

Task Force to
**Eradicate
Human
Trafficking**



U.S. CHAMBER OF COMMERCE

2020

Annual Report

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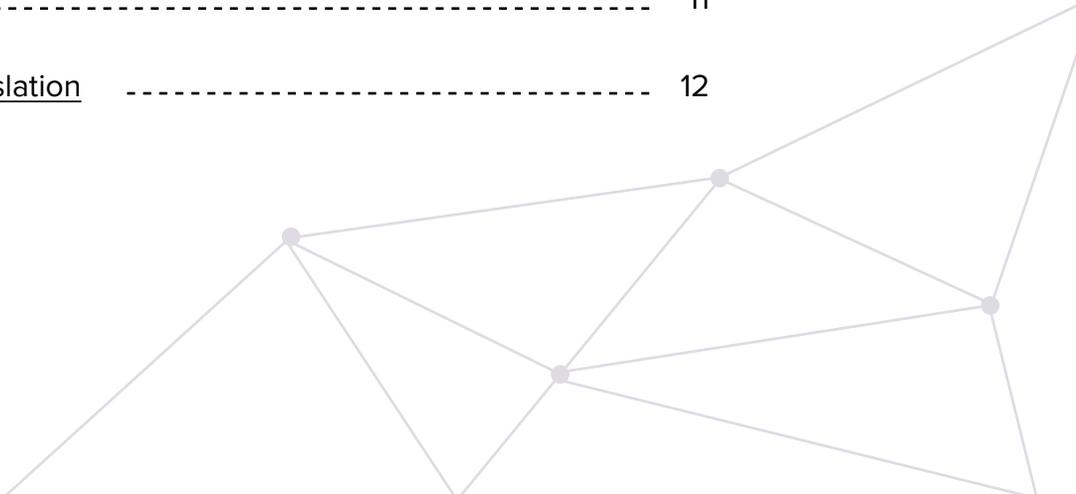
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About the Task Force to Eradicate Human Trafficking

The U.S. Chamber of Commerce, the world's largest business organization representing companies of all sizes across every sector of the economy, established the Task Force to Eradicate Human Trafficking, an advisory group made up of members who work with the federal government and the private sector to develop commonsense solutions and speak with one voice.

Human trafficking is a global problem affecting millions of people each year who are illegally lured into forced labor and sexual exploitation through force, fraud, or coercion.

The U.S. Department of Homeland Security (DHS) estimates that human trafficking is second only to drug trafficking as the most profitable form of transnational crime, generating billions of dollars per year in illicit profit. All victims of trafficking share one experience: the loss of freedom.

Businesses face an economic, legal, and reputational risk if they engage in human trafficking. As such, they have an important role to play, and they cannot do this work alone. The business community needs to partner with governments and non-governmental organizations (NGOs), social service organizations, skills-based training organizations, and others to address the scope of this problem.

Toolkits



U.S. Chamber of Commerce/A21 joint toolkit: In conjunction with The A21 Campaign, whose mission is “to abolish slavery everywhere, forever,” the U.S. Chamber released the Stop Trafficking Now toolkit to educate businesses on how to detect and stop labor trafficking in their supply chains.



U.S. Chamber of Commerce and Truckers Against Trafficking Business Engagement toolkit: The U.S. Chamber, in collaboration with Truckers Against Trafficking (TAT), a nonprofit organization that educates, equips, empowers, and mobilizes members of the trucking, bus, and energy industries to combat human trafficking, produced this toolkit to raise awareness and train employees on the dangers posed by sex trafficking and provide best practices.



Leading by Example: This publication focuses on how businesses are taking the initiative to recognize the warning signs of human trafficking and how to stop it. It features company profiles of Deloitte, Freedom a la Cart, Marriott International, Polished Pearl, Selah Freedom/Selah Way Foundation, and Walmart and presents strategies that businesses of all sizes can use to thwart this heinous crime.

