informed behavioral or mental health services (75%), a safe place to stay (70%), and employment that was stable and paid a living wage (69%). Behavioral/mental health services remained the top need at the time of the survey, with 37% of respondents still needing access. Survivors also face barriers to inclusion in the societal and economic systems they need to thrive: 43% of respondents make less than \$25,000; 47% had over \$25,000 in non-home-mortgage debt; 42% had criminal records; and 53% reported their trafficker had misused their identity for financial purposes during their trafficking, preventing them from accessing financial tools like loans or credit cards. Of survivors with children, 31% had faced custody issues with the state, and 36% with another party.

Data collected through the Trafficking Hotline, the 24/7/365 helpline that connects victims and survivors with local services, safety planning, law enforcement under certain circumstances, and other resources, also sheds light on victims’ and survivors’ needs. According to Polaris’s report, “[Human Trafficking During the COVID and Post-COVID Era](#),” covering January 2020 through August 2022, the Trafficking Hotline’s top referral request in labor trafficking situations was for legal services, and the top request in sex trafficking situations was for shelter or housing. This tracks with year-over-year trends across the country, as the most common requests that the Trafficking Hotline typically receives are for emergency, transitional, or long-term housing; case management; and civil, criminal, and immigration legal services.



Given these needs, there are myriad ways that public and private stakeholders in the anti-trafficking movement can strengthen prevention and response programs, services, and other resources to keep vulnerable populations from experiencing trafficking and to enable victims and survivors of trafficking to exit, stabilize, heal, and thrive. Federal legislation, along with continued and expanded investment, are imperative for sustaining these vital efforts.

Legislative Response: There are several legislative priorities under this focus area. On February 13, 2024, the House passed the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act (TVPPRA, [H.R. 5856](#)), which will authorize necessary funding over five years to strengthen and resource successful programs in combating trafficking. We urge the Senate to also prioritize passing these provisions. These vital provisions include reauthorizing the Department of State Office to Monitor and Combat Trafficking in Persons, advancing prevention efforts through the United States Agency for International Development's Counter-Trafficking in Persons in international development cooperation, making technical amendments to tier rankings, expanding protections for domestic workers, and authorizing funding for the [Trafficking Hotline](#).

We also urge Congress to increase funding allocations for vital resources for victims and survivors under the **FY25 Labor, Health and Human Services, and Education Appropriations bill**. Two examples of unfunded mandates under the Administration for Children and Families Office on Trafficking in Persons are the [Stop, Observe, Ask, and Respond \(SOAR\) Health and Wellness Training Program](#), which teaches professionals how to identify, screen, and connect survivors to resources, and the [Human Trafficking Youth Prevention Education \(HTYPE\) Demonstration Program](#), which funds local education agencies to develop and implement trafficking prevention programs.

As part of this recommendation, we are also requesting increased funding for the [Trafficking Hotline](#). As defined by the U.S. government during the pandemic, the Trafficking Hotline is critical infrastructure to the nation's security. **Furthermore in the last four years, total signal volume to the Trafficking Hotline increased by 40% over the first 12 years of the Trafficking Hotline's operation, with significant increases in mental health crisis calls, requests for emergency shelter, and need for legal assistance. In 2023 alone, this equated to 14,364 calls, texts, and chats of trafficking situations.** Federal funding has failed to keep pace, covering less than 50% of the Hotline's total costs, when including both its cash budget and additional private support raised by the Hotline's operator. As awareness of and dependence on the Trafficking Hotline grows, Congress must sufficiently fund this core infrastructure for the anti-trafficking movement. We are grateful for the inclusion of \$5,000,000 in FY24 appropriations and respectfully request \$6,500,000 for FY25 to meet staffing and operational capacity, technology, and data security demands, and ensure that the Trafficking Hotline can address the needs of victims and survivors.



Priority #2: Enact Federal Criminal Records Relief for Survivors

Recommendation:

- Pass the Trafficking Survivors Relief Act ([H.R. 7137¹](#)).

Background: Many victims and survivors have been subject to arrest and criminalized at both the state and federal levels as a result of their trafficking experiences. Traffickers often force or coerce victims to engage in criminal activity involving weapons, drugs, identity theft and other financial fraud, or even facilitation of the trafficking scheme. Labor traffickers may require victims to possess false identification documents, violate immigration law, or commit financial crimes. This means that for many survivors, the first time they come into contact with law enforcement officers is as a suspect not as a victim.

