

IMPLEMENTATION OF THE TRAFFICKING VICTIMS PROTECTION ACT

HEARING

BEFORE THE
GLOBAL HEALTH, GLOBAL HUMAN RIGHTS AND
INTERNATIONAL ORGANIZATIONS
OF

COMMITTEE ON FOREIGN AFFAIRS
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Friday, May 12, 2023

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON GLOBAL HEALTH, GLOBAL
HUMAN RIGHTS, AND INTERNATIONAL
ORGANIZATIONS,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 9:32 a.m., in room 2200, Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The hearing will come to order. This is a hearing of the Subcommittee on Global Health, Global Human Rights, and International Organizations. Today we will examine the ever-worsening exploitation of vulnerable persons by human traffickers and discuss U.S. efforts to combat this heinous crime.

This is the 41st congressional hearing that I have chaired on human trafficking and I am looking forward to hearing from all of our truly remarkable witnesses, leaders who have made the difference, especially our survivors who have not only come forward to tell the world, but to tell other victims that there is hope, that there is life after this unbelievable cruelty.

And you are just amazing and I thank you for being here.

I also thank that we have the Administration here today, especially our Ambassador-at-Large for Trafficking in Persons, Cindy Dyer. Thank you for being here as well.

More than 20 years ago Congress approved and the President signed historic legislation that I authored known as the Trafficking Victims Protection Act of 2000. This bipartisan landmark law created a comprehensive whole-of-government initiative to combat sex and labor trafficking in the United States and around the world. It also established dozens and dozens of new programs to protect victims, prosecute traffickers, and prevent human trafficking in the first place: the three Ps.

Looking at the progress made over the years it is hard to believe that the Trafficking Victims Protection Act was met with a—with serious opposition, a wall of opposition, if you will, dismissed by many as a solution in search of a problem. And that goes for the media, many of who just dismissed this and thought we were exaggerating when we were talking about the prevalence of this crime, not only around the world but right here in the United States.

Most people at the time associated trafficking with drugs and weapons, not human beings. Reports of vulnerable persons, espe-

cially women and children, being reduced to commodities for sale or often met with surprise, incredulity, or indifference.

Top Administration officials even testified against major provisions including—right here in this room including sanctions and even the move to create the Trafficking in Persons, TIP, Office, arguing that exposing and sanctioning countries with egregiously poor records on human trafficking would be, quote, “counter-productive.”

The plan was to put some more enhanced reporting into the Country Reports on Human Rights Practices and call it a day. They did support however increasing the penalties for traffickers, and that was a good thing. So we had solidarity on that. They also liked the interagency coordination. They already had one. Our law expanded it and made it statutory.

But again the TIP Office would not have existed and I think it is—there was talk—and we found this when we did the International Religious Freedom Act, that somehow we would be creating a hierarchy of human rights rather than value-added. All human rights abuses need to be confronted and fought, but this one is so egregious and so pervasive. We were not doing enough at the time and we would not be a Tier 1 country back then. We would have been a Tier 3 country. And thankfully that all of that has changed.

As a matter of fact, when our bill was stalled and languishing and presumed dead; and I cannot tell you how many times I was told it was not going anywhere, especially in the Senate, I invited victims of sex trafficking to inform and to motivate. And they sat at hearings just like this and made their case, often through tears. They made clear that delay was denial and that we cannot do this fast enough. We have to do it right, but it has to be done as quickly as possible. It took over 2 years to muster the votes for passage and my bill was finally signed into law on October 28, the year 2000.

Within a year after enactment no one was arguing anymore that the Trafficking Victims Protection Act’s integrated three-piece strategy: prevention, protection for victims, and prosecution of the traffickers, was flawed or unworkable, unnecessary, or counter-productive. And remember the pushback was with the Administration. It was bipartisan, too. I will never forget after the bill passed we went now to the Bush Administration and said please implement. One month went by. Another month went by. Another month went by. And they were not doing it.

So finally I asked Henry Hyde. I was vice chairman of the Foreign Affairs Committee, and I asked him if we could do it a hearing demanding that they get this up and running. He said OK. We set a date and the Administration got back to us in that case and said give us a month.

So we gave them a month and they still did not do much. They even said you can come over and cut the ribbon. I said I do not want to cut the ribbon. It is all about getting this up and running. And probably the biggest laggard in all of it was a T visa which took so long to get enforced. So there has been bipartisan foot dragging with the Administrations and it needs to be underscored that it is just not acceptable.

The bill included, as I think all of you know, a number of sea change criminal code reforms including treating as a victim of trafficking and not a perpetrator of a crime anyone who has recruited, harbored, transported, or obtained for the purpose of a commercial sex act, or for labor services. We were just talking to Ms. Vandenberg. Right from the beginning there was that twin—no diminution of how important forced labor is, and slave labor, if you will. Both trafficking offenses need to be confronted and aggressively so. And she always has made that point so eloquently.

The Trafficking Victims Protection Act radically reformed the way the U.S. responded to human trafficking and it has pushed States—because we had an admonishment to States with Justice to say pass your own laws. We need more prosecutors, more eyes and ears to take this. Everything cannot be done at the Federal level with the U.S. Attorneys. Thankfully every State including my own has a tremendous statute in hand. And as long as we have got good prosecutorial discretion, say this is a priority, it will make a difference, and it is making a difference.

Thanks to the act thousands of human traffickers have been prosecuted and jailed. Jeffrey Epstein was being prosecuted pursuant to the TVPA. He never got obviously to the point where the trial took place, but the indicting charges were all TVPA.

Most countries in the world have responded to this gross violation of human rights and have enacted anti-trafficking legislation, yet there is more that must be done to strengthen the U.S. and international response to these crimes as more than 27 million people are still—and the estimates vary, but are still being trafficked today.

I have also authored four additional laws to combat human trafficking including the TVPA re-authorizations in 2003 and 2005. When we first did the bill we could not get buy-in for an ambassador-at-large. We got that in the 2003 reauthorization. And that not only raises the status and stature and gravitas of Ms. Dyer, now Ambassador Dyer, but all the other previous leaders, not just in the building at the State Department, but of course everywhere they go. I mean ambassador-at-large is a very, very high position and we couldn't get that until 2003.

We also put in the 2003 language that said when supply chains—and this went to the labor trafficking issue, that the CEOs or CFOs have to sign saying clearly that they understand that if they are complicit in trafficking they lose the contract. Hopefully they will be criminally prosecuted as well, but they lose the contract. And that has made a difference. Nothing is perfect, but it has made a difference.

In 2016, after 8 years, three times passed in the House, International Megan's Law became law. Now why is that important? We know that child sex tourism is rampant. Men mostly go on these child sex tourism trips all of the world, to Bangkok, to South America, to Brazil, Mexico, and they rent a child, which is disgusting beyond words, and abuse that child. And we know it is happening.

Well, the International Megan's Law, as you all know—and Megan Kanka, the little girl lived in my district in Hamilton Township, in our hometown. And I got to know the parents very well, Megan's parents. She was killed in 1994 by a cruel pedophile who

lived across the street. Nobody knew of his background. And he lured her in and killed her horribly and then even had the audacity to go out and hand out pamphlets. Do you know where Megan is? Help us find Megan. He is the one who killed her. He is still in prison today.

But it led to Megan's Law in all of our States, District of Columbia, and everywhere else, Puerto Rico. But we found that what happens, these pedophiles, when they are out, go get passports. They travel. And they did it with impunity and with secrecy.

The bill passed three times in the House. Could not get any movement in the Senate. We finally did. Became law. And the Angel Watch Program is doing a tremendous job of noticing countries of destination of that pedophile who is traveling, or pedophiles; they often do it in groups. And they have been over 2,000 notifications. About half have led to the country saying you are not coming in.

And you know where the idea came from? I was meeting, like Ambassador Dyer does, with all the delegations when they come in to talk about what they are doing to try to combat human trafficking. And so I met with the Thai delegation. And I said; it popped in my head, if you knew a convicted pedophile was coming to Bangkok or to Phuket or to some of these other places, what would you do? They said we would not let them in. That night we started drafting the bill. Eight years later it became law and it has I think made a difference.

I am happy to say that all of this has been bipartisan. Karen Bass and I wrote the Frederick Douglass Trafficking Victims Prevention and Protection Act. We worked with the great-great-grandson of Frederick Douglass and put a big emphasis on some of the prevention pieces like making sure that our children are situationally aware K through 12 as to what it looks like, what to be on the guard for. And if you see a friend who may be being enticed with drugs or something, that you immediately get to that principal, to your teacher, and to train them as well.

And HHS and the TIP Office and others all have very good curricula on how to—and I would hope anyone hearing this hearing in a school would look to say let's have an anti-human trafficking couple of days and really bring in someone who is a survivor who can really sensitize these young people, these students. And that will make a difference as well.

So I do believe this a pivotal time to be focused on human trafficking as the U.S. faces a crisis at our southern border that has resulted in countless victims, especially women and children, being exploited while traffickers take advantage of the chaos. With the expiration of Title 42 last night I think it is now more important than ever that we examine what can and must be done to stop this crime and rescue and tangibly assist these victims.

I talked to one president; this was of Guatemala, and he suggested to me that about 80 percent of these young women making their way up to the border and into the United States are sexually assaulted somewhere along the line. And we do not know how many then, particularly the unaccompanied minors—the New York Times put that number at about like 85,000 that we do not know

where they are—that they are just easy prey for these predators. So we got to do so much more.

Let me just say briefly and then I will conclude on this: In 2015 I chaired a congressional hearing on—to demand accuracy and accountability when designating tier rankings pursuant to the TIP report. Egregious violators. Fourteen countries in all. And it was Reuters that broke this story. We thought there was a problem, but then Reuters interviewed anonymously a number of people at TIP who had made strong recommendations that China, Cuba, Malaysia, Oman, 14 countries in all, be Tier 3. And we went up the chain at the State Department for other reasons unconnected—disconnected from trafficking. All of a sudden they got passing grades.

And I said at the time—and then I did three hearings within a space of 2 years. One of them was called Get It Right This Time: A Victim-Centered Trafficking in Persons Report. The point is that the credibility of the report itself is—that is one of the mainstays of the TVPA and all of our efforts. Of course all the other programs are important as well. It rests on accuracy.

So the TIP reports gets it accurate, but then—and countries look at this. I remember even Thailand being upset that Malaysia was getting a passing grade, even though on forced labor. They had horrible things that were happening. And even the European Union, I believe it was, gave them a red card, as they called it, because it was so, so bad.

We must get the report right. No fudging, no favors to national—nations based on other agendas. Friends do not let friends commit human rights abuses. If our best friends in the world are doing it, we hold them to account. If we are doing it, we hold us to account. It is all about the victims.

