



Freedom Network USA

February 26, 2026

VIA EMAIL to tipreportUS@state.gov

Rachel Poynter
Acting Director, US Department of State
Office to Combat and Monitor Trafficking in Persons (JTIP)
2201 C Street NW, SA-09 Suite NE3054
Washington DC 20520

RE: Freedom Network USA’s Input for the 2026 Trafficking in Persons Report

Dear Acting Director Poynter:

Freedom Network USA (FNUSA), established in 2001, is a coalition of 118 non-governmental organizations and individuals that provide services to and advocate for the rights of trafficking survivors in the US. Since the enactment of the Trafficking Victims Protection Act of 2000 (TVPA), FNUSA members have worked to ensure that trafficking survivors receive the full array of legal and social services needed and that they are engaged in ensuring effective implementation of the law. FNUSA members include survivors who experienced both sex and labor trafficking in the US, civil attorneys who have brought cutting-edge lawsuits against traffickers, criminal attorneys who have represented survivors wrongly charged with a crime, immigration attorneys who have represented thousands of individuals granted T and U visas, and social service providers who have assisted thousands of survivors — both US citizens and foreign nationals, and minors and adults, across the gender spectrum.

FNUSA offers the following information about the challenges facing the US Government in our shared mission to address human trafficking in the US. Although our comments are not an exhaustive list of all US Government efforts that impact human trafficking, we focus on those about which we have the most information and experience.

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Requirements for Minimum Standards Under the TVPA

Advocates and Members of Congress came together to establish the Victims of Trafficking and Violence Protection Act of 2000 (TVPA) to ensure that survivors of trafficking in the US are protected and have access to victim services, law enforcement has the tools to investigate and prosecute traffickers, and the US Government invests in preventing human trafficking. The protections for survivors established in the TVPA and subsequent reauthorizations were some of the first in the world and exemplified the United States' leadership in addressing human trafficking. The recent attacks on social services, the legal profession, and the rights of immigrants, LGBTQ+ individuals, and Black and Brown communities in the US are quickly degrading the rights of trafficking survivors and forcing victims underground.

The TVPA established crucial protections, and without them, the US would hand impunity to traffickers and prevent victims from seeking safety. The victim services programs established under the TVPA are the backbone of the US anti-trafficking response. They have saved thousands of lives and federally-funded human trafficking service providers are often the only way for survivors to access services in their state. The TVPA includes protections and services for all survivors regardless of immigration status because Congress understood that immigrants are unable to come forward to law enforcement or seek safety if they are trapped by fear of deportation.

In 2025, the US Government failed to meet the minimum standards established under the TVPA.¹ By restricting survivors' access to protections, creating the conditions for more people to be trafficked, and eliminating anti-trafficking programs, the US Government enabled trafficking and gave up on its efforts to eliminate severe forms of trafficking in persons. The US is undeserving of its Tier 1 status and should be downgraded to Tier 2 to accurately represent how it has discarded its responsibilities under the TVPA.

Access to Victim Services

The US Government eliminated and threatened anti-trafficking services programs throughout the reporting period, putting survivors in danger of re-exploitation and reducing opportunities for victims to escape.

US Government-Funded Victim Services

In April 2025, over 500 grants were cancelled at the Department of Justice (DOJ), including two TVPA-funded human trafficking victim services grants.² The grantee waited nine months for a response to their appeal to restore the funding, which determined the funding should be restored. The inclusion of critical victim service providers in these mass cuts show these decisions are not evidence-based and are not made by experts in violence prevention and victim protection. The other cancelled victim services programs included programs for impacted communities that help prevent trafficking and referral partners who help ensure survivors have all the resources they need. The loss of this many members of the human trafficking referral network has devastated service providers across the country.

On October 1, 2025, over 100 human trafficking victim services grants ended, and the DOJ failed to release the \$88,000,000 in appropriated funds to new grantees. This resulted in an ongoing funding

¹ Trafficking Victims Protection Act of 2000, Div. A of Pub. L. No. 106-386, § 108, as amended.

² Peter Eisler and Sarah Lynch, "US cancels hundreds of grants for police, crime victims, Justice Dept documents show," *Reuters*, 4/2025, <https://www.reuters.com/world/us/us-justice-department-cancels-hundreds-grants-police-crime-victims-2025-04-23/>

lapse impacting at least 5,000 survivors. The Notices of Funding Opportunities (NOFOs) were not released until December 30, 2025, and the funds will not be distributed until the funding decisions are made. The NOFOs state the grants will begin on July 1, 2026, over nine months after the funds lapsed. Grantees across the country reported having to restrict services and pause intake as the funding disappeared.³ Service providers already impacted by the April grant cancellations lost even more referral partners as grantees ran out of funds.

The NOFOs released in December included new language that could threaten survivors' access to lifesaving services due to new interpretations of grantee responsibilities and purported limitations on legal services for immigrants. This language threatens survivors' access to lifesaving services and comes with little guidance on how it should be interpreted within existing confidentiality and anti-discrimination laws. Without the promise of legal protections, confidentiality, and culturally-relevant services, survivors are less likely to come forward and more likely to stay in dangerous trafficking situations. On February 24, 2026, a federal judge imposed a temporary restraining order on the DOJ barring the enforcement of the NOFO language. This came after the DOJ attempted to add more restrictive conditions to other OVC victim service grant agreements.⁴

The NOFOs also include a limited training and technical assistance grant which will result in less support for grantees and fewer opportunities for grantees to improve their services. The budget for the grants also appears to violate the TVPA's requirement for five percent of appropriated funds to be spent on training and technical assistance.⁵

Barriers to Service Access

Service providers report that it is increasingly difficult to provide victim services in this climate, as providers are constantly fearful that threats against NGOs from the Trump Administration will come to fruition, clients are scared of coming forward for help, and US Government funding agencies attempt to restrict the services they can provide. Immigrant survivors are fearful of seeking assistance from victim service providers because US Immigration and Customs Enforcement (ICE) officers are engaged in indiscriminate immigration enforcement and targeting places immigrants go for help.^{6,7} Survivors already in services are terrified to go to service providers' offices or court dates for fear of being indefinitely detained or deported. Some survivors have even chosen to self-deport after threats from ICE.⁸ LGBTQ+ survivors are also similarly fearful of seeking help after Executive Orders targeting their access to services were released last year, creating a chilling effect.⁹ Services are also more limited as

³ Noy Thrupakew, et al., "US justice department halts funding for human-trafficking survivors," *The Guardian*, 12/2025, <https://www.theguardian.com/us-news/2025/dec/22/justice-department-human-trafficking-survivors-support-funding>

⁴ Freedom Network, *USA v. President Donald J. Trump*, 1:25-cv-12419, (N.D. Ill.)

⁵ 22 USC §7105(b)(2)(B)(ii)

⁶ Camilo Montoya-Galvez, "Trump officials revoke Biden policy that barred ICE arrests near "sensitive locations" like schools and churches," *CBS News*, 1/2025, <https://www.cbsnews.com/news/trump-immigration-ice-arrests-sensitive-locations/>

⁷ Rebecca Santana, "Immigration officers assert sweeping power to enter homes without a judge's warrant, memo says," *Associated Press*, 1/2026, <https://apnews.com/article/ice-arrests-warrants-minneapolis-trump-00d0ab0338e82341fd91b160758aeb2d>

⁸ Ted Hessen and Kristina Cooke, "As Trump misses deportation goals, ICE pushes migrants to give up their cases," *Reuters*, 12/2025, <https://www.reuters.com/world/us/ice-threatens-family-separation-indefinite-detention-satisfy-trump-deportation-2025-12-11/>

⁹ Executive Order 14168

law firms under threat of lawsuits from the federal government are less comfortable taking on representation for survivors seeking record relief and other legal assistance.¹⁰

Cuts to the Social Safety Net

Cuts to public benefits also made service provision more difficult. Restrictions on which immigrants can access food assistance through the Supplemental Nutrition Assistance Program, health insurance through the federal marketplace, and Medicaid have left survivors with fewer options for assistance. The July 2025 reconciliation bill explicitly cut these services to survivors by restricting “qualified immigrants” from access. This category includes trafficking survivors waiting for and with T Visas, T Visa derivatives, immigrant abuse survivors and their children, and refugees.¹¹ By excluding these survivors from accessing critical food and healthcare benefits, Congress created drastic cuts to lifesaving services for trafficking survivors. As survivors and other immigrants lose access to food and healthcare, they become more vulnerable to trafficking. In 2025, cuts made to Victims of Crime Act (VOCA) funding made by Congress in 2024 started to take effect. VOCA funds took an almost 40% cut, further restricting access to services nationwide.¹²

Gaps in Available Services

Even before the extensive changes and restrictions were made to programs in 2025, there were already immense gaps in services available to survivors, which are now exacerbated as referral networks are diminished. Federal funding for services has not increased to meet the growing need across the country. Rural communities consistently have limited services and insufficient funding to reach survivors in isolated areas. There is not enough emergency housing anywhere in the country, and very few resources for long-term housing assistance. Shelter access for men and boys or families are also limited as most are limited to women and girls. Transgender survivors face safety threats or are often not allowed to access the housing services in their communities. Language and physical accessibility barriers prevent survivors from accessing services. Most services are focused on emergency needs, not long-term support. Immigrant survivors can only access the protective benefits of the T Visa if they come forward to assist law enforcement. There is little to no oversight of privately-funded service providers, leading to some utilizing problematic practices that replicate the harm of trafficking.