Consequent criminal records create substantial barriers for victims and survivors. In Polaris's [National Survivor Study](#), 42% of all respondents reported having a criminal record. Of that group, 90% said their record was directly related to their trafficking. Survivors also shared how having a criminal record has affected them since their exploitation ended, indicating that criminal records have prevented them from getting or keeping a job (69%); getting training, education, or a professional license (63%); getting good housing (59%); and maintaining custody of their children (35% of those with children).

It is vital that victims and survivors be able to obtain relief by way of criminal record clearing. Several states have passed recent legislation improving criminal records relief for trafficking survivors, but it is past time to create a similar pathway at the federal level. Many federally criminalized trafficking victims are immigrants who are labor trafficked in the U.S. and face deportation as a result of their trafficking. It is imperative that federal agencies provide necessary protections to shield non-citizens from deportation when utilizing legislative avenues to access needed victim assistance.

Legislative Response: On January 30, 2024, the **Trafficking Survivors Relief Act (HR 7137)** was reintroduced, which would enable survivors to expunge their federal criminal records for crimes committed as a direct result of their trafficking and to provide an affirmative defense at sentencing. This bipartisan bill has garnered strong support from both parties, as well as over 100 organizations across the country, and is a crucial step toward creating a pathway for federally criminalized survivors to clear their records and pursue financial, physical, and emotional recovery.

¹ Senate bill number to be added once reintroduced.



Priority #3: Prevent Labor Trafficking through Enforcement and Enhanced Workers' Rights

Recommendations:

- Pass the Protect Our Workers from Exploitation and Retaliation (POWER) Act ([H.R.1828](#)).
- Sufficiently fund the [Department of Labor's Wage and Hour Division](#).

Background: Workers, and especially non-citizen workers, face increased risks of labor trafficking in the U.S., making it critical that we prioritize worker protections. In theory, temporary work visas are good for both workers and the U.S. economy — they enable U.S. businesses to fill mostly low-wage jobs that would otherwise sit vacant, while giving migrant workers an opportunity to earn more than they can in their home countries. In practice, however, these workers often experience exploitation and trafficking, as shown in data from the Trafficking Hotline and [Nonechka](#), Polaris's mobile phone-based worker communication tool that currently reaches over 5,200 workers in the U.S. and Mexico.

Economic abuse and immigration threats are common ways that traffickers keep victims from reporting exploitation. [Trafficking Hotline data from the pandemic period](#) reveals that **52% of labor trafficking victims had their earnings taken or withheld, and 42% had been threatened with immigration consequences, like deportation.** Meanwhile, the Department of Labor's Wage and Hour Division (WHD), which enforces employment law for temporary visa holders, is understaffed, underfunded, and therefore not fully equipped to protect the growing number of workers in the U.S. For example, in 1978, each WHD investigator was responsible for 69,000 workers; by 2018, the responsibility for each investigator [more than doubled to 175,000 workers](#). Additionally, as the number of H-2A and H-2B visas — temporary work visas for agricultural and non-agricultural work, respectively — issued by the State Department has tripled, the [number of WHD wage theft investigations has remained largely steady](#), indicating a growing number of vulnerable workers without appropriate capacity to undertake additional investigations on their behalf.

In addition to lower rates of wage theft investigations, labor trafficking prosecutions remain disproportionately low. The Human Trafficking Institute's [2022 Federal Human Trafficking Report](#) shows that although 70% of those trafficked are trafficked into labor, U.S. prosecutors only report 6% of their trafficking cases as labor cases and 94% as sex trafficking prosecutions. This significant discrepancy points to gaps in identification or lack of needed resources to investigate and hold labor traffickers accountable.

Legislative Response: On January 13, 2023, the Biden administration and the Department of Homeland Security issued [new guidance on labor-based deferred action](#), equipping non-citizen workers to file complaints with labor agencies with protection from immigration-related threats. By providing protection against threats and evaluating deportation on a case-by-case basis, the new mechanism empowers workers to report abuse and seek assistance. Thus far, [DHS has accepted 450 of these requests](#). To codify these deferred action protections into federal law, Congress should pass the **Protect Our Workers from Exploitation and**



Retaliation (POWER) Act. Similar guidance should follow as agencies continue to publish rulemaking improving workers' rights.