Grade inflation for certain favored countries undermines the credibility and I believe it really demoralizes the victims and anti-human trafficking advocates as well as countries trying to improve their record.

In the coming days I plan on reintroducing the Frederick Douglass Trafficking Victims Prevention and Protection Act which has been significantly informed by survivor input and includes a survivor empowerment approach to victim services. The bill will strengthen and expand U.S. anti-trafficking programs including up ramping up prevention and protection efforts against the trafficking of children and I look forward to working with my colleagues on this.

And again I thank you for being here and I would like to now yield to my good friend and colleague Ms. Wild, our ranking member, for any opening comments.

Ms. WILD. Thank you, Mr. Chairman.

Thank you all for being here.

I appreciate your willingness, Mr. Chair, to call this really important hearing today.

Let me begin by addressing the extraordinary witnesses who are here today. Thank you all for your steadfast dedication to taking on the horrific scourge of human trafficking. Several of the witnesses here are themselves survivors of trafficking. By dedicating your lives to ensuring that others do not experience the inhumanity

that you did you exemplify the forces of solidarity that reflect the human spirit at its very best and most courageous.

As members of this committee and this subcommittee, Democrats and Republicans alike, we are very united on this issue. And while we have made substantial progress, much of it outlined by the chairman in his opening remarks, all of us here know that an enormous amount of work remains to be done.

Every aspect of this crisis demands ever more interconnected efforts by our government in lockstep with governments across the international community and through international organizations which is also part of this subcommittee's work. We are the Subcommittee on Global Health, Human Rights, and International Organizations. So this is a topic that is squarely in front of our subcommittee.

But the trafficking of children, sex trafficking, men, women and children denied their most basic human rights and forced into systems of modern slavery, which almost seems like an oxymoron to me—but that is what we are here to address and what we must continue to address. And it is all too easy for so many of us to forget that this exists throughout the world. And for many it is something that if we are—we do think about it, it is too easy to compartmentalize and not think about it because it is such a terribly difficult subject to think about.

But that is what we are here to do. We are called upon to do it. I am honored to be part this subcommittee and to work on this issue with the chairman and with the other members of this subcommittee.

Our objective is clear: We have to build a future of dignity for all, a future where no human being is ever confronted with these practices which are an affront to our common humanity. And this transcends not only party lines, but religious boundaries, philosophical boundaries, cultural differences, whatever. This is an issue that is unacceptable to no person who considers themselves to be a moral and humane being. And so we have got to work on this.

I really look forward to hearing the powerful testimony of all of you and I look forward to working with each of you, with Chairman Smith, and with our colleagues to bring about the progress that so many people around the world so urgently need. I truly hope that in a matter of years there will not be a need for this kind of hearing and I am going to try to be me more eternally optimistic self and believe that we will actually get something done on this. Thank you very much.

Mr. SMITH. Thank you so very much, Ranking Member Wild, for your excellent opening statement.

I would like to now ask Ms. Radewagen if she has any opening comments.

Ms. RADEWAGEN. Thank you, Mr. Chairman and ranking member. I do not.

Mr. SMITH. OK. Thank you.

I would like to now yield to Dr. McCormick if he has any opening comments.

Mr. MCCORMICK. There is different kinds of courage. I have been around a lot of Marines, a lot of Navy guy, a lot of sailors and a lot of Army soldiers, and they have a certain kind of courage, but

I think in many ways it pales to the kind of courage of those people who are victims, who actually come out of something so horrible and actually appear before a very public committee and become vulnerable to save others.

I applaud you. I thank you from the bottom of my heart. As a youth minister for 20 years you see some great things and you see some horrible things. And I really cannot say how bought in I am to solving this to our best of our ability. It is a bipartisan issue. It is something that all Americans should be bought into. Hopefully we try to stay away from the politics of it and just the human nature—embrace the human nature aspect of this because it is something purely evil that we could all agree that there is no—nothing other than to defeat this is our only point. So thank you.

Thank you very much for being here. Thank you for participating. Thank you for being brave, courageous, for standing up for not just yourself, but everybody else who goes through these things now and into the future.

This fight will never be done. We will never be done making it better, and we have a long road ahead of us. We have seen in Georgia—one of the worst places for child trafficking. We have made some good strides I think. The Governor has addressed this in big ways and I think it has huge support from all aspects of the political spectrum as well as the private industry because quite frankly the government cannot solve this by itself.

Anybody who thinks that the government is going to solve this by itself does not understand what a massive problem this is. This is a heart problem. This is a spiritual problem. It is a humanity problem. People have turned away from what is good and embraced what is evil to a large extent. And so we have to be equally courageous on what is good and courageous and spiritual to defeat this. So I continue to pray on this. I continue to work on this.

And after this hearing do not think that there is ever a day that will go by where you cannot reach out to any of us and continue this fight aside from a hearing because this is just the beginning. Thank you.

Mr. SMITH. Thank you so very much. It is now my honor to introduce our first panel, and I will begin with Ms. Bella Hounakey. She is a subject matter expert on human trafficking with lived experience. She is an appointed member of the U.S. Advisory Council on Human Trafficking. Bella currently works in program management for the Administration for Children and Families, Office of Refugee Resettlement, with specific expertise in child welfare, migration, and mental health. She has worked with unaccompanied children from Central and South America as well as unaccompanied refugees, minors, and foster care operations for over 7 years.

Prior to ORR Ms. Hounakey was an asylum officer for the United States Citizenship and Immigration Services under the Department of Homeland Security and a monitoring and evaluation specialist at the U.S. Catholic Conference of Catholic Bishops.

Bella holds a master's degree in social work and a bachelor's degree in Spanish and Criminal Justice from Western Michigan University.

And again I thank you for your help as we were writing the TVPRA Frederick Douglass Act last time and helping us again in crafting that bill for this year.

Ms. Gina Cavallo is a subject matter expert at well on human trafficking and she too is an amazing survivor. She is the founder and the executive director of the survivor-led non-profit organization We Rise New Jersey which provides resources and emergency assistance to survivors and currently serves as both survivor consultant and board member on the New Jersey Coalition Against Human Trafficking.

She also serves as co-chair for Anti-Trafficking Task Force of the New Jersey Chapter of the American Academy of Pediatrics. Working with the New Jersey Department of Education Gina helped develop guidelines for schools on human trafficking and frequently speaks to students on the prevention of human trafficking. Gina engages with legislators at our State house as well as in Washington. Testifies and has really helped move our State to be in the lead on this important issue.

She received the National Liberators Award for survivor leaders in 2020, and parenthetically we were together as recently as Monday in Monmouth County, New Jersey when Sheriff Shaun Golden had an excellent symposium on combatting human trafficking. And while we all spoke, everybody listened with great attentiveness to what Gina had to say.

It was an amazing presentation you made, and so I thank you for that.

Then we will hear from Mr. Robert Lung who is again another subject matter expert on human trafficking with lived experience, a survivor. He is the former chair of the U.S. Advisory Council on Human Trafficking. He serves as a district court judge in the 18th Judicial District of Colorado. He also provides presentations nationally and internationally on issues such as human trafficking, childhood trauma, and resiliency to an exceptionally diverse audience including the military, the medical field, educational field, including U.S. Department of Education, various judiciaries, faith-based organizations, first responders, mental health professionals, and law enforcement.

Mr. Lung has also served as a consultant with the Office for Victims of Crime under the U.S. Department of Justice, the Office of Trafficking Persons, the U.S. Administration for Children and Families, OTIP, the Human Trafficking Expert Consult Network under the U.S. State Department Network, Shared Hope International, SHI, and the National Center for Missing and Exploited Children, or NCMEC.

And thank you, Mr. Lung, for your experience and expert review and consultation on the Frederick Douglass Act. I mean what we do here is ask you what you think should be in our legislation. And without that we would not be I think making a difference, so it is all attributable to you and to others for doing that.

We will then hear from Ms. Becky Murray who is an entrepreneur and philanthropist who has dedicated her life to making a positive impact on the world. She is the founder and CEO of One By One, an international non-profit organization fighting exploitation in some of the world's most impoverished areas. Since being

founded in 2011 One By One has provided necessary restorative care, educational support, and empowerment toward sustainable living to prevent exploitation of vulnerable communities around the Third World.

Becky started her career as a pediatric nurse in the United Kingdom. After graduating from Sheffield University with a bachelor's degree in nursing studies.

So thank you, Becky, for making the trip here.

Then we will hear from Ms. Martina Vandenberg who is the founder and president of the Human Trafficking Legal Center. For more than two decades Ms. Vandenberg has worked to fight human trafficking, forced labor, rape as a war crime and violence against women. Ms. Vandenberg has represented victims of human trafficking pro bono in immigration, criminal, and civil cases. She has obtained T visas for trafficking survivors and won significant judgments in Federal cases.

Ms. Vandenberg has trained more than 5,000 pro bono attorneys nationwide in handling human trafficking matters. And that is truly remarkable. She provides technical assistance and mentoring to legal teams handling trafficking cases nationwide.

And without objection even further bios will be included in the record about this wonderful panel.

[The information referred to follows:]

MORRIS



FREDERICK DOUGLASS
FAMILY INITIATIVES

Statement for the Record
Kenneth B. Morris, Jr.
Co-founder & President
Frederick Douglass Family Initiatives

Implementation of the Trafficking Victims Protection Act

*Hearing of the Subcommittee on Global Health, Global Human Rights and
International Organizations*

May 12, 2023

Chairman Smith, Ranking Member Wild, and Members of the Subcommittee:

My name is Kenneth B. Morris, Jr. I am the great-great-great-grandson of Frederick Douglass and the great-great-grandson of Booker T. Washington. I am a co-founder and the president of Frederick Douglass Family Initiatives (FDFI), a public charity headquartered in Rochester, NY, a city Frederick Douglass and his family called home for twenty-five years. Our mission is to build strong children and to end systems of exploitation and oppression.

On behalf of FDFI, I am grateful for this opportunity to add our voice to the record of the Subcommittee's hearing on the implementation of the Frederick Douglass Trafficking in Victims Prevention and Protection Act. We share our strong support and gratitude for your efforts, such as this hearing which helps to shine a bright, unyielding light on the horrific crimes of domestic and international labor and sex trafficking. We also thank the members of the Subcommittee and the full Committee on Foreign Affairs for their tireless work to spotlight the ongoing human rights crisis of exploitation of men, women, and children across the globe. We want to express particular thanks to Chairman Smith and his staff, including Mary Vigil, for working with FDFI for many years to address the need for an increased focus on primary and secondary prevention education in human trafficking policy efforts.

While he was enslaved as a young boy, Frederick Douglass had an epiphany that would be vital in not only ending his bondage but ending this human scourge of slavery altogether. Upon learning that young Frederick was being taught to read, his enslaver forbade him from receiving further literacy lessons. Even at the tender age of nine, my great ancestor understood that his enslaver's command was no ordinary cruelty but was an admission that knowledge makes a man "unfit to be a slave." He quickly realized that knowledge was power and would one day enable his freedom.