Services for Youth Survivors

Child victims of human trafficking are disproportionately involved in the juvenile justice system, the child welfare system, and homelessness services. Youth who are particularly vulnerable to trafficking because they are facing poverty, unsafe homes, homelessness, unemployment, lack support systems, or have faced prior abuse, are often in contact with these systems. These systems are not designed to handle survivors of complex trauma and often traumatize youth, but are some of the only options available to respond to child trafficking. There is a lack of comprehensive services for youth survivors, both those in placements and those not. Youth survivors need access to intensive services like mental healthcare, healthcare, safe housing, education, and mentorship, but are often not able to access the care they

¹⁰ Mike Specter, et al., “How Trump’s crackdown on law firms is undermining legal defenses for the vulnerable,” *Reuters*, 6/2025, <https://www.reuters.com/investigations/trumps-war-big-law-leads-firms-retreat-pro-bono-work-underdogs-2025-07-31/>

¹¹ Ben D’Avanzo and Sarah Krieger, “Clarifying Access: What New Federal SNAP Restrictions and Guidance Mean for Immigrant Communities,” *NILC*, 11/2025, <https://www.nilc.org/articles/what-new-federal-snap-restrictions-and-guidance-mean-for-immigrant-communities/>

¹² Emily Wright and Claire Ponder Selib, “Cutting Federal Funding for Victim Service Providers Jeopardizes Americans’ Safety,” *Urban Institute*, 3/2025, <https://www.urban.org/urban-wire/cutting-federal-funding-victim-service-providers-jeopardizes-americans-safety>

need. Many children are not provided any form of government care, and face barriers to finding appropriate services. The limited services mean children often have to access services designed to address other issues like homelessness, criminalization, or other forms of abuse like domestic violence and sexual assault. There is a countrywide lack of well-trained mental health providers. There are insufficient services for boys, child labor trafficking survivors, and survivors who are Black, Indigenous, LGBTQ+, or foreign nationals.¹³ Many of the services survivors need and access are non-trafficking-specific, such as libraries, afterschool programs, camps, clothing closets, food pantries, city services, non-profit youth centers, church youth groups, and cultural affinity groups.

The National Human Trafficking Hotline

The US Government supports a national human trafficking hotline but requires it to operate as a law enforcement tipline as well as a hotline for survivors. This conflation of law enforcement tiplines and hotlines intended to refer survivors to services is deeply problematic and presents immense hurdles to survivors seeking safety. The US hotline should operate as an independent hotline and law enforcement reporting should be done separately. Survivors may not want to report their cases to law enforcement due to fear of retaliation, deportation, or further trauma from an investigation. They may belong to a community that is subjected to routine over-policing and refuse to engage with law enforcement due to the harms committed in their community. Survivors may have been personally subjected to abuse, exploitation, or false arrests by law enforcement in the past. This conflation of opposite and ethically conflicting duties harms survivors who may not trust this dual resource, may not understand that their information may be shared with law enforcement, and serves to divert limited resources away from survivors.¹⁴

Throughout 2025, victim services became increasingly limited as the US Government took steps to scare service providers into restricting service access, create fear among immigrant survivors preventing them from coming forward, and cut millions of dollars in funding. These cuts and the chilling effect created by the Administration make survivors less safe. When survivors are unable to come forward to seek help or the service providers have to close their doors, survivors are unable to escape trafficking. The US Government is actively enabling trafficking by restricting access to services.

Access to Legal Protections

The TVPA and other federal and state laws include multiple forms of legal protections for survivors of trafficking, including immigration protections, criminal record relief, and rights to civil litigation and restitution. The US has made some strides toward better legal protections for survivors by passing the Trafficking Survivors Relief Act in December 2025, but has otherwise taken extreme steps to deny survivors their legal rights in the last year.

Criminalization

The federal and state governments continue to criminalize victims, including sex and labor trafficking survivors, for the crimes related to their trafficking experience. Despite extensive training efforts, law enforcement and prosecutors rarely recognize the complex nature of trafficking in deciding whether or

¹³ US Government Accountability Office, “Child Trafficking: Addressing Challenges to Public Awareness and Survivor Support,” GAO-24-106038, 12/11/2023, <https://www.gao.gov/assets/d24106038.pdf>

¹⁴ Freedom Network USA, *Public Comment on the Evaluation of the National Human Trafficking Hotline*, 10/25/2019, <https://freedomnetworkusa.org/app/uploads/2019/11/FNUSAHotlineEvaluationSurveyComment-1.pdf>

not to pursue charges against a survivor. Survivors are often left with charges in multiple jurisdictions with varying criminal record relief options.¹⁵ Last year, FNUSA's Survivor Reentry Project¹⁶ supported over 137 survivors working to clear criminal records of a total of over 1716 charges, including Prostitution (37%), Drug Offenses (13%), Theft/Larceny (9%), Trespass/Loitering (8%), Forgery/false Documents (4%), Assault/Battery (3%), Robbery (2%), and Other (24%). Commercial sex remains unlawful throughout the US at the local, state, and federal levels. Law enforcement continues to arrest those believed to be engaged in sex work, even when they suspect that those being arrested may be sex trafficking survivors. While some jurisdictions use problematic 'diversion courts' or other mechanisms to allow criminalized victims to avoid incarceration, they continue to be traumatized by the arrest and experience of criminalization.

In contradiction with the federal statute classifying all minors engaged in commercial sex as victims, states and local governments continue to criminalize these minors. Only 30 states and the District of Columbia have non-criminalization Safe Harbor laws that protect child victims of sex trafficking from facing prostitution charges.¹⁷ These laws tend to ignore potential charges or immigration issues that child victims of labor trafficking may face, including drug charges or other criminal charges from crimes victims were forced to commit. The lack of special provisions for this criminal activity results in survivors with criminal records that create significant barriers to access to benefits and services that are essential to healing. In states with Safe Harbor legislation, there are issues with enforcement due to funding or staffing constraints.

A new federal law, the Trafficking Survivors Relief Act, creates a path to federal vacatur for survivors.¹⁸ The law is imperfect and creates a brand new process for the federal court system. This means it will take many months to years to determine which charges will be eligible for record clearing and the effectiveness of the law. Extensive training of US Attorneys and judges will be necessary to ensure survivors are equitably able to access relief. Distrust of the US DOJ's handling of survivor's information in releasing files from the Epstein trafficking case and clemency possibilities for convicted perpetrators is creating fear among survivors of the DOJ's ability to fairly handle this new process.^{19,20}

Restitution

FNUSA continues to be concerned about the US Government's failure to order mandatory criminal restitution in all human trafficking cases, and the woefully low rate of payment of restitution once it is ordered. Trafficking as a crime revolves around economic gain for the trafficker. Restitution provides one path to survivors regaining some of the financial losses from trafficking, but when it is rarely

¹⁵ Freedom Network USA, *Criminal Record Relief Laws for Survivors*, <https://freedomnetworkusa.org/advocacy/survivor-reentry-project/>

¹⁶ Freedom Network USA, <https://freedomnetworkusa.org/advocacy/survivor-reentry-project/>

¹⁷ Shared Hope, "Safe Harbor Map," <https://reportcards.sharedhope.org/safeharbormap/?location=wa;>
Freedom Network USA, "Criminal Record Relief Laws for Survivors," <https://freedomnetworkusa.org/advocacy/survivor-reentry-project/>

¹⁸ FNUSA, "FNUSA Recognizes Passage of Law Providing Limited Criminal Record Relief for Human Trafficking Survivors," 1/2026, <https://freedomnetworkusa.org/2026/01/28/fnusa-recognizes-passage-of-law-providing-limited-criminal-record-relief-for-human-trafficking-survivors/>

¹⁹ Chloe Atkins, et al., "Epstein survivors still identifiable in document dump despite DOJ promises, attorney says," *NBC News*, 2/2026, <https://www.nbcnews.com/politics/justice-department/epstein-survivors-still-identifiable-document-dump-doj-promises-attorn-rcna257485>

²⁰ Associated Press, "Ghislaine Maxwell appeals for clemency from Trump as she declines to answer questions," *NPR*, 2/2026, <https://www.npr.org/2026/02/10/g-s1-109413/maxwell-appeals-for-clemency>

ordered or paid, this remedy becomes inaccessible to survivors. Courts awarded mandatory restitution to trafficking victims in just 36% of human trafficking cases brought between 2009 and 2012.²¹ Even after this disturbing report was provided to the US Government, little improvement has been made. “Data collected and analyzed since the publication of the initial findings provide a disheartening portrait of a continuing failure on the part of United States federal courts to order criminal restitution to trafficking victims. The updated data indicated that the percentage of trafficking cases ending with a mandatory criminal restitution order dropped from 36% in the prior period to just 27% in the current research date range.”²² The most recent data indicates that in 2022, mandatory restitution was only ordered for 48% of convicted defendants, an increase from 36% ordered in 2021.²³ Prosecutors should also be trained to request restitution in the prosecution of similar and lesser offenses, such as visa fraud or smuggling, when victims have suffered abuse or exploitation.

