

GAO Highlights

Highlights of [GAO-17-762T](#), a testimony before the Committee on Indian Affairs, U.S. Senate

Why GAO Did This Study

Human trafficking is the exploitation of a person typically through force, fraud or coercion for purposes such as forced labor or commercial sex, and it involves vulnerable populations including Native Americans. Several components within DOJ, DHS, and the Department of Interior investigate and prosecute human trafficking in Indian country, and federal agencies provide grant funding to support efforts to combat trafficking and assist victims.

This testimony focuses on trafficking occurring in Indian country or involving Native Americans and addresses the extent to which: (1) federal agencies collect and maintain data on investigations and prosecutions; (2) tribal and major city LEAs encounter trafficking and the factors that affect their ability to investigate and prosecute such activities; and, (3) federal grant programs are available to help address trafficking and how well the granting agencies are positioned to know the number of victims served.

This testimony is based on GAO reports issued in March and July 2017. To do this work GAO reviewed federal trafficking data and conducted three surveys. We surveyed the 203 known tribal LEAs, 86 major city LEAs, and 315 victim service provider organizations that received fiscal year 2015 DOJ or HHS grants that could be used to assist human trafficking victims.

View [GAO-17-762T](#). For more information, contact Gretta L. Goodwin at (202) 512-8777 or goodwing@gao.gov.

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HUMAN TRAFFICKING

Investigations in Indian Country or Involving Native Americans and Actions Needed to Better Report on Victims Served

What GAO Found

While federal agencies generally maintain data on human trafficking cases that occur in Indian country, they do not maintain data on whether the victims are Native American (Native American status). All four federal agencies that investigate or prosecute human trafficking in Indian country—the Federal Bureau of Investigation (FBI), the Bureau of Indian Affairs (BIA), U.S. Immigration and Customs Enforcement (ICE), and the U.S. Attorneys' Offices—are required to record in their case management systems whether a human trafficking offense was involved in the case. With the exception of ICE, these agencies are also required to record whether the crime took place in Indian country. ICE officials explained that the agency does not record this information because, unlike BIA and the FBI, ICE is not generally involved in criminal investigations in Indian country. Also, officials from the four agencies said they do not maintain data on Native American status of victims for various reasons, including that such data has no impact on their investigations and prosecutions.

Some law enforcement agencies (LEA) reported encountering human trafficking in Indian country or of Native Americans and cited victim reluctance to participate in investigations and other factors as barriers to investigation and prosecution. Of the 132 tribal LEAs that responded to GAO's survey, 27 reported initiating investigations they considered to have involved human trafficking from 2014 to 2016. Few major city LEAs—6 of 61 survey respondents—reported that they encountered human trafficking involving Native American victims from 2014 to 2016. Further, among the 27 responding tribal LEAs, 18 indicated that they believe victims are reluctant to participate in investigations for reasons including drug addiction and distrust of law enforcement.

The departments of Justice (DOJ), Health and Human Services (HHS), and Homeland Security (DHS) administered 50 federal grant programs from fiscal years 2014 through 2016 that can be used to address human trafficking in Indian Country or of Native Americans, but DOJ could do more to identify the number of Native American victims served. For example, DOJ's Office on Violence Against Women requires grantees to report Native American status of victims served, but not by type of crime. DOJ's Office for Victims of Crime (OVC) and the Office of Juvenile Justice and Delinquency Prevention do not require grantees to collect and report Native American status of victims served. However, in fiscal year 2017, OVC began providing recipients of human trafficking-specific grant programs the option to report the race or Native American status of victims served. While Native American status may not generally be a factor for determining whether a victim can receive services, it may be a factor for determining how best to assist this demographic. GAO recommended that DOJ require its grantees to report the number of human trafficking victims served and, as appropriate, the Native American status of those victims. DOJ agreed to implement the first part of this recommendation, but did not agree to the second part, citing victim confidentiality and other reasons. In June 2017, DOJ reported ongoing and planned actions to better capture the number of victims served but reiterated its concerns about collecting Native American status. GAO maintains that collecting grantee information on both the number and Native American status of victims served is important and will continue to monitor implementation.