Frederick Douglass was never afforded the opportunity for formal education, let alone the training required to call oneself a teacher. Yet he may be one of the most consequential "educators" in American history, whose curriculum included the columns of his newspapers, the transcripts of his speeches, and the pages of his autobiographies.

And his lesson plan was simple but powerful; to teach this nation that its virtuous founding principles were wholly incompatible with its laws and institutions that not only tolerated slavery but protected it as well. His lectures never hid the misery, dread, and suffering of the enslaved, but he also taught that slavery diminished the humanity of those who were free. Frederick Douglass told us, "No man can put a chain about the ankle of his fellow man without at last finding the other end fastened about his own neck."

Indeed, carrying forward Frederick Douglass's education legacy was one of the bedrock pillars that my mother, Nettie Washington Douglass, and I adopted when we founded FDFI in 2007. That is why we believe that unless we educate people about slavery's horrific past and its cruel and vicious present unless we educate those who are most vulnerable to the methods that human traffickers use to entrap and exploit, this intolerable suffering will continue unabated.

Since our founding, FDFI has been working with like-minded partners to address contemporary slavery through prevention education, professional training, and community collaboration. We are particularly thankful to be part of the ongoing efforts of Members of Congress, the Administration, and particularly those of the courageous survivors who bravely share their stories to protect others and break the cycle of exploitation and abuse.

Since 2017 we have been honored to work with other members of this Subcommittee and the full Committee, including former Congresswoman Karen Bass and many other partners, to pass the Frederick Douglass Trafficking Victims Prevention and Protection Act and see it enacted into law. As you know, my ancestor's name was added to the bill title to honor the bicentennial year of his birth in 2018, but perhaps an even more fitting tribute was the law's new priority on education to prevent the cycle of child and labor exploitation before it starts. To that end, I was pleased to support the law's efforts to direct increased resources to education and trafficking recognition efforts in our schools and communities.

In 2016, FDFI partnered with two California-based nonprofit organizations, 3Strands Global Foundation and Love Never Fails, to create PROTECT, an online human trafficking prevention education program for K-12 schools. PROTECT offers age-appropriate student curricula, training, and protocol resources for teachers and school staff and measures community impact. PROTECT is the most comprehensive human trafficking prevention education program in the world today. We know from our work with partners and other collaborators that prevention is one of the most effective ways to combat human trafficking in the United States and worldwide. I strongly encourage Congress to ensure the forthcoming reauthorization includes a renewed commitment to support curricula and programs such as PROTECT.

This is also consistent with the "three Ps" of the TVPA of 2000 - Protecting victims, prosecuting traffickers, and preventing trafficking from happening in the first place. We are encouraged that your efforts continue to include prevention as a foundational pillar of anti-human trafficking work. We support your commitment to providing training to young people and school staff and administrators to be situationally aware and to

recognize, avoid, and report human trafficking in their schools and their communities, as well as efforts to further integrate trafficking prevention in international development and humanitarian programming, a continued focus on the growing threat posed by online human traffickers, and continued financial assistance for local educational agencies to fund and manage these programs.

In addition to the law's focus on prevention education, FDFI fervently supports survivor empowerment, such as the \$35 million housing authorization for victims to rebuild their lives. These are critical components of the law, and we hope they are built upon in the reauthorization.

Frederick Douglass wrote that "...education means emancipation. It means light and liberty. It means the uplifting of the soul of man into the glorious light of truth, the light by which men can only be made free." I hope that my great ancestor's heroism, determination, and actions will inspire all of us to be modern-day abolitionists in the mold of all the freedom fighters who came before us.

Thank you again for your work on this critical human rights issue, and FDFI will continue to be a strong ally in this mission.

BEDROSSIAN



STATEMENT FOR THE RECORD FROM
 BILL BEDROSSIAN
 PRESIDENT & CEO
 COVENANT HOUSE INTERNATIONAL

THE SUBCOMMITTEE ON GLOBAL HEALTH, GLOBAL HUMAN RIGHTS AND INTERNATIONAL
 ORGANIZATIONS
 FOREIGN AFFAIRS COMMITTEE
 U.S. HOUSE OF REPRESENTATIVES

AT A HEARING ENTITLED
 "IMPLEMENTATION OF THE TRAFFICKING VICTIMS PROTECTION ACT"
 MAY 12, 2023

Chairman Smith, Ranking Member Wild, and Members of the Committee, thank you for allowing me to submit this statement for the record on the importance of the Trafficking Victims Protection Act, particularly for youth experiencing or at risk of homelessness. In our long experience helping more than 1.5 million vulnerable children and youth in North and Central America, Covenant House has identified a direct correlation between youth homelessness and becoming a victim of human trafficking. Despite anti-trafficking laws enacted in the United States and most Latin American countries and significant funding allocated, not enough progress has been made to prevent and prosecute human trafficking. Covenant House appreciates the opportunity to share more about our services, research and policy recommendations.

Covenant House International (CHI) is the largest charitable organization in the Americas building a bridge to hope for young people facing or overcoming homelessness, including survivors of human trafficking. In Fiscal Year 2022, we reached over nearly 43,000 young people across our federation including the United States, Canada, Mexico, Guatemala, and Honduras. The average age in our Latin American residential housing programs is 14 years old with an average stay of 286 days. By comparison, in the U.S. and Canada for short-term housing programs, the average age of stay is 19 years old. Last year, throughout the Americas, we provided 730,000 nights of housing with an average of 2,000 youth per night, on-site workforce development programs, mental health services, and other wrap-around supportive services.

Covenant House believes every young person deserves a safe place to sleep and hope for the future, regardless of national boundaries. We have been at work in Latin America since 1981, and the children and adolescents we care for in the region are the youngest across all our houses, just 12-18 years old. In Latin America, children and adolescents face extraordinary challenges, including poverty, violence, and abuse in contexts rife with political instability, broken education systems, and lack of economic opportunities. These threats lead youth to live on the streets or to flee their own country, urgently seeking safety and opportunity. Struggling to survive on their own, these children are extremely vulnerable to exploitation and trafficking. Among the youth and children served in Latin America, 49% witnessed community violence and 33% are survivors of sexual abuse.



At our sites in six cities in Guatemala, Honduras, and Mexico, we offer shelter, food, medical and mental health care, substance use treatment, educational support, vocational training, and legal aid. In addition to these direct services, we scale our impact and create systemic change in the region through public education and prevention programs, legislative advocacy, and human rights monitoring and activism. In Honduras and Mexico we are known as Casa Alianza, and in Guatemala as La Alianza. To address the causes of youth homelessness, abuse, and trafficking in the region, we widen our lens to focus on prevention, access to justice, and advocacy. We organize communities in support of child safety, prosecute traffickers, track human rights violations, press for child protection legislation, and train police and civil servants to recognize child rights violations. By working for systemic change, Covenant House in Latin America is making a difference far beyond our residences.

Many of our youth and children in Latin America have experienced human trafficking. We offer services to combat the traumas often realized as a result of their experiences. We have three safe house residences dedicated to caring for these survivors: One for girls in Honduras, another for girls in Guatemala, and our third is a residence solely for adolescent boys in Guatemala. When the latter opened in the spring of 2022, it was the first program in Central America to provide protection and care to young male survivors. We offer all these youth the safety and trauma-informed care they need to heal, grow, and pursue justice against their traffickers. In Coatepeque, Guatemala, we additionally have a non-residential outreach program which provides psychosocial and legal support to survivors of trafficking and sexual violence living in a vulnerable region along the western border with Mexico. In Latin America, human trafficking has direct linkages to migration routes, gang violence, drug trafficking, and patriarchal systems.

Throughout our houses in Latin America, Covenant House brings compassionate service to the full arc of the migrant experience. We are present in the busy border areas between Honduras and Guatemala and between Guatemala and Mexico with outreach programs to care for youth and young families along the migrant trail. In Mexico City, we have a dedicated residence for migrant boys who have chosen to seek refugee status in that country. In San Pedro Sula, Honduras, we accompany recently returned Honduran deportees, helping them envision and build a better life in their home country. And at all of our Latin America houses, we are working to create conditions of greater safety and opportunity for youth and young families. Our hope is that our transformative programs will reduce their need to embark on such a risky migration journey.

Across the United States and Canada, Covenant House provides residential programs and vital services to children and youth facing homelessness, the most common form of human trafficking is commercial sexual exploitation. Its primary victims: young women and girls. Youth served by Covenant House (primarily between the ages of 18-24) have faced a range of traumas, including abuse, sexual exploitation, and substance abuse. Covenant House provides anti-human trafficking services, including services and supports to youth survivors of trafficking, street outreach to mitigate risk of trafficking and partnerships with law enforcement and community partners to educate and prevent trafficking. In 2018, Covenant House released groundbreaking trafficking research with the University of Pennsylvania and Loyola University New Orleans. From interviews with youth being served in Covenant House sites in 13 cities, the research found that 1 in 5 of youth interviewed report being survivors of trafficking, including 27 percent of LGBTQ+ youth; and that 22% of youth interviewed were offered money for sex on their first night being homeless. Most recently, Covenant House Toronto surveyed teenage girls to better



understand the behaviors that put teens at risk for sex trafficking. They found early teenage years are a critical time to educate girls on the issue. Education along with open dialogue with their parents, including Internet safety, reduces the risk that a girl will be trafficked.

Since October of 2020, Covenant House New Jersey (CHNJ) has served as the point of entry to victim services for all human trafficking survivors of any age and any housing status throughout the state of NJ. CHNJ has been using a validated screening tool - Quick Youth Indicators for Trafficking (QYIT) - followed by an assessment to identify survivors of human trafficking since 2016. CHNJ's research has shown that as many as half of all identified human trafficking survivors have been labor trafficked. By far, the most common type of labor trafficking among youth experiencing homelessness in NJ is labor trafficking by forced criminality (LTFC). Additional research conducted by CHNJ has found that young people facing homelessness who have a supportive adult in their lives had lower odds of being trafficked.

Covenant House applauds Chairman Smith for his long-standing leadership on behalf of trafficking survivors. Covenant House had endorsed the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2022 introduced by Chairman Smith. This bill would have supported a survivors' employment and education program at HHS, including job training, case management, life-skills training, and other wrap-around social services. The bill would also authorize \$35 million each year for OVC's Housing Assistance Grants for Victims of Human Trafficking.