Credit Repair

In 2022, Congress passed the Debt Bondage Repair Act (DBRA), a law to allow trafficking survivors to clear negative credit histories related to their trafficking experience. Since then, the US Consumer Financial Protection Bureau (CFPB) has overseen the implementation of the law. This oversight was halted when the CFPB was effectively dismantled in early 2025. Advocates working on improving implementation of the law have reported that the credit reporting agencies are refusing to follow the requirements of the DBRA and issuing invalid denials. They also all fail to provide required appeals processes, so survivors have no remedies for unfair denials. Without the CFPB enforcing the law, it has become largely inaccessible for survivors who do not have lawyers.

Access to Legal Protections for Immigrants

The US greatly restricted access to legal protections for immigrants in the US, including trafficking survivors during the reporting period. Trafficking survivors seeking access to the T Visa, a designated victim-based immigration benefit, now face immense hurdles to the safety provided by the visa. While the 2024 Final T Visa Rule finally implemented an updated process to provide bona fide determinations (BFDs) to T Visa applicants, US Citizenship and Immigration Services (USCIS) has failed to issue BFDs in a timely manner and has mostly refused to issue the full benefits that should accompany the decision. Legal service providers across the country report that clients are not being issued work authorization and deferred action with their BFDs, or the work authorization is issued many months after the BFD. Without work authorization, survivors are forced to seek out less safe work in order to survive, putting them at risk of re-exploitation. They are also left without US-government issued identification, and are at high risk of detention or deportation during increased, indiscriminate immigration enforcement.

Relief for Trafficking Survivors

Adjudication time for T Visa applications currently averages 28 months, a 47 percent increase from the average wait time a year ago.²⁴ The most recent quarterly report from USCIS shows almost 10 times as

²¹ Human Trafficking Legal Center and WilmerHale, *When “Mandatory” Does Not Mean Mandatory: Failure To Obtain Criminal Restitution in Federal Prosecution of Human Trafficking Cases in the United States*, September 2014, <https://htlegalcenter.org/wp-content/uploads/HTProBono-Trafficking-Restitution-Report.pdf>

²² Human Trafficking Legal Center and WilmerHale, *United States Federal Courts’ Continuing Failure to Order Mandatory Criminal Restitution for Human Trafficking Victims*, September 2018, <https://htlegalcenter.org/wp-content/uploads/2018-Mandatory-Restitution-Report.pdf>.

²³ Lindsey Lane, et al., Human Trafficking Institute, *2022 Federal Human Trafficking Report*, <https://traffickinginstitute.org/federal-human-trafficking-report/>

²⁴ Current processing times are provided by USCIS at <https://egov.uscis.gov/processing-times/>

many applications were denied compared to approved. Only 191 applications were approved between April and June of 2025.²⁵ The skyrocketing denial rate leaves survivors terrified of risking their lives to come forward to law enforcement without promise of protection. With a backlog of over 33,000 applications, and slower processing, survivors are now forced to wait years for relief. In 2025, the US Government moved adjudication from a dedicated service center (Vermont Service Center) with staff who were making progress on improving processing speed, to scattered centers across the country. USCIS is now failing to process applications in a timely manner, delaying access to lifesaving services and safety from deportation. USCIS is also failing to provide timely data reports on visa processing.

FNUSA members and others report barriers to obtaining T Visas in the form of frequent Requests for Evidence (RFEs) and denials that contravene legal standards.²⁶ Recent RFEs and denials have included victim-blaming language and clear errors of law, in which USCIS adjudicators improperly interpret the Immigration and Nationality Act (INA) and the regulations put out by USCIS itself. Even children have faced denials based on vague “national security grounds.”

Survivors of trafficking are also being detained and threatened with deportation back to unsafe conditions or to a third country. ICE threatened survivors with family separation and prosecution if they did not give up their T Visa applications and accept deportation orders.²⁷ Other survivors were threatened with years of detention while their immigration cases are processed. Some survivors chose to accept “voluntary departure” after receiving these threats and worrying about their children’s safety.²⁸ Under the Violence Against Women Act, human trafficking, domestic violence, and other abuse survivors should be protected by law from deportation and unnecessary detention, but ICE has issued guidance claiming it does not have to follow the law. This guidance faces a legal challenge as attorneys across the country are fighting to get their survivor clients out of detention.²⁹

The low number of Continued Presence (CP) grants authorized by law enforcement remains concerning. Foreign national survivors rely on this temporary immigration status to access emergency services and support while cooperating with law enforcement and working to apply for long-term immigration relief. While the number of CP grants increased in FY24 (317) compared to FY23 (269), the number of CP grants remains shockingly low to the number of T Visas issued in the same years: 2024 (3786) and 2023 (2281).³⁰ The low number of CP grants puts survivors in precarious immigration statuses where they are vulnerable to exploitation and less able to assist law enforcement in investigations. The basic

²⁵ USCIS, “Number of Form I-914, Application for T Nonimmigrant Status By Fiscal Year, Quarter, and Case Status,” 10/2025, https://www.uscis.gov/sites/default/files/document/data/i914t_visastatistics_fy2025_q3.xlsx

²⁶ Yael Schacher, Refugees International, 5/2019, <https://www.refugeesinternational.org/reports/2019/5/21/abused-blamed-and-refused-protection-denied-to-women-and-children-trafficked-over-the-us-southern-border>

²⁷ Ted Hessen and Kristina Cooke, “As Trump misses deportation goals, ICE pushes migrants to give up their cases,” *Reuters*, 12/2025, <https://www.reuters.com/world/us/ice-threatens-family-separation-indefinite-detention-satisfy-trump-deportation-2025-12-11/>

²⁸ *Ibid.*

²⁹ Julia Marnin, “ICE is jailing, deporting victims of human trafficking, domestic abuse, suit says,” *The Bee*, 10/2025, <https://www.sacbee.com/news/nation-world/national/article312574817.html>

³⁰ US DHS, “Countering Human Trafficking: Year in Review (October 2023 to September 2024),” https://www.dhs.gov/sites/default/files/2025-08/25_00809_ccht_fy24-year-in-review-annual-report_508.pdf

USCIS, “Number of Form I-914, Application for T Nonimmigrant Status By Fiscal Year, Quarter, and Case Status,” 12/2024, https://www.uscis.gov/sites/default/files/document/data/i914t_visastatistics_fy2024_q4.xlsx

protections offered by CP are critical to successful investigations. Legal advocates report that in 2025 ICE often refused to recognize CP as a valid immigration benefit when survivors with CP were detained in indiscriminate immigration enforcement actions. This unlawful denial of rights punishes the very survivors the US Government is supposed to protect, and results in survivors detained in facilities known for abuse and exploitation. Additionally, DHS quietly ended the Deferred Action for Labor Enforcement (DALE) program in early 2025.³¹ The DALE program was frequently utilized by trafficking survivors because law enforcement so rarely requests CP when survivors come forward. It allowed survivors to access some protection (although less than CP) after reporting labor abuses. The end of this program greatly decreased protections against abusive employers making retaliatory calls to ICE to deport workers who report abusive employers.

Asylum

As asylum pathways were virtually shut down throughout 2025, the US Government enabled trafficking by preventing survivors from seeking safety in the US and limiting protective immigration statuses for those trafficked in the US. As Customs and Border Patrol (CBP) ceased processing asylum claims at the southern border due to the asylum ban put in place on January 20, 2025, it then also unlawfully started denying credible fear screenings, essentially ending all screening for trafficking of asylum seekers. CBP has also removed migrants to “third countries” where they have no connections and are stranded in dangerous conditions.³² This process has directly enabled trafficking by putting migrants seeking asylum into the conditions that make them more vulnerable to trafficking.

The restrictions and processing changes put in place for those with asylum claims in the US also fuel trafficking. Trafficking survivors, like most trauma survivors, need time and a safe place to process their trauma sufficiently to be able to provide the information required by asylum officers to assess their claims properly. These policies prevent human trafficking survivors from attaining legal status by closing off asylum as a potential legal avenue, hindering them from securing counsel due to limited continuances in immigration court (as lawyers must spend more time and effort on each case, they will take fewer cases, and immigrants will be unable to retain a lawyer before their immigration hearings), and precluding them from securing collateral relief from USCIS.