Congress should also authorize and appropriate sufficient funding for enforcement of current laws, including **fully funding the Department of Labor's Wage and Hour Division**, making it clear to employers that trafficking and exploitation of labor are priority areas for enforcement. Without allocating these resources, Congress continues to turn a blind eye to widespread wage theft, immigration-related threats, and other violations in temporary visa programs.



Priority #4: Prioritize Financial Repair for Survivors and Enforcement of Financial Laws

Recommendations:

- Alongside the [Consumer Financial Protection Bureau](#) (CFPB), ensure effective implementation and hold credit reporting agencies accountable for the provisions in the Debt Bondage Repair Act of 2021.
- Fully fund the [Department of Justice’s Human Trafficking Prosecutions Unit](#) and continue federal training programs for judges on mandatory restitution, as required by the Trafficking Victims Protection Act (TVPA).
- Ensure the [Financial Crimes Enforcement Network](#) (FinCEN) within the U.S. Department of the Treasury issues guidance to financial institutions on its identified national priority of human trafficking.

Background: Financial instability is a vulnerability to and a consequence of being trafficked, making it imperative to take all measures available to repair, restore, and build victims’ and survivors’ financial health, while holding those who are profiting off of their exploitation accountable. Polaris’s [National Survivor Study](#) highlights this under-addressed need, finding that **83% of survivors experienced poverty as children, while 43% now make less than \$25,000, even years out of trafficking.** Victims and survivors face barriers to participating in the mainstream economy, including overwhelming debt and poor credit — often due to their traffickers misusing their identity for their own financial gain. Survivors are twice as likely as the general population to be unbanked and unable to open a bank account due to lack of personal ID, credit, or former bank account issues. We must prioritize financial stabilization and economic health for survivors, both to prevent re-trafficking and enable them to thrive.

One important initiative is the new [Polaris Resilience Fund](#), a survivor-led pilot project launched in 2023 to provide unrestricted financial assistance and other resources to survivors as they address core barriers to economic stability. The first participant cohort has a median income of \$17,196 and reported debt bondage and credit repair as a top barrier.

On the prosecution side, because human trafficking is a commercial enterprise, financial intervention in trafficking can increase accountability for traffickers, reduce the profitability of the crime, and support prevention among the most vulnerable, impoverished communities. Investigation and prosecution of financial crimes is also a more survivor-centered approach, as such crimes do not always require victim testimony.

Among various efforts to strengthen prosecution, two gaps currently stand out. First, the TVPA requires restitution for human trafficking convictions. However, [in a majority of federal trafficking cases, the government fails to request and courts fail to order full restitution as mandated by law](#) — ultimately lessening penalties for traffickers and withholding financial resources that survivors deserve. Second, [FinCEN identified human trafficking as a national priority in 2021](#). However, the agency has not yet provided guidance to financial institutions to help them identify and mitigate human trafficking risks in practice.



FinCEN should work to stand up human trafficking as a priority by providing the guidance needed to financial institutions to successfully intervene in human trafficking operations.

Legislative Response: Congress should work with advocates, victims and survivors, and the CFPB on any necessary legislative remedies to ensure that the **Debt Bondage Repair Act** is **implemented effectively**, enabling survivors to block adverse information resulting from their trafficking experience from their credit reports. Polaris and other organizations have heard reports of challenges that survivors face during the debt relief process, with specific complaints about interactions with credit reporting agencies, non-uniform processes, credit unions not being aware of the new rule, and issues securing proof of permanent address and victim documentation determination.

Congress should also appropriate sufficient funding for the **Department of Justice’s Human Trafficking Prosecutions Unit**, including sustaining federal training programs for judges on mandatory restitution, and increasing investigations and prosecutions. Specifically, besides explicitly requesting restitution in every case, prosecutors should prosecute more companies and corporations that benefit from trafficking, thereby increasing the likelihood of asset liquidation for restitution.

Finally, Congress should encourage **FinCEN** to follow up on its 2021 designation of human trafficking as a national priority by issuing **formal guidance to financial institutions**. This resource will help build financial institutions’ capacity to effectively identify and mitigate trafficking, and hold traffickers accountable.

For further information or to work together, please contact our Policy Department at policy@polarisproject.org.