Last year, Congress passed the Abolish Human Trafficking Act which extended some anti-trafficking programs until 2027. One section will provide grants through HHS to eligible states to develop, improve or expand programs that assist child welfare programs with identifying and responding to human trafficking, including children trafficked by a third-party (ie, not familial) trafficker. With the field moving away from child welfare/system involvement, the careful implementation of that provision is critical, so trafficking survivors are not further harmed. Also, the Trafficking Victims Protection Reauthorization Act, which included a pilot program for "youth at high-risk of being trafficked" passed. This new program through the U.S. Department of Justice (DOJ) would go to community-based organizations in underserved communities, prioritizing rural communities, with housing and supportive services. Covenant House would like the DOJ to interpret this program to include agencies like Covenant House by prioritizing those that have experienced systems involvement and youth who are not just under 18.

As Congress considers updates to the Trafficking Victims and Protection Act (TVPA) and works with the Administration on its implementation, Covenant House stands ready to provide input from site leaders in Latin America, the United States, and Canada. We appreciate the Committee's attention to this important issue, and again, particularly want to thank Chairman Smith for his recognition of the direct correlation between youth homelessness and becoming a victim and the need for safe and stable housing.

BASHAM

House Foreign Affairs Subcommittee on Global Health, Global Human Rights
and International Organizations

Hearing on the
Implementation of the Trafficking Victims Protection Act

Friday, May 12, 2023 – 9:30am
2200 Rayburn House Office Building

STATEMENT SUBMITTED FOR THE RECORD

Submitted by:

Anne Basham

Chief Executive Officer
ASCEND CONSULTING
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Dear Chairman Chris Smith and Honorable Members of the Subcommittee:

Thank you for your commitment to stopping human trafficking both in the United States and internationally. Ascend Consulting is a human rights advocacy firm based in the Washington, D.C. area, and the majority of our efforts are devoted to ending the scourge of human trafficking. We are grateful to represent Hope for Justice, one of the leading NGOs in the global anti-trafficking space.

The TVPA is the most comprehensive federal law to combat human trafficking and provide vital resources for survivors. While the TVPA has been successful in addressing many aspects of human trafficking, there are still several critical gaps that the Frederick Douglass Trafficking Victims Protection Action (TVPA) addresses: namely, the key issues of trafficking prevention and victim identification.

Increasing Victim Identification through Training

Human trafficking is said to be the second largest criminal enterprise in the world, and it is estimated to generate \$150B annually in profits for traffickers¹. Unfortunately, less than 1% of victims of human trafficking are ever identified². There is perhaps no matter more urgent or critical than victim identification and reporting, which is the first step in the journey of healing for a survivor and key to holding traffickers accountable. However, there is often no identification without training for those who are the most likely to interact with victims. In recent years through the targeted efforts of the Blue Campaign and numerous non-governmental organizations, training to law enforcement, airline and transportation sectors has increased

¹ <https://www.state.gov/reports/2022-trafficking-in-persons-report/>

² <https://www.unodc.org/unodc/human-trafficking-fund.html>

substantially. However, the hospitality industry is lacking a consistent nationwide policy for training its employees to identify victims and report suspected cases of human trafficking. 80 percent of federal sex trafficking cases filed in 2021 reported that trafficking crimes took place in a hotel³. Additionally, in recent years, multiple hotel chains have been sued by survivors of trafficking for their failure to take action⁴. Hotels are one of the most likely places for sex trafficking to occur and to be identified, yet if most employees are unaware of the signs of human trafficking or unsure of how to report suspected incidents, victims of trafficking will continue to fall through the cracks.

With all this in mind, lawmakers are to be commended for including in the Frederick Douglass TVPA a nationwide standard of a zero-tolerance policy for human trafficking and the suspected sexual abuse of a minor at any place of accommodation, as well as mandatory training on victim identification for all employees including contractors within 90 days of employment, and repeated trainings at least every two years. Undoubtedly, by increasing employee's capacity to detect and report human trafficking in these venues that serve as routine sites of exploitation, we can address the incredibly low rate of victim identification, help survivors receive vital services, and take the necessary first steps to investigate and prosecute traffickers.

Increasing Identification and Prevention through Education

Another critical location for both sex and labor victim identification is at schools. Though there are many prevention education curricula available throughout the U.S., many school systems have not implemented any instruction for children on the signs of grooming and abuse

³ https://traffickinginstitute.org/2021-fhtr-is-now-available/#_blank

⁴ <https://www.nytimes.com/2023/03/17/travel/hotels-sex-trafficking-violence-crime.html>

nor have the educators themselves been trained to identify it. These gaps persist despite the fact that children ages 11-14 years old are the most likely to be targeted for sex trafficking⁵, and reports have continued to surface in the past year about children as young as 13 years old who are forced to work overnight in factories throughout the United States⁶.

Educators are now on the frontlines for both victim identification and human trafficking prevention. This is why one of the most critical aspects of the Frederick Douglass TVPA is its focus on priority funding for student and educator focused prevention education throughout the United States, using a train-the-trainer format that ensures education on recognizing the signs of grooming, trafficking and abuse, and reporting suspected crimes. Knowledge saves lives. Professional athlete Sir Mo Farah's story made headlines last year when he revealed that he was trafficked as a child, but his recovery did not begin until he disclosed his situation to a P.E. teacher who reported it to social services⁷. Teachers are some of the most likely to receive reports of human trafficking from their students or to recognize it themselves, and therefore, their education should be prioritized.

Almost everyone has regrets about past experiences or decisions, things they wish they could undo, often due to naivete or a lack of information needed to make a wise, timely decision. Human trafficking can happen anywhere, and widespread education about the signs of human trafficking and abuse ensures that potentially thousands of youth do not have to wish they were never trafficked. In some instances, it can be avoided or stopped earlier.

⁵<https://rems.ed.gov/docs/Human%20Trafficking%20101%20for%20School%20Administrators%20and%20Staff.pdf>

⁶ <https://www.dol.gov/newsroom/releases/whd/whd20221109>

⁷ <https://www.bbc.com/news/uk-62158918>

Prevention education and training is going upstream from the problem to stop violence before it happens, but without widespread mandatory requirements and commensurate funding, these critical gaps will remain and limit the effectiveness of the implementation of the TVPA.

Mr. SMITH. I would like to now go to Bella.
And you are yielded such time as you may consume.

STATEMENT OF BELLA HOUNAKEY, TRAFFICKING SURVIVOR

Ms. HOUNAKEY. Good morning. My name is Bella Hounakey and I am a member of the U.S. Advisory Council on Human Trafficking. So thank you for having me here today to speak on behalf of the council.

The members of the council are sincerely grateful to Congress, the White House, and each of the President's Interagency Task Force to Monitor and Combat Trafficking n Persons for its effort to combat human trafficking.

As many of you know, since 2015 the council has published six reports to Congress with recommendations to Federal agencies. This year the council has begun its planning for its 2023 report with focus on how to best address gaps in services and support for human trafficking survivor.

In my time on the council I have born witness to the strength of collaboration. I join in 2019. For example, in the council's intersections with Department of State and Health and Human Services we have made recommendations on the importance of collaboration between agencies. In my individual capacity I have interacted with groups like the Warnath Group as a subject matter expert. These engagements both on council and off council give me hope that at last our voices, our suggestions, our recommendations to the Federal Government as survivors are not only about sharing our trauma with you all or about our past experiences, but it was—it is about collaboration and partnership.

So unfortunately I will not be sharing my story with you today, but I can say with 100 percent certainty that those who have survived trafficking, how they are living today, how they are able to tell their stories is embodiment of the strength of the human will and human spirit.

Their/our collective experiences is also a tale of morality. It is a story for more than surviving in my opinion. It is a story of power, of evil, and the human spirit's refusal to be dominated by evil.

The council, since its inception, has prioritized collaboration with Federal agencies toward a common goal of combatting trafficking by making efforts to address and identify the root causes of trafficking at their root. You mentioned earlier that it is a heart issue, and we agree with that.

We have previously call on Federal agencies to address the demand for forced labor and sexual exploitation by holding buyers and traffickers accountable and hope to continue to call for increase accountability of companies who exploit young people for cheap labor.

All of us here know that human trafficking is a complex and changing issue which requires consistent effort from all of us, from government, to law enforcement, to non-government individuals, and individuals. I also heard somebody earlier somebody that exploitation is a humanitarian crisis which demands a multifaceted response involving a range of strategies from stakeholders. So to that end survivor leaders like ourselves must continue to be among these voices and continue to represent a diversity of experiences

and background with sincere effort for you all to reach communities that you do not often engage with or hear from.

As a direct recipient I receive a lot of support through the TVPA. Because of that I was able to achieve the things that you mentioned in my bio today, so I can attest from my own personal experience that the progress that we have made together to improve the outcomes of trafficking survivors.

Many of you also acknowledge the many unaddressed needs of survivors that are—still remain. Like for example, many do not have access to equal essential mental health services and lack short and long-term housing support. And also vulnerable populations remain at risk of experiencing labor trafficking in our country.

So I looked up some of your bios before speaking to you today and I recognize that many of you have dedicated your entire career to combatting trafficking, like Representative Smith, to ensure that we receive the support we need. So thank you very much for your continuous effort. Thank you for remaining strong in face of adversity and opposition. You all should be proud of the strides you have made through the TVPA, but also continue to remain vigilant.

I am hopeful that together we can continue to create pathways of opportunity through new legislation to reauthorize the TVPA so that survivors like myself and Judge Lung to continue to be on a path toward self-sufficiency so that other people, other survivors can fully reintegrate and reclaim their lives where holistic quality of care could become their reality.

As a country, as legislators, as people we say no to exploitation and our actions must continue to demonstrate where our values lies. It is a moral obligation from all of us. And so on behalf of the council we thank you very much for collaboration and we look forward to seeing you at our release report event. Sincere thank from my heart. Thank you for having me here today.

[The prepared statement of Ms. Hounakey follows:]

**Subcommittee on Global Health, Global Human Rights, and International
Organizations**
Hearing on “Implementation of the Trafficking Victims Protection Act”
May 12, 2023
Bella Hounakey

Good morning, my name is Bella Hounakey, and I am a member of the U.S. Advisory Council on Human Trafficking. Thank you for having me here today to speak on behalf of the Council. The members of the Council are sincerely grateful to Congress, the White House, and each agency of the President’s Interagency Taskforce to Monitor and Combat Trafficking in Persons for its efforts to combat human trafficking.

Since the Council’s inception in 2015, the Council has published 6 reports, with recommendations to federal agencies. This year, the Council has begun planning for its 2023 report, with a focus on how to best address gaps in services and supports for human trafficking survivors.

In my time on the Council, I have born witness to the strength of collaboration. For example, in the Council’s interactions with the Departments of State and Health and Human Services, we have discussed and made recommendations on the importance of agency engagement of survivors. In my personal capacity, I have collaborated with non-government agencies like the Warnath Group as a Subject Matter Expert. These engagements give me hope—at last—our voices, suggestions, and recommendations to the federal government and non-government as survivors are not about sharing our trauma or our past experiences. They are about collaboration, and partnership.