Immigrant Workers

The US Government has failed to sufficiently address the widespread abuse from labor recruiters that lead directly to the abuse and exploitation of immigrant workers, despite massive increases in the amount of temporary work visas granted to US employers.³³ The H-2A, H-2B, and J-1 visa programs are rife with policies that make them easily exploited by abusive recruiters and exploitative employers. Even when employers are found to utilize forced labor or illegal recruitment practices, they often just register under different business names to continue to abuse the US temporary work visa system. In 2025, the US Government rescinded multiple regulations that help protect temporary workers, including the 2024 H-2A worker rule, “Improving Protections for Workers in Temporary Agricultural Employment in the

³¹ Elias Schisgall, “USCIS Quietly Ends Program to Shield Workers Reporting Abuse,” *Bloomberg Law*, 7/2025, <https://news.bloomberglaw.com/daily-labor-report/uscis-quietly-ends-program-to-shield-workers-reporting-abuse>

³² HIAS, “Trump’s Asylum Ban and the U.S.-Mexico Border — What You Need to Know,” 5/2025, <https://hias.org/news/trumps-asylum-ban-and-u-s-mexico-border-what-you-need-know/>

³³ USCIS, “Temporary Increase in H-2B Nonimmigrant Visas for FY 2026,” 1/2026, <https://www.uscis.gov/working-in-the-united-states/temporary-workers/h-2b-non-agricultural-workers/temporary-increase-in-h-2b-nonimmigrant-visas-for-fy-2026>

United States,” which required basic safety protections like seatbelts in company-provided transportation and improved workers’ ability to report abuse.³⁴ Both federal and state laws are insufficient to prevent forced labor recruitment and hold employers and recruiters accountable. Most migrant workers are trapped by visa restrictions that tie them to their employer or require the employer’s permission to change jobs.

Both immigrant survivors and other immigrants have been negatively impacted by the USCIS discontinuing the practice of automatic Employment Authorization Document (EAD) extensions in October 2025. Now, when an EAD expires, immigrants will have a gap in employment authorization while they await the new document. Due to delays, it can take up to 5 to 7 months to receive a new EAD, leaving immigrants in limbo where they cannot legally work, but have to provide for themselves and their families. This creates and exacerbates vulnerabilities to trafficking by forcing people to take less legally protective jobs and by handing new tools to abusers and traffickers.³⁵

Unaccompanied Children

The US Government attempted to strip critical protections for Unaccompanied Children established by the TVPA in 2025. The racist family separation policies have resulted in parents being separated from their children at the border, who are then unaccompanied in the immigration system. The US Government has actively violated a settlement arising from the first Trump Administration barring family separation, except in limited circumstances. Families have been separated after refusing to succumb to coercion to withdraw their asylum claims and during transfers between ICE detention facilities. Children have frequently been sent to HHS Office of Refugee Resettlement (ORR) care because one or more parents have been taken into ICE custody. A reconciliation law passed in July 2025 included expanded cursory screenings for trafficking of unaccompanied children in violation of the TVPA. It also requires physical examinations of children’s bodies for gang markings by untrained professionals and burdensome new fees for applications for asylum and Special Immigrant Juvenile Status.³⁶ The reconciliation law by nature should not include any substantive policy changes, and the additions circumventing the TVPA and the *Flores* Settlement put children in danger.³⁷

The TVPA reauthorization of 2008 requires DHS to follow specific rules in identifying placements for unaccompanied children and following specific standards for care of children in its custody, exempts unaccompanied children from expedited removal, and promotes access to legal representation. DHS has attempted to dismantle the protective system in place to prevent deportation and detention of unaccompanied children. It has targeted sponsors of unaccompanied children for immigration enforcement actions, resulting in separations after arrests, and destabilizing the children’s community support networks as they are sent to shelters. ORR put in place many policy changes in 2025 that undermine children’s safety, including drastically slowing down and stopping the release of children

³⁴ 90 FR 28919

³⁵ Joint Comment on DHS Docket No. USCIS-2025-0271-0001, 12/2025, <https://freedomnetworkusa.org/app/uploads/2025/12/Joint-Comment-on-the-Removal-of-Automatic-Extensions-of-EADs-12.1.2025.pdf>

³⁶ The Young Center, “The Budget Reconciliation Law Will Harm Unaccompanied Children and Families,” 8/2025, <https://www.theyoungcenter.org/publications/the-budget-reconciliation-law-will-harm-unaccompanied-children-and-families/>

³⁷ Brief of Members of Congress as Amici Curiae in Support of Plaintiffs-Appellees and Affirmance, *Flores v. Bondi*, et al., 25-820, (9th Cir.), https://www.budget.senate.gov/imo/media/doc/merkley_durbin_peters_flores_settlement_amicus_brief1.pdf

from ORR shelters and halting approvals of sponsor applications. Burdensome sponsor requirements were put in place to allow ORR to keep more children in custody without release to safe sponsors. Children held in ORR custody are often pressured into accepting voluntary departure agreements without access to legal counsel or forcibly removed to countries of origin.^{38,39}

The US Government also attempted to dismantle key elements of the Unaccompanied Children Program established in the TVPA by cutting off funding in March 2025 to legal service providers assisting unaccompanied children. Around 26,000 children were at risk of losing legal representation. The funding was only restored after a lawsuit from some of the organizations providing services under the contract.⁴⁰ Children require legal assistance so they do not have to represent themselves in court and can navigate the complex immigration system as they apply for immigration protections such as a T Visa, asylum, or Special Immigrant Juvenile Status.

In August 2025, ICE agents were sent to government shelters holding unaccompanied children to deport them. Over 600 unaccompanied Guatemalan children were taken from the shelter in the middle of the night and placed on flights for immediate deportations to their country of origin. The flights were stopped after advocates quickly filed a class action lawsuit and a judge ordered ICE to return the children to the shelters because they expressed fear of return and ICE did not have the authority to remove them from ORR custody or deport them.⁴¹ This attempt showed complete disregard for the TVPA's protections for unaccompanied children and due process, and put the children in potential immediate danger if they had been sent to Guatemala.

The US Government systematically dismantled critical protections throughout its immigration system that protect survivors and prevent vulnerabilities to human trafficking during the reporting period. Its legal systems continued to criminalize survivors and eroded the public trust necessary for survivors to come forward. As federal agencies were dismantled and services were cut, survivors lost fair access to legal rights and remedies afforded to them by US law.

Prevention Efforts

The US Government has failed to invest in effective prevention efforts since the TVPA was passed in 2000, and has undermined prevention efforts by pursuing harmful policies that increase vulnerabilities to trafficking. By dismantling the social safety net through decreased funding and severe restrictions, failing to enforce anti-discrimination laws, and attacking access to medical care, the US Government enables trafficking and weakens the effectiveness of anti-trafficking programs.

³⁸ KIND, "How the Administration's Enforcement Policies Are Separating Families and Harming Unaccompanied Children, 1/2026, https://supportkind.org/wp-content/uploads/2026/01/26_Family-Separation-Policy-Brief-1.pdf

³⁹ The Young Center, "The Budget Reconciliation Law Will Harm Unaccompanied Children and Families," 8/2025, <https://www.theyoungcenter.org/publications/the-budget-reconciliation-law-will-harm-unaccompanied-children-and-families/>

⁴⁰ Associated Press, "Judge orders White House to restore legal aid to unaccompanied migrant children," *NPR*, 4/2025, <https://www.npr.org/2025/04/02/nx-s1-5348831/judge-trump-administration-legal-aid-to-migrant-children>

⁴¹ The Young Center, "Children's Advocates Condemn the Failed, Unlawful Removal of Guatemalan Children by the Trump Admin," 8/2025, <https://www.theyoungcenter.org/press-releases/childrens-advocates-condemn-the-failed-unlawful-removal-of-guatemalan-children-by-the-trump-admin/>

The US Government failed to engage in primary prevention efforts to change the conditions that allow trafficking to thrive in the US, and actively dismantled many of the programs that do help prevent vulnerabilities to trafficking in 2025. The lack of affordable access to basic needs like housing, food, healthcare (including reproductive and gender-affirming care), mental healthcare, childcare, education, and transportation, as well as the actively harmful immigration and carceral systems, create and increase vulnerabilities to exploitation. Systemic reforms to labor, immigration, social safety net support, the child welfare system, education, family support, the juvenile and criminal justice systems, community education, and the creation of positive market forces (through programs such as the Coalition of Immokalee Workers' Fair Food Program⁴²) are more important in preventing human trafficking than billboard campaigns and interventions after the fact. In a more broadly focused approach, workers are free from discrimination, learn their rights, are fairly paid, have access to safe and affordable housing, health care, and education, and can report concerns without fear of reprisal.

The prevention education efforts funded and supported by the US Government are limited in scope. They focus almost entirely on identifying trafficking generally. Children are not provided the tools needed to understand if they are in unsafe situations, like comprehensive sex education and workers' rights training. Existing awareness and prevention campaigns are not evidence-based and many spread misinformation about trafficking and sexual health.