Task Force Meetings

The Task Force to Eradicate Human Trafficking hosted members-only briefings with the following high-ranking federal government officials, among others:

▶ **Jennie Bradley Lichter**

Deputy Assistant to the President,
White House Domestic Policy Council

▶ **Trent Frazier**

Executive Director, Office of Academic
Engagement and Campaigns, DHS

▶ **Lewis Karesh**

Assistant U.S. Trade Representative for
Labor, Office of the United States Trade
Representative (USTR),
Executive Office of the President

▶ **Martha E. Newton**

Former Deputy Undersecretary for
International Affairs, Bureau of International
Labor Affairs, U.S. Department of Labor, and
current Deputy Director-General for Policy,
International Labour Organization

▶ **James W. McCament**

Deputy Undersecretary of the Office of
Strategy, Policy, and Plans,
U.S. Department of Homeland Security (DHS)

▶ **John Cotton Richmond**

Ambassador-at-Large,
Office to Monitor and Combat Trafficking in
Persons, U.S. Department of State

In-Person Events | 2019-2020

In an interconnected world, human trafficking is a global problem that touches many industries and business relationships. Employers are and must be part of the solution.

In 2019 and 2020, the Chamber hosted a series of events on human trafficking. At the first event on January 24, 2019, [Best Practices to Combat Human Trafficking](#), speakers discussed business-led prevention and awareness efforts.

At the second event on September 24, 2019, [Countering Human Trafficking](#), speakers highlighted how traffickers rely on the transportation and hospitality sectors for moving and controlling victims and delivering them for commercial sex or forced labor, giving these industries an important role as the first line of defense.

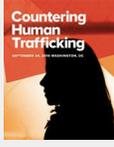
At the third event on January 15, 2020, [Integrating Services for Trafficking Survivors](#), speakers emphasized how employers, in conjunction with social service providers, counseling firms, housing agencies, and skills-based training organizations, provide resources to help human trafficking victims heal.

In-Person Events



[Best Practices to Combat Human Trafficking](#)

January 24, 2019



[Countering Human Trafficking](#)

September 24, 2019



[Integrating Services for Trafficking Survivors](#)

January 15, 2020

Virtual Events | 2020

Eliminating Forced Labor

July 30, 2020

Michael Billet, senior manager of policy research of the Employment Policy Division at the U.S. Chamber, kicked off the Eliminating Forced Labor event to commemorate World Day Against Trafficking in Persons.

Glenn Spencer, senior vice president of the Employment Policy Division at the U.S. Chamber, stressed that businesses play a crucial role in detecting and remedying forced labor in supply chains. He said legislation that imposes reporting requirements for supply chain due diligence, such as the U.K. Modern Slavery Act, is concerning. This is because a one-size-fits-all approach may hinder voluntary efforts by the private sector to take the lead against human trafficking.

Stefan J. Marculewicz, shareholder and co-chair of the Business and Human Rights Practice Group at Littler Mendelson P.C. and chair of the U.S. Chamber of Commerce’s Task Force to Eradicate Human Trafficking, introduced keynote speaker Robert A. Destro, assistant secretary for the Bureau of Democracy, Human Rights, and Labor and U.S. special coordinator for Tibetan Issues at the U.S. Department of State.

Destro spoke about the Xinjiang Supply Chain Business Advisory issued by the U.S. departments of State, Treasury, Commerce, and Homeland Security. He emphasized that employers may face penalties for failing to conduct due diligence of their supply chains in Xinjiang province, China.

Gabriella Rigg Herzog, vice president of corporate responsibility and labor affairs at the United States Council for International Business, led a discussion

Virtual Events



[Eliminating Forced Labor](#)



[Transportation Industry Against Human Trafficking](#)

of federal government agency officials from DHS, the Office of the USTR, and the U.S. Department of Labor on implementing the U.S.-Mexico-Canada Agreement (USMCA) Forced Labor Enforcement Task Force required by Section 741.

James W. McCament, deputy undersecretary of the Office of Strategy, Policy, and Plans at DHS, said that there is tension in active investigations between upholding a commitment to transparency and withholding information from impacted parties. He noted that having legal standards applied consistently is paramount for the business community. DHS is exercising its discretion in combating forced labor through, as well as other things, the use of Withhold Release Orders.