I will not be sharing my story with you today. But I can say with certainty that all who have survived human trafficking, how they are living today, and are able to tell their stories is the embodiment of the strength of the human will and human spirit.

Their—our—experience is also a tale of morality. It is a story of more than surviving. It is a story of the power of evil and the human spirit’s refusal to be dominated by it. The Council, since its inception, has prioritized collaboration with federal agencies toward common goals to combat trafficking by making efforts to identify and address the causes of human trafficking at their root. We have called upon federal agencies to increase awareness and efforts to address issues of inequity, poverty, and mass incarceration as factors that contribute to human trafficking. We have called upon federal agencies to address the demand for forced labor and sexual exploitation by holding buyers and traffickers accountable and hope to continue to call for increased accountability of companies who exploit young people for cheap labor.

All of us here know that human trafficking is a complex and changing issue, which requires consistent efforts from all of us—from government to law enforcement, non-governmental organizations, and individuals.

Exploitation is a humanitarian crisis which demands a multifaceted response involving a range of strategies and stakeholders. Survivor leaders must continue to be among these voices and

represent a diversity of experiences and backgrounds, with sincere effort to reach communities government does not often engage or hear from.

I was a direct recipient of the services and supports afforded through the TVPA. I can attest, through my own experience, to the progress we have made together in improving outcomes for human trafficking survivors.

However, there are still many unaddressed needs survivors still face today. Many do not have access to essential mental health services and lack short and long-term housing supports. In many industries, children and immigrant visa holders remain at high risk for experiencing labor trafficking in this country.

Members of this committee should be proud of the strides made through the TVPA but also remain vigilant to make more! I am hopeful that together, we can create pathways of opportunity so that survivors, especially male victims can have housing support and can become self-sufficient, fully reintegrate and reclaim their lives where holistic quality of care becomes a reality. I believe this all possible, if we continue to work together.

On behalf of the Council, we look forward to collaborating with you as we continue our important work. Thank you for having me here today.

Mr. SMITH. Thank you so very, very much.
And I would like to now recognize Ms. Cavallo, Gina Cavallo.

STATEMENT OF GINA CAVALLO, TRAFFICKING SURVIVOR

Ms. CAVALLO. Good morning. First I want to thank God for bringing me here today. For me I am one of the miracles for many I am choosing to share and give you a little bit more of a snapshot of my background because it did not start with just trafficking. There is always layers upon layers. And hopefully if this can help continue to support all your efforts, and then it is worth it for me, and also to be a voice for those who are still silent and living in fear and shame. But thank you for inviting me here today from New Jersey to speak about my own lived experience and as a subject matter expert on human trafficking. It is so critical that survivors are heard, and I would like to commend you all for inviting me to the table and listening to what I have to say.

I am a New Jersey native who is a survivor of domestic violence and childhood abuse. That experience as a child led me to a place where I felt ashamed, unloved, and rejected. It also led me to being trafficked. School was like an extension of my home. I struggled in school with other learning with disabilities—learning disabilities as well as other disabilities. The only thing I succeeded at was being the funniest because I used laughter to hide behind my pain.

It was very important for me to be accepted and loved especially by my family. I wanted my family to be proud of me. And that need was incredibly strong, but unfortunately I was never able to obtain their love or approval. That was my vulnerability and weakness.

That vulnerability led me into the hands of the wrong people. Force, fraud, and coercion were all used by someone who pretended to be my friend, but ultimately abduct me into being trafficked. For nearly 2 years from the age of 18 I was prostituted and sold to the highest bidder and raped over and over again. My identity was taken as I was given a new name. Sleep deprivation, threats of violence, pornography, drugs, and food were all used as punishment and reward, leading my traffickers taking psychological control over me.

Does this sound like anything a young person dreams of for their future? Of having this kind of life? Being stripped and robbed of your mind, your body, your dignity, your respect, your humanity? I became a commodity to be used for others' gain. But I often blamed myself for my situation because I believed it was my fault.

Because of the complex nature of this crime traffickers frequently operate under the radar and those being trafficked do not always identify as victims. Traffickers maintain power and control over their victims with physical and psychological control and substance abuse.

As a victim I was taught by my traffickers to distrust family, friends, and especially law enforcement. The more they isolated, the more fear I felt and the more control they gained, which is very intentional. They instilled in me a strong distrust of the police. I was afraid of being arrested which in my case happened several times. In one case I was raped by an officer and released back to my traffickers.

Had there been a national hotline number at the time I would have had a safe place to call that was not law enforcement, who I feared. Thankfully today we have a national hotline number which allows victims to feel safe and access service and most importantly it is done through a trauma-informed manner.

My traffickers moved around a lot, not necessarily to follow conventions or big events, but so they would not get caught. Because of my forced addictions many times I would not know where I was in the country or even when I was moved into Canada for a short time.

Traffickers are also women. In my case while I thought I knew the people; in total over 2 years it was three men and one woman, who trafficked me, little did I know that they were also using false identities to protect themselves. I have learned that this is quite common. Many traffickers are not who they usually say they are making it difficult to prosecute them.

It took decades for me to identify that I was a victim of domestic violence, that I was a victim of child abuse, and that I was a victim of sex trafficking. I learned through counseling and my continuous healing journey that what happened to me was not my fault and realized that I had been protecting those who were violating me.

As a victim I was left with a lifetime sentence: ruined relationships, addictions, hospital visits, suicide attempts, lack of jobs and education, and also left with shame and fear. And I learned that if you do not heal what hurt you, you will bleed on others who did not cut you. In the years after escaping trafficking the effects of being stripped of my humanity left me with trauma and mental health issues. I was also left with criminal records and further mental anxiety.

We need to expose all buyers and sellers. They must be accountable. For that we need to strengthen—continue to strengthen our laws, improve education on all levels, and name and shame the buyers and sellers and not the victims.

I am also hoping that all those who seek to end exploitation and abuse of trafficking learn that they need to be a safe person and understand what that means. It is something we can all become, someone who holds back judgment and instead offers food, offers a blanket and emotional support, treating all individuals with dignity and respect.

But what you especially can do as lawmakers is to ensure that in every aspect of your work to end trafficking you put forward measures mandating widespread survivor-informed and trauma-informed training. This has to become the norm and it is the only way to bring light to this inhumane crime, awareness to our communities, and to expose the criminals. We need to create a safer country where people can come forward without stigma to reveal their experiences. No one should feel double victimized. No one should feel the double victimization of being trafficked as well as feeling that they have to stay silent because of shame, fear, and not feeling safe.

It was not until 2015 that I found my voice, my truth, and my freedom. I am working to get the criminal records I was left with expunged and vacated. One down and one to go. Today when I go into countless schools throughout New Jersey and the United

States students are always engaged and eager to talk, as are their parents. Students and families always want us to come back.

There are many young people in particular that needs safe people to talk to about trafficking and other forms of abuse. It is essential that children are made aware of what trafficking looks like and the valuable information to empower them and keep them safe while ensuring that all information they received is trauma and survivor-informed.

This is a bridge of all voices, the survivors and the non-survivors. We need to collaborate to continue to make this work. I couldn't do what I am doing without the amazing leaders and advocates I walk alongside with each day. I am deeply grateful to my colleagues at the New Jersey Coalition Against Human Trafficking, the New Jersey Chapter of the American Academy of Pediatrics Task Force, and all those on the New Jersey Commission on Human Trafficking, which I am honored to serve.

I am also incredibly grateful to Congressman Chris Smith who had led this fight against trafficking for so long ensuring that there is funding and other provisions to protect, prosecute, and continue educating our communities in a survivor-informed way. That is why I am so pleased to be here today. You are all making such a difference to help and support survivors.

Human trafficking comes in so many forms and it discriminates against no one. Countless women and men, boys and girls are trafficked every day and subjected to humiliation, shame, exploitation, and continued being abused.

Although I am no longer a victim if what happened to me could make a difference to one person, it would have been worth it. I am encouraged today and I am filled with gratitude and hope because you are willing to hear me and hear other survivors. It is essential that survivors are included in all aspects of the work to prevent trafficking including education, law enforcement response, health care, and so on. Survivors need to be at the table engaged from the beginning to the end and compensated in doing so.

Thank you all for listening and thank you for all you continue to do to end this horrendous crime.

[The prepared statement of Ms. Cavallo follows:]

**TESTIMONY FROM GINA CAVALLO, TRAFFICKING SURVIVOR
TO THE COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEE ON GLOBAL HEALTH, GLOBAL HUMAN RIGHTS, AND
INTERNATIONAL ORGANIZATIONS
CHRISTOPHER SMITH (R-NJ), CHAIRMAN
MAY 12, 2023**

Thank you for inviting me here today from New Jersey, to speak about my own lived experience, and as a subject matter expert on human trafficking.

It's so critical that survivors are heard and I'd like to commend you all for inviting me to the table, and listening to what I have to say.

I'm a New Jersey native, who is a survivor of domestic violence and childhood abuse. That experience as a child led me to a place where I felt ashamed, unloved and rejected. It also led me to being trafficked.

School was like an extension of my home – I struggled in school with learning and other disabilities – the only thing I succeeded at was being the funniest, because I used laughter to hide behind my pain.

It was very important for me to be accepted and loved, especially by my family. I wanted my family to be proud of me. That need was incredibly strong, but unfortunately, I was never able to attain their love or approval. That was my vulnerability and weakness. That vulnerability led me into the hands of the wrong people.

Force, fraud and coercion were all used by someone who pretended to be my friend, but ultimately abducted me into being trafficked. For nearly two years from the age of 18, I was prostituted, and sold to the highest bidder, and raped over and over again.

My identity was taken as I was given a new name. Sleep-deprivation, threats of violence, pornography, drugs and food were all used as punishment and reward, leading to my traffickers taking psychological control of me.

Does this sound like anything a young person dreams of for their future? Of having this kind of life? Being stripped and robbed of your mind and body, your humanity, your dignity and respect?

I became a commodity to be used for others' gain.

But I often blamed myself for my situation, because I believed it was my fault.

Because of the complex nature of this crime, traffickers frequently operate under the radar, and those being trafficked don't always identify as victims. Traffickers maintain power and control over their victims with physical and psychological control and substance abuse.

As a victim I was taught by my traffickers to distrust family and friends and especially law enforcement. The more they isolated me, the more fear I felt, and the more control they gained - which is very intentional. They instilled in me a strong distrust of the police – I was afraid of being arrested which in my case happened several times. In one case, I was raped by an officer and released back to my traffickers.

Had there been a National Hotline number at the time I would have had a safe place to call that wasn't law enforcement, who I feared. Thankfully today we have a National Hotline number which allows victims to feel safe and access services, because it's done in a trauma informed manner.