Efforts to integrate more prevention programming at HHS were stalled in 2025. The agency released a comprehensive prevention plan in 2024, but stopped making progress toward implementing it last year. This plan was a monumental first step in recognizing the importance of coordinated prevention efforts that address intersecting vulnerabilities to violence. Without it in place, the US Government's limited progress in preventing trafficking will be stalled.

The US Government fails to invest in effective trafficking prevention efforts, and instead chooses to dismantle the few social safety net protections available. In 2025, the limited prevention efforts were sidelined as the Trump Administration prioritized harm toward vulnerable communities.

Investigations and Prosecutions

The US Government overtly prioritizes the investigation and prosecution of trafficking over investment in victim services and prevention. In 2025, this trend continued, and survivors' rights to due process were eroded as indiscriminate immigration enforcement became the norm.

Prosecutions

The US Government continues to prioritize sex trafficking prosecutions over labor trafficking. In FY24, only 10 prosecutions predominantly involved labor trafficking compared to 136 involving predominantly sex trafficking.⁴³ However, service providers tell a very different tale of human trafficking in the US, identifying far higher percentages of labor trafficking victims. FNUSA members are supporting far more labor trafficking survivors, reporting that 32% of their clients were survivors of sex trafficking, 46% were survivors of labor trafficking, and 9% were survivors of both.⁴⁴ DOJ's human trafficking services grantees

⁴² For more information, see <http://ciw-online.org/>.

⁴³ 2025 TIP Report United States Country Report

⁴⁴ Freedom Network USA 2025 Member Report, data reflecting services provided from 1/1/23 to 12/31/24, <https://freedomnetworkusa.org/app/uploads/2025/11/2025-Member-Report-1.pdf>

served 17,561 trafficking survivors in FY24; 67% were victims of sex trafficking, 17% labor trafficking, and 7% both sex and labor trafficking.⁴⁵

During the first Trump Administration, prosecution numbers dropped significantly as immigrant survivors were afraid to come forward and assist as witnesses due to immigration crackdowns.^{46,47} Immigrant survivors are less likely to report violence against them when they are fearful of potential deportation or detention for themselves or their family members. With far more aggressive and indiscriminate anti-immigration campaigns taking place throughout 2025 and into 2026, it is likely prosecution numbers will decrease again. As protections for survivors from detention and deportation are often ignored by ICE, survivors have fewer of the safety guarantees that make it possible for them to come forward and participate as witnesses.

Investigations

Law enforcement agencies across the country continue to utilize problematic practices and fail to investigate all forms of trafficking. Service providers report that law enforcement agencies fail to respond to reports of trafficking made by service providers. Law enforcement is least likely to respond when the survivor has already gotten out of the trafficking situation, the survivor experienced labor trafficking, the survivor was smuggled into the US, or in cases of trafficking by a family member. This disparity can be inferred from the data provided by USCIS, showing that although all T Visa applicants are required to report their trafficking experience to law enforcement, only 16% submitted the I-914 Supplement B documentation provided by law enforcement.⁴⁸

Law enforcement agencies continue to participate in stings and raids where survivors and sex workers are arrested, leaving them with burdensome criminal records that make them more vulnerable to future exploitation. Some law enforcement agencies use victim services funds from the DOJ for ‘john stings’ designed to arrest potential sex buyers using decoys completely unrelated to identifying sex trafficking survivors.⁴⁹ Each dollar spent arresting a sex worker or customer seeking consensual sex with an adult is a dollar taken away from housing, legal services, food, or education for a trafficking survivor.

The US Government has also been complicit in the abuse and exploitation of sex trafficking survivors. Law enforcement agents have knowingly engaged in sexual abuse of suspected sex trafficking victims during their investigation of the very victimization that the law enforcement agents were committing.⁵⁰ State and local agencies often engage in the same type of abuse during investigations of sex work and massage parlors.

⁴⁵ 2025 TIP Report United States Country Report

⁴⁶ Immigrant Survivors Fear Reporting Violence, 5/2019, <https://www.tahirih.org/wp-content/uploads/2019/06/2019-Advocate-Survey-Final.pdf>

⁴⁷ 2022 Trafficking in Persons Report United States Country Report and 2024 Trafficking in Persons Report United States Country Report

⁴⁸ USCIS, *Characteristics of T Nonimmigrant Status (T Visa) Applicants*, January 2022

⁴⁹ Hannah Garry and Maura Reinbrecht, *Over-Policing of Sex Trafficking: How U.S. Law Enforcement Should Reform Operations*, International Human Rights Clinic at USC Gould School of Law, 15 November, 2021, <https://humanrightsclinic.usc.edu/2021/11/15/over-policing-sex-trafficking-how-u-s-law-enforcement-should-reform-operations/>

⁵⁰ Mackensie Shulman, et al, *AP News, Documents: Federal Agents Engaged in Sex Acts with Victims*, 5/11/2020, <https://apnews.com/article/nv-state-wire-police-us-news-az-state-wire-ca-state-wire-1c86224532d2ab314fe0f245bdce62b9>

Criminalization

Despite significant training efforts, some law enforcement agencies still utilize the problematic practice of arresting survivors in order to connect them to services or coerce them into testifying against their traffickers, including some OVC-funded task forces.⁵¹ The Enhanced Collaborative Model Human Trafficking Task Forces (ECMs) were intended to ensure survivors identified by law enforcement are referred to appropriate service providers, but the funding has been redirected to practices that are not trauma-informed and do not connect survivors to services.⁵² This practice traumatizes survivors, results in lasting criminal records that prevent them from accessing jobs, housing, and education, and prevents them from trusting law enforcement in the future.

Prosecutors and law enforcement also often fail to recognize survivors as victims and charge and prosecute them as perpetrators. Some even recognize survivors were forced to commit crimes as part of the trafficking experience and choose to prosecute them anyway.

The juvenile justice system in the US disproportionately criminalizes Black and Brown youth, youth who have experienced trauma, and youth experiencing homelessness. The sexual abuse-to-prison pipeline has a disproportionate impact on Black girls. Despite laws protecting child victims of sex trafficking from criminalization, youth, particularly Black youth are charged with prostitution and treated as perpetrators, receiving over half of prostitution arrests for youth under age 18.^{53,54} The juvenile justice system does not connect criminalized youth with appropriate services to help survivors or prevent trafficking, on top of traumatizing youth involved in the system. There is a lack of safe places to take trafficked minors who do not have a safe home to return to, so they are often kept in juvenile detention, which can cause additional trauma.⁵⁵ Around 46% of youth experiencing homelessness have also been in a juvenile detention facility, jail, or prison.⁵⁶ This creates further vulnerabilities to trafficking for criminalized children.

Judges

Service providers report that prosecutors and judges routinely fail to protect victims' rights during trials, including failure to update victims on the status of the case, to protect their privacy, to recognize victim rights counsel, and to order restitution. Judges also punish trafficking survivors for forced criminal acts. Judges continue to support diversion courts designed to force suspected or confirmed survivors into services under the threat of incarceration, which is not trauma-informed and causes harm to survivors

⁵¹ Freedom Network USA, *FY2025 Human Trafficking Funding Recommendations*, 7/2024, <https://freedomnetworkusa.org/app/uploads/2024/07/FY25-FNUSA-Funding-Recommendations-for-OVC.pdf>

⁵² Ibid.

⁵³ National Black Women's Justice Institute, "Sex Trafficking of Black Women & Girls," 1/2022, https://www.nbwji.org/files/ugd/0c71ee_cd4d16e2b9ce4568be165c09a6badf53.pdf

⁵⁴ US Government Accountability Office, "Child Trafficking: Addressing Challenges to Public Awareness and Survivor Support," GAO-24-106038, 12/11/2023, <https://www.gao.gov/assets/d24106038.pdf>

⁵⁵ US Government Accountability Office, "Child Trafficking: Addressing Challenges to Public Awareness and Survivor Support," GAO-24-106038, 12/11/2023, <https://www.gao.gov/assets/d24106038.pdf>

⁵⁶ Coalition for Juvenile Justice, *Addressing the Intersections of Youth Legal System Involvement and Homelessness*, <https://www.juvjustice.org/sites/default/files/resource-files/Principles%2520for%2520Change-3-compressed-2.pdf>

who are criminalized for their victimization.⁵⁷ Judges require more training on safe harbor statutes, criminal record relief, and affirmative defense options for trafficking survivors in states where those remedies are available.

Immigration judges fail to protect trafficking survivors when they deny relief, including asylum and other forms of protection. Immigration judges often defer to government attorneys, provide the government with more flexibility (such as with filing deadlines and continuances), and deny applications on discretionary grounds. Immigrant survivors are not protected in immigration courtrooms, as ICE agents now frequently arrest immigrants as they leave hearings. Judges allow cases to be pushed into expedited removal at ICE's request despite this process interfering with immigrants' access to due process.⁵⁸ Judges also fail to protect survivors with pending T Visa applications from detention and deportation, even when the survivor provides evidence of their application.