Josh Kagan, deputy assistant U.S. trade representative for labor at the Office of the USTR, said that if businesses raise concerns in countries where the U.S. has free trade or trade preference agreements, the USTR will engage with other countries’ trade ministries to address the problem of forced labor systematically.

Marcia Eugenio, director of the Office of Child Labor, Forced Labor, and Human Trafficking at the Bureau of International Labor Affairs at the U.S. Department of Labor, said, “The Bureau

of International Labor Affairs is a knowledge generator and not an enforcement agency. Other agencies rely on the information we provide to help them prevent goods made from child or forced labor from entering the U.S. market.”

Jim Isajewicz, analyst manager at Thomson Reuters Special Services (TRSS), delivered a keynote titled Commercially Available Solutions for Disrupting Forced Labor Value Chains, where he discussed how the private sector is leading the charge against human trafficking. TRSS uses intelligence mapping to identify owners of illicit massage businesses, locate domestic agricultural farm workers who are held in debt bondage, and detect suppliers in Xinjiang province, China, that engage in human rights abuses.

Isajewicz issued a call for private companies to take the following steps to end modern slavery:

- Know your customers.
- Know your suppliers and their suppliers too.
- Look past the obvious.
- Invest in tools and services to pull in disparate data to develop a comprehensive understanding of your entire supply chain.
- Don't settle for minimum compliance.

Sinead Bovell, founder and CEO at the Weekly Advice for the Young Entrepreneur (WAYE), leads WAYE Talks, a conversation with industry experts to learn how technology impacts business decisions. She interviewed James Wiley, chief operating officer at Counter Human Trafficking Compliance Solutions (CHTCS).

CHTCS global risk assessment technology uses self-reporting questionnaires, coupled with data analytics and artificial intelligence, to detect forced labor patterns. It displays this information visually through a heat map that is updated in real time. Through its proprietary technology, CTCHS can predict population displacements and migratory patterns of vulnerable workers.

Transportation Industry Against Human Trafficking

September 24, 2020

The U.S. Chamber held the Transportation Industry Against Human Trafficking forum to highlight what employers are doing to raise awareness and educate the public in the fight against human trafficking.

Stefan J. Marculewicz introduced Elaine L. Chao, secretary of transportation at the U.S. Department of Transportation (DOT), who gave the keynote.

Chao said that DOT, as a member of the president's Interagency Task Force to Monitor and Combat Trafficking in Persons, leads and supports a range of anti-human trafficking efforts at the state, local, federal, and international levels. The agency called upon transportation leaders to sign the Transportation Leaders Against Human Trafficking pledge. More than 500 pledges were signed by transportation leaders and labor and non-governmental organizations, and the signatories committed to train over 1.3 million employees to help fight human trafficking.

Following the keynote, Kendis Paris, co-founder and executive director at Truckers Against Trafficking (TAT), and Sherry Sanger, executive vice president of marketing at Penske Transportation Solutions, provided an overview of a partnership formed between their organizations. Penske has committed to certify its 5,500 logistic drivers with TAT-provided training. These individuals receive TAT-provided wallet cards to recognize indicators and when to alert law enforcement. According to Paris, TAT is working with law enforcement, including state patrol and state agencies, on how to identify human trafficking using a victim-centered approach.

Ed Mortimer, vice president of transportation and infrastructure at the U.S. Chamber, led a discussion featuring representatives of trade associations and NGOs on how the transportation sector has developed initiatives to raise awareness. For example, DOT awarded the inaugural Combating Human Trafficking in Transportation Impact Award to United Against Slavery (UAS) to create and complete a national survey of up to 20,000 respondents to measure the prevalence of human trafficking. Results are expected to identify existing frontline barriers on how to recognize signs of this heinous crime and improve counter-trafficking efforts.

Elisabeth Barna, executive vice president of industry affairs and senior adviser to the president and CEO at the American Trucking Associations (ATA), spoke about ATA's Man to Man Campaign. ATA's 3.6 million professional truck drivers and 7.4 million individuals employed in the trucking industry act as ambassadors who are instructed to contact the National Human Trafficking Hotline when suspicious activity is detected. These drivers are also engaged in ATA's social media campaign to help communicate the trucking industry's stand against trafficking.