My traffickers moved around a lot, not necessarily to follow conventions or big events, but so that they wouldn't get caught. Because of my forced addictions, many times I wouldn't know where I was in the country or even when I was moved into Canada for a short time.

Traffickers are also women. In my case, while I thought I knew the people – in total over 2 years it was three men and one woman - who trafficked me, little did I know that they were using false identities. I've learned that this is quite common. Many traffickers are not who they say they are – making it difficult to find and prosecute them.

It took decades for me to identify that I was a victim of domestic violence, that I was a victim of childhood abuse, and a victim of human trafficking. I learned through counseling and my continuous healing journey that what happened to me wasn't my fault, and realized that I had been protecting those who had violated me.

As a victim I was left with a lifetime sentence: ruined relationships, addiction, hospital visits, suicide attempts, lack of jobs and education – and also left with shame and fear. And I learned that if you don't heal from what hurt you, you will be bleed on others who didn't cut you. In the years after escaping trafficking, the effects of being stripped of my humanity left me with trauma and mental health issues. I was also left with criminal records which created further mental anxiety.

We need to expose all buyers and sellers. They must be accountable. For that, we need to strengthen our laws, improve education at all levels, and name and shame the buyers and sellers.

I'm also hoping that all those who seek to end the exploitation and abuse of trafficking learn that they need to be a safe person and understand what that means. It's something we can all become. Someone who holds back judgement and instead offers food or a blanket and emotional support – treating all individuals with dignity & respect.

But what you especially can do as lawmakers is to ensure that in every aspect of your work to end trafficking you put forward measures mandating widespread survivor-informed and trauma-informed **training**. This has to become the norm and it's the only way to bring light to this inhumane crime, awareness to our communities, and to expose the criminals.

We need to create a safer country where people can come forward without stigma, to reveal their experiences. No one should feel the double victimization of being trafficked, as well as feeling that they have to stay silent because of shame, fear, and not feeling safe.

It wasn't until 2015 that I found my voice, truth and freedom. I am working to get the criminal records I was left with expunged and vacated – one down, one to go!

Today, when I go into countless schools throughout New Jersey, students are always engaged and eager to talk. As are their parents. Students and families always want me to come back. There are many young people in particular that need safe people to talk to about trafficking and other forms of abuse. It's essential that children are made aware of what trafficking looks like and get valuable information to empower them, and keep them safe, while ensuring that all information they receive is survivor and trauma informed.

This is a bridge of all voices – the survivors and the non-survivors – we need to continue to collaborate to make this work.

I couldn't do what I'm doing without the amazing leaders and advocates I walk alongside with each day. I am deeply grateful to my colleagues at the New Jersey Coalition Against Human Trafficking, the New Jersey Chapter of the American Academy of Pediatrics Task Force and all those on the New Jersey Commission on Human Trafficking of which I'm honored to serve. I'm also incredibly grateful to Congressman Chris Smith who has led the fight against trafficking for so long, ensuring that there is funding and other provisions to protect, prosecute and educate our communities in a survivor-informed way.

That's why I'm so pleased to be here today. You are all making such a difference to help and support survivors. Human Trafficking comes in many forms and discriminates against no one. Countless women, men, boys and girls are trafficked every day and subjected to humiliation, shame, exploitation and abuse.

Although I'm no longer a victim – if what happened to me could make a difference to one person, it would have been worth it. I am encouraged today and I am filled with gratitude and hope because you are willing to hear me, and hear other survivors. It's essential that survivors be included in all aspects of the work to prevent trafficking, including education, law enforcement response, healthcare and so on. Survivors need to be at the table, engaged from the beginning to the end, and compensated in doing so.

Thank you for listening and thank you for all that you continue to do to end this horrendous crime.

Respectfully submitted,

Gina Cavallo
Trafficking Survivor

Mr. SMITH. Ms. Cavallo, thank you so very much for that very eloquent statement and for your leadership. It is extraordinary.

I would like to now yield to Mr. Lung for such time as he may consume.

STATEMENT OF ROBERT LUNG, TRAFFICKING SURVIVOR

Mr. LUNG. Good morning. Thank you, chairman, thank you honorable Members of Congress, and thank you, my colleagues.

I begin with a quote credited to both John Bunyan and later to Mahatma Gandhi. "It is better in prayer to have a heart without words than words without heart." I pray you all hear my heart in these words as I speak my truth.

In the 1970's a man took a boy to whom he was related to a cabin in a rural part of the country. The man told the boy to undress and to wait. The boy obeyed him. Moments later another boy entered the room accompanied by two men. The first boy upon seeing how scared the second boy looked asked, "What's the matter?" Why are you so scared? The second boy replied in shock and in disbelief, "You do not know. You do not know." The man took the second boy into an enjoining room and the two men proceeded to violently rape the boy.

I am the first boy, and that was the first time I was trafficked. I was trafficked for 4 years. I survived physical abuse, sexual abuse, mental and emotional abuse, sex trafficking, and torture over more than 13 years of my childhood. And I managed to graduate high school, and I managed to graduate college, and I managed to graduate law school. And in my courtroom they all rise when I come in and they call me judge.

And now know this: There are no survivors who stand alone in their recovery. Survivors need help, they need food and shelter, they need an education, they need counseling and recovery services, they need good and fair employment, they need peer support. They need the very provisions of the TVPA. The survivors of today need this bill and they need you. And they need you too. And they need you too. And they need you to support this bill and to carry this bill forward.

I will undoubtedly receive criticism from my fellow survivors for saying that they need you because survivors are a proud people and they fiercely fight for themselves in whatever way they can to survive.

But no survivor stands alone.

I did not get here alone. I had my mother, a strong woman of faith who taught me to believe in hope. I had my grandmother who taught me about courage. I had my brother who taught me to trust again. I had a flock of therapists including Dee Marcotte and Jennifer Sandberg of Colorado who taught me that vulnerability is not weakness. Vulnerability is unimaginable strength. I have had amazing friends: Pat, Mark, Ed, Dave, Bill, Dan, Paul, Lon, Ellesondra, Tina, Nathan, Russell, Anna, Bukola, Suleman, Bella, and so many others who stood by me in my lowest of lows, the greatest of which my wife of 19 years and my best friend, Charine Chase. And all along I have had my God who loves me, who forgives me, and who guides me to this very day, to this very moment.

The bill before you contains provisions that can provide the resources and pathways for children, for youth, for young persons, for adults to find their own pathways, to their own goals, whether those goals are to graduate high school, or to own their own company, or to be an advocate, or to be a parent, or to be a mentor, or a lawyer, or a judge, or a congressperson, or United States Ambassador. With the aid you have the power to provide their futures are limitless. The victims of trafficking need these protections and these provisions so they too may transition from victim to survivor to thrive. They need you. We need you. And I need you.

I need you to look at our faces, the faces of these survivors not as if we are strangers with no connection to you. I need you to imagine instead that seated here are your sons and your daughters, your children needing this help. I need you to imagine saying yes, saying yes that you will help a victim become so much more than what happened to them.

I shared with you that I was the first boy and what happened to me that day and the years thereafter.

Support this bill, adopt this bill, follow Congressman Smith's path to provide for survivors so that 1 day there can be the last girl, the last boy, the last child to come before Congress begging, begging for your help.

Every single one of you took this job for the exact same reason: to help others, to make a difference, the most noble of employs. And in the mix and mess of your daily duties you start to lose sight of your first purpose, your true calling.

Now I know no one will remember me. No one is going to remember this 5-minute speech, but I beg you to remember the story of the first boy because history will remember you. History will remember if you made a difference, if you joined in support of the TVPA. Here is your chance to re-embrace your true purpose, to make a difference. Make this difference. Support this bill. This is the way back to your true purpose, to help others and to make a difference. This is your way.

I leave you with one more quote from someone else history will never forget, St. Ignatius Loyola. "Work as if everything depends on you. Pray as if everything depends on God." May you be blessed in all of your work in these sacred halls for the greater good of all. I thank you. May you be blessed.

[The prepared statement of Mr. Lung follows:]

Chairman, Honorable Members of Congress, my colleagues,

I begin with a quote credited to both John Bunyan and later to Mahatma Gandhi:

"It is better in prayer, to have a heart without words, than words without heart."

I pray you all hear my heart in these words as I speak my truth:

In the 1970s a man took a boy, to whom he was related, to a cabin in a rural part of the country. The man told the boy to undress and to wait. The boy obeyed him. Moments later another boy entered the room accompanied by two men. The first boy, upon seeing how scared the second boy looked, asked, "What's the matter, why are you so scared?" The second boy replied, in shock and disbelief, "You don't know, you don't know!" The man took the second boy into an adjoining cabin and the two men proceeded to violently rape the first boy.

I am the first boy and that was the first time I was trafficked.

I was trafficked for four years. I survived physical abuse, sexual abuse, mental and emotional abuse, sex trafficking and torture over the course of more than 13 years of my childhood.

And I managed to graduate high school. I graduated college. And I graduated law school.

But know this - there are no survivors who stand alone in their recovery - survivors need help, they need food and shelter, they need an education, they need counseling and recovery services, they need good and fair employment, they need peer support, they need the very provisions of the TVPA, the survivors of today need this Bill and they need you. They need you to.... They need you to.... They need you to.... They NEED you to.... They need YOU to.... They need you to join in support of this Bill. They need you to carry this Bill forward.

I will undoubtedly receive criticism from fellow survivors for saying "they need you." Survivors are a proud people, and they learn to *fiercely* fight for themselves in whatever way they can to survive.

But no survivor stands alone.

I didn't get here alone. I had my mother, a strong woman of faith who taught me to believe in hope. I had my Grandmother who taught me about courage. I had brother who taught me to trust again. I had a flock of therapists including Dee Marcotte and Jennifer Sandberg who taught me that vulnerability is not weakness, it is unimaginable strength. I have had amazing friends, Pat, Mark, Ed, Dave, Bill, Dan, Paul, Lon, Ellesondra, Tina, Nathan, Russell, Anna, Bukola, Suleman, Bella and so many others, who stood by me, in my lowest of lows - the greatest of which - my wife of 19 years and my best friend, Charine Chase.

And all along I have always had my God who loves me, who forgives me and who guides me to this very day, this very moment.

The Bill before you contains provisions that can provide the resources and pathways for children, for youth, for young persons, for adults to find their OWN pathways to their OWN goals - whether those goals are to graduate high school, or own their own company, to be an advocate, or to be a parent or mentor, or to be a lawyer or a judge or Congressperson or....to be a United States Ambassador.

With the aid **you** have the power to provide, their futures are limitless. The victims of trafficking need these protections and these provisions so they too may transition from victim to survivor to thrivers. They do need you. We need you.