Immigration Enforcement

The immigration system in the US has never been safe for trafficking survivors, but became significantly more dangerous in 2025 as the US Government began mass indiscriminate deportation efforts and reduced protections for survivors. ICE's refusal to check for victim-based visa application status before arresting survivors, has resulted in the detention and deportation of many survivors despite legal rights to remain in the US.⁵⁹ After a US Supreme Court ruling in September, restrictions on ICE conducting stops based on racial profiling were lifted, allowing ICE to stop and search anyone based on appearance, race or ethnicity, or the language they speak. These stops have created mass fear across the country as ICE has detained immigrants and US citizens based on their appearance.⁶⁰ Rulings like this one, alongside policy decisions from the US Government, attempt to exempt ICE from accountability measures for its indiscriminate and dangerous actions. Practices like these leave survivors without access to safety. They also enable trafficking by creating a culture of fear in which immigrants cannot safely come forward to escape trafficking and abuse.

The overemphasis on law enforcement as a solution for trafficking in the US has created a system in which survivors' needs are not prioritized, and they are made less safe in pursuit of increases in enforcement numbers. In 2025, the US Government systematically reduced survivors' access to their rights and ensured they would be caught in up in mass deportation efforts. Survivors face lifelong criminal records that prevent them from accessing jobs, education, and safe housing. The US Government chooses to focus on ineffective and harmful enforcement tactics while abandoning assistance for survivors.

⁵⁷ Becca Kendis, Case Western Reserve Law Review, 2019, *Human Trafficking and Prostitution Courts: Problem Solving or Problematic?*, <https://scholarlycommons.law.case.edu/cgi/viewcontent.cgi?article=4815&context=caselrev>; Melissa Cook, et al., Health Justice, 2021, *A Longitudinal Study of Justice Characteristics Among Girls Participating in a Sex Trafficking Court Program*, <https://rdcu.be/cGnut>

⁵⁸ Laila Khan, "As ICE Courthouse Arrests Continue, Few Immigration Courts Resist Pushing Cases Into Expedited Removal," *American Immigration Council*, 11/2025, <https://www.americanimmigrationcouncil.org/blog/ice-arrests-immigration-courts-expedited-removal/>

⁵⁹ Public Counsel, "Legal Challenge Seeks to End Harmful ICE Policy Targeting Immigrant Survivors of Domestic Violence, Human Trafficking, and Other Serious Crimes," 10/2025, <https://publiccounsel.org/press-releases/legal-challenge-seeks-to-end-harmful-ice-policy-targeting-immigrant-survivors-of-domestic-violence-human-trafficking-and-other-serious-crimes/>

⁶⁰ Emmy Martin, et al., "Racial profiling concerns grow as ICE expands presence in Twin Cities," 12/2025, <https://www.startribune.com/racial-profiling-concerns-grow-as-ice-expands-presence-in-twin-cities/601545116?>

Survivor Leadership

The US Government across all branches has historically only included lived experience input in limited circumstances. The programs that did exist for survivors to meaningfully share their expertise and influence policies were cut or reduced significantly in 2025.

The US Advisory Council on Human Trafficking

The US Advisory Council on Human Trafficking was created by the TVPA and is intended to serve as an advisory body for US Government agencies. The Council has historically provided feedback on agency functions to help move agencies toward more survivor-centered and trauma-informed programs. The US Department of State (DOS) houses the Council and provides the resources for it to function. DOS cut the funding to the contractor who supports the Council operations, preventing the Council from traveling for oversight functions and meeting with key agency staff. The concerns of the Council have been historically dismissed even before the funding cuts. The Council's 2025 report⁶¹ highlighted recommendations made by the Council members over the last 10 years, many of which are repeated yearly, but never taken up by the US Government. The Council has frequently recommended the US Government address the root causes of human trafficking, protect immigrant survivors, invest in comprehensive victim services, and protect marginalized survivors. In 2025, the US Government took direct action to dismantle the programs that meet these needs and exacerbate the root causes of trafficking. DOS also failed to officially publish the Council's 2025 report to its website alongside the Council's past reports.

Lived Experience Consultation

DOS operates a consultant network of lived experience experts to inform the work of the DOS Office on Trafficking in Persons. Other federal agencies also relied on this consultant pool to identify experts for consulting work across the government. This network became essentially defunct as the office's budget was cut substantially and experts have stopped being called in to consult. DOS also dropped contracts with survivors working on its annual Trafficking in Persons Report. One consultant working on a section describing the needs of LGBTQ+ survivors was informed in February 2025 that the entire section would not be included in the report.⁶²

After multiple executive orders were issued by the White House in early 2025 regarding diversity, equity, and inclusion efforts, gender inclusion, and immigrants' access to services, DOS, DOJ, and HHS, among other agencies, began issuing "banned word" lists and censoring certain terms from government materials.^{63,64} Word bans silence survivors and force them to tell their personal experiences within state-sanctioned ways. Survivors working on federal contracts report receiving feedback that terminology with which they choose to identify their lived experience violates these executive orders. Violating the

⁶¹ US Advisory Council on Human Trafficking, "Annual Report 2025," 12/2025,

https://freedomnetworkusa.org/app/uploads/2026/01/2025-Council-Annual-Report_FINAL12.25.pdf

⁶² Phillip Martin, "State Department erases LGBTQ victims from human trafficking report," *GBH*, 2/2025,

<https://www.wgbh.org/news/news-programs/2025-02-07/state-department-erases-lgbtq-victims-from-human-trafficking-report>

⁶³ Executive Orders 14151, 14168, and 14159

⁶⁴ "Murray, Sanders, Baldwin Demand Reversal, Explanation of Trump Admin's "Banned Word" List That Threatens Families' Access to Head Start Programs Nationwide," US Senator Patty Murray, 12/2025,

<https://www.murray.senate.gov/murray-sanders-baldwin-demand-reversal-explanation-of-trump-admins-banned-word-list-that-threatens-families-access-to-head-start-programs-nationwide/>

autonomy of survivors in this way silences them and results in losing voices that are critical to making good public policy.

The US Congress rarely considers the input of people with lived experience of trafficking when creating new laws. When lived experience experts are consulted, often only one or two survivors are allowed to provide input, rarely reflecting the broad range of survivors' experiences. It is critical to involve survivors with a wide range of experiences to prevent tradeoffs of protections that are critical for some groups of survivors. Unlike other branches of the US Government, Congress has no formal mechanism for lived experience experts to inform legislative efforts.

The few avenues for experts with lived experience to provide input into US policy were disrupted in 2025 as the US Government drastically de-prioritized engagement with survivors. The disregard shown for survivors' expertise exemplifies the US Government's unwillingness to meet even the most basic standards for addressing human trafficking.

Attacks on Marginalized Survivors

Human trafficking can only be fought if the vulnerabilities of the most impacted communities are also addressed. However, instead of assisting vulnerable communities with access to the services they need to survive, the US Government outwardly attacked marginalized communities throughout the reporting period. US policy continues to uphold the systemic marginalization of Native people, LGBTQ+ individuals, immigrants, Black and Brown people, and low-income communities. This marginalization causes abuse and exploitation, including human trafficking, and reduced access to protection, services, and support. These actions have encouraged human trafficking and increased vulnerabilities to exploitation for millions of people in the US.

LGBTQ+ Survivors

In a study released by the DOJ's Office of Juvenile Justice and Delinquency Prevention on youth trading sex (victims of sex trafficking using the federal definition), over half of the individuals surveyed were LGBTQIA-identified.⁶⁵ FNUUSA has noted for years that LGBTQ+ communities are both overrepresented among youth trafficking survivors and desperately underserved in terms of both resources and protections.⁶⁶ Scaling back these limited protections causes further marginalization and increases vulnerability to exploitation and abuse, particularly for LGBTQ+ youth, who are often pushed out of their homes due to discrimination.

Attacks on the rights of the LGBTQ+ community, especially transgender individuals, are intended to exclude them from access to full human rights and make the community a scapegoat for societal ills. When LGBTQ+ individuals do not come forward for help due to fear of discrimination or harm, they are more vulnerable to trafficking and stay in trafficking situations for longer. The US Government's attempts to erase trans and gender-expansive individuals from government materials, restrict access to lifesaving healthcare, refuse to recognize changed gender markers, and restrict access to education about the LGBTQ+ community, will put these communities at increased risk of violence and prevent anti-

⁶⁵ Swaner, et al., *Youth Involvement in the Sex Trade: A National Study*, March 2016, <https://www.courtinnovation.org/publications/youth-involvement-sex-trade>.