Lauren Kane, vice president of communications at the National Beer Wholesalers Association (NBWA), described how NBWA developed the distributors against human trafficking awareness initiative training module to reach 142,000 individuals employed by beer wholesalers. The module consists of a video featuring co-chairs of the National Association of Attorneys General Human Trafficking Committee and field experts. NBWA is requesting that distributors play this video as part of the employee onboarding process. The objective is to reach 1,000 employees by 2022.

Mar Brettmann, CEO and executive director of Businesses Ending Slavery & Trafficking (BEST), said that human trafficking is a global problem as 80% of the victims who are trafficked internationally

cross a border. Airports and seaports play an important part as a line of defense.

Brettmann told the audience a poignant story about a survivor who BEST rescued. The child came to the U.S. with seven siblings from Bangladesh and was not stopped at the airport even though the perpetrator was a white male. If this victim had been stopped, then her trafficking may have been prevented. To address the problem at the ports of entry, BEST instituted an online training project at the Port of Seattle for the maritime industry and the airport.

Dave McCleary, founder of End HT Now and global chairman of the Rotary Action Group Against Slavery (Rotary), discussed how the organization formed the Rotary Action Group Against Slavery to align the interests of business leaders, educators, law enforcement, and legislators globally. Rotary reaches across the aisle to develop legislation and work with firms to reemploy victims. Owing to Rotary's involvement in Georgia, Delta has hired human trafficking survivors to help them get back on their feet. Also, Rotary educates local bus drivers on how to spot trafficking indicators.

Lobbying and Advocacy

Not Invisible Act

The U.S. Chamber achieved a significant victory on October 10, 2020, when President Trump signed S. 982, the Not Invisible Act into law (P.L. 116-166). The Chamber, as part of its advocacy efforts, wrote a letter of support to both the U.S. [Senate](#) and the U.S. [House](#).

The law directs the Interior secretary to designate an official in the Bureau of Indian Affairs-Office of Justice Services (BIA-OJS) to coordinate prevention efforts, grants, and programs across offices with the Bureau of Indian Affairs (BIA), the U.S. Department of Justice (DOJ), and other federal agencies that operate programs to address murder, trafficking, and recovery of missing indigenous men and women on Indian lands and in urban centers. These interagency efforts include the following: DOJ's Office of Justice Programs, the Office on Violence Against Women, the Office of Community Oriented Policing Services, the Office of Tribal Justice, and the FBI.

The act mandates that a Joint Commission on Reducing Violent Crime Against Indians with the DOJ must be established no later than 120 days after the date of enactment.

The Interior secretary, in consultation with the attorney general, will appoint members of this commission.

The law directs the Joint Commission to publish a report containing recommendations for the Interior secretary and the attorney general outlining actions both departments can take to help combat violent crime against Indians on Indian lands.

The Joint Commission's recommendations follow:

- Identifying, reporting, and responding to instances of missing persons, murder, and human trafficking on Indian lands and of Indians.
- Legislative and administrative changes necessary to use programs, properties, or other resources funded or operated by the departments of Interior and Justice to combat the crisis of missing or murdered Indians and human trafficking on Indian lands and of Indians.
- Tracking and reporting data on instances of missing persons, murder, and human trafficking on Indian lands and of Indians.
- Addressing staff shortages and open positions within relevant law enforcement agencies, including issues related to the hiring and retention of law enforcement officers.
- Coordinating tribal, state, and federal resources to increase prosecution of murder and human trafficking offenses on Indian lands and of Indians.
- Increasing information sharing with tribal governments on violent crime investigations and prosecutions on Indian lands that were terminated or declined.

No later than 18 months after enactment, the commission will make publicly available and submit all recommendations developed to the Interior secretary, the attorney general, the Committee on the Judiciary of the Senate, the Committee on Indian Affairs of the Senate, the Committee on Natural Resources of the House of Representatives, and the Committee on the Judiciary of the House of Representatives.

No later than 90 days following the publication of the Joint Commission's report, the law requires the Interior secretary and the attorney general to publish written responses to the commission's recommendations. The commission will terminate on October 10, 2022.