And I need you – I need you to look at our faces and not imagine strangers to whom you have no connection. I need you to imagine, as difficult as it may sound, imagine your own son, your own daughter, your own children needing this help and you saying yes, you helping a victim become so much more than what happened to them.

I shared with you that I was that first boy and what happened to me that day and the years thereafter.

Support this Bill, adopt this Bill, follow Congressman Smith's path to provide for survivors so that one day there can be the last girl, the last boy, the last child to come before Congress begging, begging for your help.

Every single one of you took this job for the exact same reason - to help others and to make a difference, the most noble of employs. And in the mix and mess of your daily duties and dilemmas you start to lose sight of your first purpose, your true calling.

Now, I know, no one will remember me, no one will remember this five minute speech. But I beg you to remember the story of the first boy. Because, history **will** remember YOU, history will remember if you made a difference, if you joined in support of the TVPA.

Here is your chance to re-embrace your true purpose. To make a difference. Make THIS difference - support **this** Bill. This is the way, back to your true purpose - to help others and to make a difference - this is your way.

I leave you with one more quote from someone else history will never forget,

"Work as if everything depends on you.

Pray as if everything depends on God."

- *St. Ignatius Loyola*

May you be blessed in all of your work, here, in these sacred halls for the Greater Good of All.

I thank you. May you be blessed.

Mr. SMITH. Judge Lung, thank you for that excellent testimony. Your experience absolutely encourages all of us to do far more than we have done and again for helping us write this bill, which is almost ready for reintroduction. And you helped us last year when we did the Frederick Douglass, which did pass the House; did not get out of the Senate, but I want to thank you for the input that you provided. It is extraordinary.

Mr. LUNG. Thank you, sir.

Mr. SMITH. Without our survivors and survivor-informed, trauma-informed we would not know where to go, so thank you.

Ms. Becky Murray, the floor is yours.

STATEMENT OF BECKY MURRAY, FOUNDER AND CEO, ONE BY ONE

Ms. MURRAY. Good morning, Chairman Smith, honorable committee members. Thank you for the honor and privilege of sitting before you today. I am representing the global community of NGO's working to fight against modern day slavery and human trafficking abroad.

My name is Becky Murray and the CEO and founder of One By One, and international NGO that has its U.S. headquarters in Nashville, Tennessee, as you can obviously tell by very Nashville-sounding accent.

[Laughter.]

Ms. MURRAY. One By One was founded over a decade ago. I went on a trip to Sierra Leone. I was a student at the time in my early 20's and on the trip I met a little girl, a 9-year-old girl who was living on the streets. And I noticed she had no shoes. So with less than a dollar I bought her a little pair of flip-flops and she approached me and she said should I wait in your bedroom? That little girl had been so abused by both men and women that she presumed less than a dollar meant I know deserved her body. And that one moment changed my life and I decided in that moment I will give my whole life to this. Even if it is only ever for one child I will give my whole life to this because no child should go through that.

This singular event launched a global movement to address human trafficking and modern day slavery in some of the most impoverished areas of the world. And since founding in 2011 One By One has provided necessary restorative care, educational support, and empowerment toward sustainable living to prevent exploitation of the vulnerable cross-communities in the developing world.

One of the signature projects that I am most proud of is the Dignity Project which has now reached over 30,000 girls across Africa and Asia and different parts. Period poverty is a worldwide problem that affects millions of women and girls every day and it refers to the lack of access to menstrual products, proper sanitation facilities, and education around menstrual health.

It is a complex issue that is deeply rooted in social, economic, and cultural factors and leads so girls to being exploited and trafficked. Girls missing school and missing critical educational time during their absence and girls who miss school or the work due to their periods become far more vulnerable to the tactics of traffickers as a result.

Since the implementation of the Dignity Project we have seen attendance rates, test grades, and completion rates rise significantly and the efforts are cost-effective measures that in my opinion really deal with one of the most neglected of the three Ps, prevention, and its impact is clear.

However, many efforts cannot scale to the level of having a true global impact without the investment and support from the U.S. Government. As you are undoubtedly aware, both USAID and the State Department's Office to combat trafficking plays a critical role in addressing issues of modern day slavery, and the United States has been a global leader in this, which as a British girl to say is a big deal.

You guys are global leaders in this since the passing of the Trafficking Victims Protection Act in 2000 thanks to the unwavering leadership and commitment of Representative

Smith, amongst many others. I want to say a personal thank you on behalf of every child that I have had the honor of helping and working with. On their behalf I want to say thank you to yourself and everybody who is committed in this.

Just recently I had the opportunity to meet with USAID representatives across Kenya and Uganda and I was disheartened to learn that little to no investment was made a focus of the work on specifically human trafficking. While I was thankful for the time and the insights for the work that is being done, I was confused at the lack of focus given the scope and impact of human trafficking in those regions.

Additionally it was concerning that Congress authorized more than \$60 billion in the 2023 budget alone for foreign aid, yet since 2001, so in the last 22 years, USAID has only invested a grant total of \$370 million into fighting human trafficking.

Trafficking in persons is a threat to economies, global health, health security, gender equality, gender equity, and empowerment, all of which are key highlights in the President's 2024 budget request, however trafficking was not represented in the budget justification. The State Department's Office to Monitor and Combat Trafficking Persons has made significant investments and efforts to enhance capacity for foreign governments to combat human trafficking.

Much of this investment is being focused on the pillars of protection and prosecution. And I recognize that these are obviously critical to effectively addressing modern day slavery, however I respectfully submit that prevention, the third P, has been somewhat neglected.

As a practitioner in the field it is my observation that governments often fail to address root causes of exploitation and trafficking. I understand that prevention is harder to measure and activities aren't quite as flashy as conduct in the so-called rescue operation, however, if we are going to truly have an impact we must focus and invest on prevention. The most important question before the government should be how do we prevent human trafficking from happening in the first place? There should never be a first boy.

In 2019 the Trafficking in Persons Report published by JTIP rightly recommended, and I quote, "Increase prevention efforts

through outreach and intervention services for marginalized communities,”

It is of paramount importance that the United States continues to invest in the global fight against human trafficking, a crime that affects millions of people worldwide and poses a significant threat to human rights, public health, and national security. The U.S.’ commitment to eradicating this modern day form of slavery not only reflects its unwavering dedication to the principles of freedom, justice, and human dignity, but it also serves as a strategic investment that fosters stability, prosperity, and the rule of law in countries around the world.

By funding and supporting anti-trafficking efforts the United States continues to dismantle criminal networks that profit from the exploitation of vulnerable individuals, many of whom fall prey to traffickers due to poverty, lack of education, social marginalization, period poverty. These criminal enterprises undermine the global economy, corrode the integrity of U.S. institutions, and jeopardize the collective security.

I respectfully submit in closing the following recommendations to this committee: To increase and direct the use of appropriated funds to USAID to invest addressing the issues of modern day slavery.

To pass the Frederick Douglass Trafficking Victims Protection and Prevention Act without delay. This legislation will expand U.S. efforts relating to combatting human trafficking including forced labor as well as new recommendations for USAID to integrate prevention efforts for their global programming.

And to amend International Megan’s Law to address any loopholes to keep children safe from traveling convicted pedophiles.

And last, I call upon this committee to introduce the legislation that would enhance child trafficking prevention, education to address children that have been sexually abused and exploited as well as child trafficking online.

These steps will bolster the work already being done and foster new efforts in preventing exploitation of the vulnerable people. As we work toward establishing a world where all children are free to achieve their full potential without threat of being exploited or trafficked.

Thank you for your time.

[The prepared statement of Ms. Murray follows:]

Written Statement of

Becky Murray
Chief Executive Officer
One By One
Nashville, Tennessee

Before the

House Foreign Affairs Committee
Subcommittee on Global Health, Global Human Rights, and International Organizations

May 12, 2023

**Preventing Exploitation: Recommendations to the U.S. Government
on Combatting Human Trafficking Abroad**

Some of the information and facts contained herein are derived from training and research, but all information and observations are supported by personal and professional experiences as a practitioner in the field.

Problem

Human Trafficking is a crime that cuts across all races, ethnicities, genders, and socio-economic classes. Traffickers prey on the vulnerabilities of their intended victims, depriving them of their human dignity and worth for the purposes of profit, regardless of the victim's country of birth, background, or age¹. Human trafficking can happen to anyone, anywhere. According to the Palermo Protocol, the United Nations (UN) Office on Drugs and Crime, Human Trafficking is,

“... the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.”²

¹ United States Department of State, *Trafficking in Persons Report* (2013), <http://www.state.gov/j/tip/rls/tiprpt>

² UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000, available at: <https://www.refworld.org/docid/4720706c0.html> [accessed 2 May 2023]

More simply put, human trafficking is the exploitation of another person using force, fraud, and coercion for financial or personal gain. While anyone of any gender, ethnicity, economic status, or age can be victims of trafficking, disturbingly, the world's most vulnerable people are victimized the most. The National Center of Safe and Supportive Learning Environments argues that traffickers target people with pre-existing health risk, such as physical, mental, substance abuse, or developmental vulnerabilities or someone with a history of abuse and maltreatment, financial difficulties like low income or homelessness, migrants, a dysfunctional home life, or someone with no support system.³

In September of 2022, alongside Walk Free and the International Organization for Migration, the International Labour Organization (ILO) released the latest *Global Estimates of Modern Slavery* report, suggesting that as of 2021, fifty million people around the globe were actively experiencing and living in modern slavery and that trafficking in a \$150 billion-a-year worldwide industry, making this hidden crime one of the biggest crimes against humanity in the global market.⁴ This is not a new issue, but it is a growing one. The ILO recognized that there has been a stark increase in trafficking in persons from 2017 to the 2022 report⁵ and if the global community continues to neglect this problem at the level it is now, the amount of people living in modern slavery will only surge in years to come.

It is of utmost importance and urgency that the United States, together with the rest of the global community, works together to develop and achieve strategic solutions partnered with the critical financial investment to address this problem that is affecting men, women, and children. This is not a crime only happening in far away, foreign locations, it is in all our neighborhoods, threatening the potential of a sustainable future for all.

Global Efforts

In 2006, while visiting Sierra Leone, I purchased a pair of shoes for a young girl. I was disconcerted to learn the child concluded that this action was one intended in exchange for sex. From the weight of this encounter, One By One was established.

One By One is an international charitable organization with its U.S. headquarters based in Nashville, Tennessee. Since being founded in 2011, One By One has provided necessary restorative care, educational support, and empowerment towards sustainable living to prevent exploitation of vulnerable communities across the developing world.