⁶⁶ Freedom Network USA, 2016 Member Report, *Spotlight: Unique Vulnerabilities of LGBTQIAI Community Members*, <https://freedomnetworkusa.org/app/uploads/2016/12/Member-Report-2015-Electronic-Version.pdf>

trafficking efforts from reaching them.^{67,68} The further erasure of other LGBTQ+ identities from government materials expands the chilling effect.⁶⁹ Survivors will not come forward if they are led to believe they are ineligible for services. This erasure of LGBTQ+ survivors does nothing to help survivors of trafficking and, instead, prevents service providers and governments from improving their efforts to address human trafficking. The US Government also cut funding to services for LGBTQ+ youth and for the Suicide and Crisis Lifeline's LGBTQ+ Youth Specialized Services Hotline.⁷⁰ The DOJ recently ended standards for prisons and jails designed to protect transgender, intersex, and gender-nonconforming people from sexual violence.⁷¹ Incarcerated survivors already face few protections from violence, and will now be placed in further danger. Silencing communities does not erase them, it forces them into isolation that fuels trafficking and exploitation. The US Government made active policy choices to increase the LGBTQ+ community's vulnerabilities to trafficking in 2025.

Black and Brown Survivors

US history is replete with systemic and individual acts of abuse and exploitation of Black and Brown people. The development of US legal protections for workers was explicitly racist, excluding agriculture and domestic work, sectors filled with formerly enslaved people, from seminal labor rights legislation.⁷² These industries continue to be rife with abuse and exploitation, including labor and sex trafficking. The explicit exclusion of prison labor from the US Constitutional ban on slavery demonstrates the intentional, systemic oppression of Black communities in the criminal legal system.⁷³ Black women, girls, and gender non-conforming people are disproportionately represented as victims of trafficking, and transgender youth of color are at a high risk of sex trafficking. Despite this, significantly more Black youth survivors are criminalized with arrests for prostitution than white youth.⁷⁴

During the reporting period, the US Government enacted new policies directly attacking People of Color in the US. Executive orders regarding diversity, equity, and inclusion initiatives prompted broad erasure of People of Color from government websites, materials, and museums.⁷⁵ As companies attempted to

⁶⁷ Lindsey Dawson and Jennifer Kates, "Overview of President Trump's Executive Actions Impacting LGBTQ+ Health," *KFF*, 1/2026, <https://www.kff.org/lgbtq/overview-of-president-trumps-executive-actions-impacting-lgbtq-health/>

⁶⁸ Orion Rummier and Kate Sosin, All the ways Trump wants to exclude trans people from public life," *The 19th*, 3/2025, <https://19thnews.org/2025/03/trump-anti-trans-executive-orders/>

⁶⁹ Huo Jingnan and Quil Lawrence, "Here are all the ways people are disappearing from government websites," *NPR*, 3/2025, <https://www.npr.org/2025/03/19/nx-s1-5317567/federal-websites-lgbtq-diversity-erased>

⁷⁰ Brooke Sopelsa and Jo Yurcaba, "Trump administration shuts down LGBTQ youth suicide hotline," *NBC News*, 7/2025, <https://www.nbcnews.com/nbc-out/out-news/trump-shuts-down-lgbtq-youth-suicide-hotline-rcna219090>

⁷¹ Jaelyn Diaz, "DOJ orders prison inspectors to stop considering LGBTQ safety standards," *NPR*, 12/2025, <https://www.npr.org/2025/12/04/nx-s1-5630490/prison-doj-safety-memo-changes-trans-lgbtq-inmates>

⁷² Juan Perea, *The Echoes of Slavery: Recognizing the Racist Origins of the Agricultural and Domestic Worker Exclusion from the National Labor Relations Act*, 2011,

<https://lawcommons.luc.edu/cgi/viewcontent.cgi?article=1150&context=facpubs>

⁷³ Harvard University, *Confronting Anti-Black Racism Resource: Criminal Justice*, <https://library.harvard.edu/confronting-anti-black-racism/criminal-justice>; Kica Matos and Jamila Hodge, Vera Institute of Justice, *The Chains of Slavery Still Exist in Mass Incarceration*, 6/17/2021, <https://www.vera.org/blog/the-chains-of-slavery-still-exist-in-mass-incarceration>.

⁷⁴ National Black Women's Justice Institute, "Sex Trafficking of Black Women & Girls," 1/2022, https://www.nbwji.org/files/ugd/0c71ee_cd4d16e2b9ce4568be165c09a6badf53.pdf

⁷⁵ Rivka Maizlish, "Erasing the Past: The Trump administration's attacks on history since 2025," *Southern Poverty Law Center*, 2/2026, <https://www.splcenter.org/resources/hatewatch/attacks-history-timeline-trump-administration/>

remain in good standing with the Trump Administration, equity policies were eliminated across the country. Service providers funded by the federal government faced censorship from grantmaking agencies, jeopardizing their work to protect human trafficking survivors.⁷⁶

Immigrant Survivors

The US Government's immigration policies have long been rooted in racism.⁷⁷ It is incredibly difficult for immigrant survivors of human trafficking to come forward. Government-led discrimination and xenophobia make immigrants, particularly immigrant children and LGBTQIA immigrants, increasingly vulnerable to human trafficking.

During the reporting period, the indiscriminate attacks on immigrants created mass fear of accessing services and coming forward for help. Without the promise of protections and assistance, immigrants were forced further underground. In states where ICE has deployed for massive immigration raids, like Minnesota, immigrants and People of Color fear leaving their homes for basic necessities like groceries, work, and medical care.⁷⁸ For immigrants caught up in the raids, inhumane and dangerous detention conditions resulted in abuse and medical neglect.⁷⁹ As noted in other sections, the rights of trafficking and abuse survivors were frequently ignored throughout 2025, leaving survivors with little access to the protections they are promised in the TVPA.

Disabled Survivors

The US Government largely ignores the needs of survivors with disabilities. Few specialized services have been created, and survivors frequently report that services are inaccessible, despite trafficking often being a disabling event. During the reporting period, accessibility enforcement, employment protections, and healthcare access were all rolled back.⁸⁰ Programs supporting disabled people at risk of homelessness received abrupt funding cuts.⁸¹ The cuts to nutrition assistance and health insurance for immigrant survivors will have a disproportionate impact on disabled survivors.⁸² Survivors rely on these

⁷⁶ FNUSA, "Lawyers' Committee Sues Trump Administration Over Anti-DEI Executive Orders on Behalf of Anti-Human Trafficking Organization," 10/2025, <https://freedomnetworkusa.org/2025/10/10/lawyers-committee-sues-trump-administration-over-anti-dei-executive-orders-on-behalf-of-anti-human-trafficking-organization/>

⁷⁷ Richard Boswell, *Racism and US Immigration Law: Prospects for Reform After "9/11?"*, *Journal of Gender, Race & Justice*, 2003, https://repository.uchastings.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1057&context=faculty_scholarship

⁷⁸ Jasmine Garsd, "Minneapolis doctors warn of lasting medical effects, even after ICE agents leave," *NPR*, 2/2026, <https://www.npr.org/2026/02/11/nx-s1-5704221/minneapolis-doctors-warn-of-lasting-medical-effects-even-after-ice-agents-leave>

⁷⁹ Aaron Reichlin-Melnick, "New Report Details ICE's Expanding and Increasingly Unaccountable Detention System," *American Immigration Council*, 1/2026, <https://www.americanimmigrationcouncil.org/blog/ice-expanding-detention-system/>

⁸⁰ Mia Ives-Rublee and Casey Doherty, "The Trump Administration's War on Disability," *Center for American Progress*, 7/2025, <https://www.americanprogress.org/article/the-trump-administrations-war-on-disability/>

⁸¹ Kathleen Romig and Devin O'Connor, "Trump Administration Abruptly Cut Off Highly Effective Support for Disabled People Experiencing Homelessness," *Center on Budget and Policy Priorities*, 10/2025, <https://www.cbpp.org/blog/trump-administration-abruptly-cut-off-highly-effective-support-for-disabled-people>

⁸² Drishti Pillai, et al., "1.4 Million Lawfully Present Immigrants are Expected to Lose Health Coverage due to the 2025 Tax and Budget Law," *KFF*, 9/2025, <https://www.kff.org/immigrant-health/1-4-million-lawfully-present-immigrants-are-expected-to-lose-health-coverage-due-to-the-2025-tax-and-budget-law/>

benefits and programs to find safe housing and affordable healthcare. Without them, there are few options for survivors to access lifesaving assistance.

Lack of access to safe and affordable housing, child care, safe living-wage employment, medical and mental health care, effective child and family support, and immigration relief, coupled with ongoing discrimination against Black and Brown people, immigrants, and LGBTQ+ individuals, are all direct contributors to vulnerability. A significant reduction in human trafficking requires significant changes to the systems that have put these communities at risk. It requires expanded social services and support for those most vulnerable to exploitation and abuse. There must be significantly increased access to health and mental healthcare, protections for LGBTQ+ individuals, and legal status for immigrants. We must transform systems of accountability to end the ongoing horror of police violence against Black and Brown people.

Labor Rights and Protections

The US Government has historically failed to include labor trafficking in its policies and enforcement efforts. Despite trafficking falling under criminal statutes, US law characterizes most employment-related violations as civil, and not criminal, violations. Additionally, labor protections vary by jurisdiction, making it difficult for workers to understand and protect their rights. During the reporting period, the few protections available to workers were hindered by US Government actions.