Supply Chain Transparency

The U.S. Chamber opposes legislation that mandates reporting requirements on employers, such as H.R. 6279, the Business Supply Chain Transparency on Trafficking and Slavery Act of 2020 introduced by Rep. Carolyn Maloney (D-NY), and S. 4241, the Slave-Free Business Certification Act of 2020, introduced by Sen. Josh Hawley (R-MO).

Business Supply Chain Transparency on Trafficking and Slavery Act of 2020

The Business Supply Chain Transparency on Trafficking and Slavery Act would amend the Securities Exchange Act of 1934 to require the Securities and Exchange Commission (SEC) to issue regulations imposing disclosure requirements on issuers that must report to the SEC and have annual global receipts exceeding \$100 million. This measure is modeled after the California Transparency in Supply Chains Act, which applies to retail sellers and manufacturers that do business in the state of California and whose annual gross revenue exceeds \$100 million.

Covered companies would be required to disclose whether they have taken measures to identify and address forced labor, slavery, human trafficking, and the worst forms of child labor in their supply chains and, if so, what measures they have taken. The bill would require, among other things, a consultation process to include solicitation of feedback from independent labor organizations, workers' associations, or workers. Companies would be required to include these disclosures in their annual reports to the SEC and post this information on their websites.

Slave-Free Business Certification Act of 2020

The Slave-Free Business Certification Act of 2020 would require companies with annual worldwide gross receipts of \$500 million or more to investigate and report forced labor in their supply chains. The bill includes a significant enforcement mechanism that allows the Labor secretary to assess penalties for noncompliance. Specifically, the secretary can assess civil damages up to \$100 million and punitive damages up to \$500 million for failure to comply with the act's audit and reporting requirements.



China

The U.S. Chamber strongly condemns human rights abuses, including the persecution and detention of the Uyghur ethnic minority in China. Therefore, it opposes H.R. 6210, the Uyghur Forced Labor Prevention Act, and H.R. 6270, the Uyghur Forced Labor Disclosure Act of 2020, because these bills are ineffective and may hinder efforts to prevent human rights abuses.

Uyghur Forced Labor Prevention Act

The Uyghur Forced Labor Prevention Act would ban goods from China's Xinjiang region or produced from forced labor practices from entering the U.S. by making it U.S. policy to assume ("a rebuttable presumption") that all goods manufactured in Xinjiang are made with forced labor and therefore banned under the Tariff Act of 1930.

Among other things, the bill would provide the following:

- Impose sanctions on foreign individuals responsible for employing forced labor and violating U.S. laws related to forced labor imports for an individual who "knowingly engages in" forced labor of Uyghurs.
- Require U.S.-traded companies to disclose to the SEC whether they engaged in certain activities in the region.
- Direct the U.S. State Department to submit to Congress a determination on whether forced labor practices against Uyghurs and other Muslim minority groups in Xinjiang can be considered crimes against humanity or genocide.
- Direct the USMCA Forced Labor Enforcement Task Force under Section 741 to submit to Congress a strategy that outlines federal enforcement plans related to imports from Xinjiang.

Uyghur Forced Labor Disclosure Act of 2020

No later than 180 days after the bill's enactment, the SEC would have to issue rules for U.S.-traded companies to disclose imports of manufactured goods and materials that originate, or are sourced from, forced labor in Xinjiang in their annual reports or proxy statements.

Companies would also need to disclose the nature and extent of the commercial activity related to such goods or materials and gross revenue and net profit, if any, attributable to the goods or materials and whether they intend to continue importing them.

The SEC would post disclosed information on its website, and the agency would conduct an annual assessment and report to Congress annually on compliance with the disclosure requirements.

The comptroller general of the U.S. would report to Congress and periodically review the effectiveness of the SEC's oversight of the disclosure requirements.

International Legislation

Legislation mandating human rights due diligence and modern slavery disclosures continues to emerge in a number of countries around the world, adding challenging new obligations for multinational companies operating across jurisdictions with increasingly complex supply chains.

The U.S. Chamber is keeping tabs on pending developments, specifically following the Australian Modern Slavery Act, the U.K. Modern Slavery Act, and Switzerland’s Responsible Business Initiative.