Labor Rights Enforcement and Trafficking Investigations

With limited funding for enforcement by the US Department of Labor (DOL) and US Equal Employment Opportunity Commission (EEOC), workers, especially low-wage workers, are left with few protections.⁸³ These agencies also both faced cuts in 2025 to their workforce, resulting in little to no workplace safety enforcement in the US. The DOL actively cut programs and reversed policies that protect workers from exploitation, handing traffickers new tools to abuse workers.⁸⁴ The DOL was effectively increasing its child labor investigations in 2023 and 2024, aiding in its identification of trafficking. The cuts made to the number of DOL Wage and Hour investigators and offices in 2025 reversed this positive course.⁸⁵

Forced Arbitration

The US Government continues to allow employers to force survivors into private arbitration of human trafficking claims.⁸⁶ Survivors are unable to access justice when they are not allowed to access the court

⁸³ Elizabeth Warren and Ro Khanna, "10 Worker Protections that Should be in the US Government's Next Aid Package," *CNN Business Perspectives*, 5/2020, <https://www.cnn.com/2020/05/13/perspectives/stimulus-package-worker-protections/index.html>; Celine McNickolas and Margaret Poydock, "We Need an Essential Workers Bill of Rights," *Economic Policy Institute Working Economics Blog*, 5/2020, <https://www.epi.org/blog/congress-must-include-worker-protections-in-the-next-coronavirus-relief-bill-we-need-an-essential-workers-bill-of-rights/>

⁸⁴ Julie Su, et al., "Trump's Department of Labor Continues Its Onslaught against Workers," *The Century Foundation*, 7/2025, <https://tcf.org/content/commentary/trumps-department-of-labor-continues-its-onslaught-against-workers/>

⁸⁵ Chris Marr and Rebecca Rainey, "Trump DOL Cuts and State Bills Threaten Child Labor Protections," *Bloomberg Law*, 5/2025, <https://news.bloomberglaw.com/daily-labor-report/trump-dol-cuts-and-state-bills-threaten-child-labor-protections>

⁸⁶ Annie Smith and Daniel Werner, "Dismissing Human Trafficking: Forced Arbitration of Survivors' Civil Suits," *Villanova Law Review*, Vol.70, 6/2025, <https://digitalcommons.law.villanova.edu/vlr/vol70/iss2/2/>

system. Employers are able to exploit workers without scrutiny or public accountability, and then have significant power in civil suit arbitration due to this law.

Government Complicity in Forced Labor

The US Government failed to address its own complicity in labor trafficking in private detention facilities under contract with the US Government and in federal jails, prisons, and immigration detention. The Thirteenth Amendment to the US Constitution includes an exception to the ban on slavery and involuntary servitude for punishment of a crime.⁸⁷ This exception allows for forced labor in prisons across the US. However, immigration detention is civil, not criminal, and therefore is not covered by this exemption. Several lawsuits have been filed against private detention facilities for violation of the TVPA. One case, settled in late 2023, required CoreCivic to protect detained workers' rights by providing basic safety equipment and training to employees as well as notifying all detained people in its facilities of their rights.⁸⁸ Private prison companies continue to fight in court to exploit with impunity, and argue they are not subject to laws requiring basic labor protections for incarcerated workers.⁸⁹ The failure of the US Government to act to protect these victims, stop these exploitive practices, or take any action against the corporations involved, shows the US Government's continued complicity in these acts of human trafficking.⁹⁰

Research

For all victim services, law enforcement, and prevention efforts, strong research into the efficacy of programs is essential. The US trafficking response needs evaluation across all programs to ensure that federal funds are being spent appropriately. However, the 2025 US Government funding cuts for research into human trafficking, related forms of violence, and health impacts, will result in long-term investment in ineffective and harmful programs. These cuts were based on topics not being "aligned" with new executive orders and Trump Administration priorities. Most federal agencies circulated lists of "banned words" and ordered cuts based on the inclusion of terms like "social vulnerability," "diversity," "victims," or "gender."⁹¹

373 grants were canceled at the DOJ in April 2025, including those researching violence reduction, victim services, juvenile justice and child protection, and substance use and mental health treatment.⁹² Community-safety and violence intervention research is critical for improving trafficking prevention

⁸⁷ Verite, "Work Behind Bars: Analysis of Prison Labor in the United States Based on International Labor Standards," 6/2022, <https://verite.org/wp-content/uploads/2022/06/Work-Behind-Bars-Briefing-Documents-June-2022-1.pdf>

⁸⁸ Southern Poverty Law Center, "Settlement in Forced Labor Case Against Private Prison Company Operating Immigration Detention Center," 10/19/2023, <https://www.splcenter.org/presscenter/settlement-forced-labor-case-against-private-prison-company-operating-immigration>

⁸⁹ Lindsay Whitehurst, "Supreme Court rules against private prison firm facing forced-work suit from immigration detainees," Associated Press, 2/2026, <https://www.yahoo.com/news/articles/supreme-court-rules-against-private-154532227.html?fr=share>

⁹⁰ Human Trafficking Legal Center, *Fact Sheet: Human Trafficking & Forced Labor in For-Profit Detention Facilities*, 2018, <http://www.htlegalcenter.org/wp-content/uploads/Human-Trafficking-Forced-Labor-in-For-Profit-Detention-Facilities.pdf>.

⁹¹ Eileen Connelly, "Federal Government's Growing Banned Words List Is Chilling Act of Censorship," *PEN America*, 12/2025, <https://pen.org/banned-words-list/>

⁹² Amy Solomon and Betsy Pearl, "DOJ Funding Update: A Deeper Look at the Cuts," Council on Criminal Justice, 5/2025, <https://counciloncj.org/doj-funding-update-a-deeper-look-at-the-cuts/>

efforts. Evaluations of victim service provision are also essential in ensuring survivors can access effective services. Without effective research, survivors will be left with limited services that do not meet their needs, prevention efforts will be ineffective, and law enforcement will not be able to improve investigations. Trafficking is not an isolated problem and the US needs to invest in studies focusing on sexual and reproductive health, substance use, mental health services, and education to ensure our approach to ending trafficking is comprehensive.

In addition, many canceled grants included training elements that ensure the next generation of researchers are able to address human trafficking and inform better federal spending.

The US Government's failure to invest in substantial research around violence prevention and improving victim services will have long ranging impacts on its anti-trafficking efforts. Without strong research, there is insufficient data available to help service providers improve services and increase access.

International Program Shutdowns Impact in the US

The cancellation of international aid programs and programs designed to reduce trafficking globally had resounding impacts in the US in 2025. The shutdown and cancelation of the International Organization for Migration's Return, Reintegration, and Family Reunification for Victims of Trafficking in the United States program⁹³ left trafficking survivors in the US stranded alone without family members and revoked funding to assist survivors in the US with voluntary repatriation to their home countries. The TVPA recognizes family reunification as a lifesaving form of support for trafficking survivors who have come forward to report their experiences of exploitation. Ending this program prevents this crucial service from taking place and puts survivors in danger without proper support systems.

The US Government also shut down all of the DOL's International Labor Affairs Bureau's grant programs designed to prevent child labor and forced labor abroad.⁹⁴ These programs are crucial to ensuring US trade partners produce goods that do not involve child labor and do not undercut US-based production of goods with cheap forced labor. Without these programs in place, the US will be removing incentives to prevent forced labor in supply chains around the world, tainting imports into the US with child and forced labor.

The impacts of international aid cuts to survivors in the US will resound for many years. Survivors deserve to reunite with their support systems, and have better outcomes when they do. Without investment in preventing trafficking abroad, the US economy will always be tainted with child and forced labor.

⁹³ IOM, "Family Reunification for Victims of Trafficking through IOM,"

<https://migrationnetwork.un.org/practice/family-reunification-victims-trafficking-through-iom>

⁹⁴ Global Unions, "Global Unions condemn the attacks on U.S. federal employees and the elimination of the crucial ILAB program," 4/7/2025, <https://www.ei-ie.org/en/item/29658:global-unions-condemn-the-attacks-on-us-federal-employees-and-the-elimination-of-the-crucial-ilab-program>;

Markets Insider, "Solidarity Center Statement on ILAB Program Elimination," 3/27/2025,

<https://markets.businessinsider.com/news/stocks/solidarity-center-statement-on-ilab-program-elimination-1034522279>

We hope this input will be valuable in evaluating anti-trafficking efforts and related policies in the United States. Survivors in the US faced countless challenges accessing basic legal protections during the reporting period. The US Government has turned its back on survivors. Please contact me via email at emma@freedomnetworkusa.org if you have any questions or need further information.

Sincerely,

A handwritten signature in black ink that reads "Emma Ecker". The signature is written in a cursive, flowing style.

Emma Ecker
Associate Policy Manager
Freedom Network USA