One By One's 80 staff members, made up of social workers, teachers, outreach teams, house parents, cooks, cleaners and administrative support, are proudly located across the globe, in

³ National Center on Safe Supportive Learning Environments. (n.d.). *Vulnerable populations*. Vulnerable Populations | National Center on Safe Supportive Learning Environments (NCSSLE). Retrieved May 2, 2023, from <https://safesupportivelearning.ed.gov/human-trafficking-americas-schools/vulnerable-populations>

⁴ Global Estimates of Modern Slavery: Forced Labour and Forced Marriage. International Labour Organization (ILO), Walk Free, and International Organization for Migration (IOM). Geneva. 2022.

⁵ Global Estimates of Modern Slavery: Forced Labour and Forced Marriage. International Labour Organization (ILO), Walk Free, and International Organization for Migration (IOM). Geneva. 2022.

places like Kenya, South Africa, Sierra Leone, Brazil, India, Uganda, Zambia, and Pakistan, while always working to expand the reach of their mission.

One By One's programs supply aid and assistance to tens of thousands of children each week. With all funds governed by the organization's executive team and restricted for use in ongoing projects, One By One has seen immense success in its programs, for example;

- One By One Kenya, caring for almost 200 boys and girls, aims to rehouse and give hope to children that otherwise would be living in abject poverty;
- A widows' program in Sri Lanka, creating safe spaces and working with women whose husbands were killed in the civil war;
- One By One's Pakistan Safe House, providing a refuge for children who have spent most of their lives working in brutal conditions amongst brick factories; and
- The Dignity Project, reaching over 30,000 girls, provides teenagers with re-usable sanitary items and education.

Alongside members of various governments around the world and community leaders, One By One has had the opportunity and privilege to improve upon prevention overseas. Prevention initiatives, programs, and training is critical for stakeholders and amongst people who may be vulnerable to it because most people are either unaware of the realities of human trafficking, do not know the prevalence of trafficking in their own community, or assume it is happening elsewhere in the world.

Period poverty is a worldwide problem that affects millions of women and girls every day. It refers to the lack of access to menstrual products, proper sanitation facilities, and education about menstrual health. It is a complex issue that is deeply rooted in social, economic, and cultural factors. While overseas, One By One's CEO, Becky Murray, discovered that many girls were missing a week of school each month due to period poverty.

Women and girls who cannot afford menstrual products are often forced to use unsafe materials such as rags, leaves, or newspapers, which can lead to serious health complications. Due to the embarrassment and health consequences of period poverty, women and girls are missing school and the critical lessons taught during their absence. Women and girls who miss school or work due to their periods are unable to reach their full potential and can become far more vulnerable to the tactics of traffickers as a result.

As One By One ascertained that period poverty was a vulnerability factor leading girls into human trafficking situations, the Dignity Project was launched. This initiative provides reusable sanitary products and delivers critical training to girls at high-risk of experiencing period poverty. One By One's team of experts deliver essential training covers many topics, including but not limited to human trafficking prevention training, which also addresses the tactics commonly used by traffickers in the different localities.

Social Determinants of the Victims

Traffickers look for three (3) things when selecting a potential victim: accessibility, suggestibility, and vulnerability. Accessibility refers to the traffickers' ability to gain and maintain access to an intended victim during the course of recruiting and manipulating them into

an exploitive scenario. As previously mentioned, this is typically accomplished through social media and other electronic communications platforms. Traffickers have continuous, and often times unsupervised, access to their intended victims. Suggestibility refers to the societal influences of the intended victim that can be used to “normalize” the exploitive behavior. In sex trafficking this is often accomplished through the false glamorization of the commercial sex industry which is often not accompanied by education regarding the very physical, emotional, and psychological impact sex work can have on a person. With regards to exploitive labor, or labor trafficking, this can be accomplished by *suggesting* that this is the only option available to a person in a vulnerable state. Vulnerability is the factor in a victim’s life that the trafficker uses to leverage that person – vulnerability and suggestibility are often interconnected. These vulnerabilities often become the social determinants which lead to victimization and should be the focus of prevention efforts. The traffickers often focus their recruitment efforts on children because of particular vulnerabilities that impressionable young people possess. These vulnerabilities, or social determinants, fall into four main categories: economic vulnerabilities, victims of prior abuse (sexual or physical), situational vulnerabilities, and “other at-risk”.

Prevention

Prevention, while one of the “3 P’s” has often been overshadowed by protection and prosecution. Unfortunately focusing solely on protection and prosecution assumes that someone – a person – has already been victimized. While the focus on victim services is essential and should not be minimized, equal attention should be placed on prevention. The effects of human trafficking are life-altering and victims carry the physical, emotional, and psychological impact for the rest of their lives. Often times, the needs of a human trafficking survivor can overwhelm systems put in place to support them.

If the effects are so grave and we know many of the societal determinants that lead to people being trafficked the most important question before the government should be: how do we prevent human trafficking from happening in the first place?

The 2019 Trafficking in Persons Report, published by the State Department’s Office to Monitor and Combat Trafficking in Persons, carefully examines the efforts that have been made by countries to fight trafficking and evaluates where improvement is still needed. Among the many recommendations for the United States is a call to “Increase prevention efforts... through outreach to and intervention services for marginalized communities.” (State Dept 2019).

The US Department of Health and Human Services Administration for Children and Families Office on Trafficking in Persons recommends examining prevention efforts through two models – the Three Levels of Prevention Model, which looks at efforts that can be made during different stages of the trafficking process, and the Socio-Ecological Model, which outlines the different factors that may contribute a victim being trafficked. Understanding both models can improve our nation’s efforts to prevent human trafficking by drawing attention to the various needs of a victim or potential victim in a trafficking scenario.

Role of USAID and U.S. State Department's Office to Monitor and Combat Trafficking in Persons

Shedding light on the pivotal role played by the United States Agency for International Development (USAID) and the Department of State's Office to Monitor and Combat Trafficking in Persons (JTIP) in combatting the heinous crime of human trafficking overseas, these dedicated agencies, through their unwavering commitment and strategic initiatives, have been instrumental in strengthening our global response to this modern-day form of slavery.

USAID, with its extensive reach and influence, has been a crucial partner in addressing the root causes of human trafficking across the globe. By implementing development programs that target poverty, lack of education, and social vulnerabilities, USAID directly contributes to the prevention of trafficking. These programs include initiatives aimed at improving economic opportunities, fostering gender equality, and promoting social inclusion. As a result, vulnerable populations are better equipped to resist the tactics employed by traffickers.

The Department of State's JTIP Office, serving as the backbone of the U.S. government's efforts to combat human trafficking. The annual Trafficking in Persons (TIP) Report, published by JTIP, is a testament to their commitment to transparency and accountability in this fight. This report not only assesses the efforts of individual nations but also offers valuable recommendations for improvement, facilitating the global exchange of best practices and lessons learned.

Both USAID and JTIP are actively involved in capacity-building initiatives that enhance the ability of foreign governments, law enforcement agencies, and civil society organizations to effectively combat human trafficking. Through training, technical assistance, and the provision of essential resources, these agencies enable our partners to improve their response to human trafficking and better protect victims. The collaboration between USAID and JTIP also extends to the promotion of legislative and policy reforms, ensuring that anti-trafficking laws and measures are in line with international standards.

Furthermore, these agencies play a critical role in advancing international cooperation and fostering partnerships that are essential to dismantling transnational trafficking networks. By encouraging information-sharing, operational coordination, and joint investigations, USAID and JTIP strengthen our collective ability to apprehend traffickers and dismantle their criminal enterprises.

Finally, both agencies prioritize the provision of comprehensive support to survivors of human trafficking. Through funding and partnerships with non-governmental organizations, USAID and JTIP ensure that survivors receive the necessary assistance to heal, rebuild their lives, and reintegrate into society. This approach is vital to breaking the cycle of exploitation and ensuring that survivors are not re-victimized.

USAID and the Department of State's Office to Monitor and Combat Trafficking in Persons play a critical and complementary role in the global effort to eradicate human trafficking. Their combined efforts in prevention, capacity-building, international cooperation, and victim support have made a significant impact in the lives of countless individuals around the world. It is our duty as a nation to continue supporting and reinforcing these efforts, as we strive towards a world free from the scourge of human trafficking.

Current U.S. Efforts in East Africa

While visiting Kampala, Uganda and Nairobi, Kenya in March of this year, One By One had the opportunity to connect with several elected officials, government and regulatory agencies, and local communities. One By One executives also met with representatives of the U.S. Embassy as well as personnel from the USAID Missions.

Despite the clear reach and influence U.S. agencies have across the global community, what One By One witnessed and found while overseas and through engagement with the officials and agencies, was that United States' designated agencies to fund the fight against human trafficking globally, are not spending an adequate amount of the budget to properly combat this hidden crime. Despite the President's Fiscal Year (FY) 2024 Budget Request for the State Department and the United States Agency for International Development (USAID) being \$63.1 billion for foreign assistance and diplomatic engagement, which includes \$32 billion in foreign assistance for USAID fully- and partially-managed accounts, \$3 billion (10 percent) above the FY 2023 Adjusted Enacted level, only \$370 million has been used in assistance to 88 countries and regions to fight human trafficking since 2001.⁶ Trafficking in persons is a threat to economies, global health and health security, gender equality, gender equity, and empowerment. All three of these categories are key highlights in the FY 2024 Budget Request, but trafficking is not represented in the budget justification.⁷ It is One By One's observation that much of the budget is invested in combatting HIV/Aids, particularly in East Africa by the assistance of WHO. It is critical that the United States government invest time and budget into the fight against human trafficking because, as witnessed by One By One, international investment entities are not investing.

USAID has undoubtedly played a significant role in the global fight against human trafficking, it is crucial to acknowledge that the current level of financial investment is insufficient to effectively address the complex and pervasive nature of this crime. With an estimated 50 million victims of modern-day slavery worldwide, a more substantial financial commitment is required to adequately combat this heinous violation of human rights. The FY 2024 Budget Request for the State Department, which encompasses funding for USAID, falls short in allocating the necessary resources to meaningfully tackle human trafficking on a global scale. This shortfall in funding affects critical areas such as prevention, victim assistance, capacity building for law enforcement, and the development of anti-trafficking policies in vulnerable countries. By investing more in these areas, the United States would be better positioned to prevent exploitation, dismantle trafficking networks, and support survivors in their journey towards recovery and reintegration. It is therefore essential for the U.S. Congress to recognize the urgency of this matter and increase the financial commitment in the FY 2024 Budget Request for the State Department.

⁶ United States Agency for International Development. Countering Trafficking in
<https://www.usaid.gov/trafficking>.

Persons.

⁷ United States Agency for International Development. Budget Justification. <https://www.usaid.gov/cj>.

U.S. as a Global Leader in Combatting Trafficking in Persons

The global community looks to the United States for guidance in the fight against trafficking in persons. The United States has consistently demonstrated its commitment to combatting human trafficking on both national and international fronts, thereby solidifying its position as a global leader in this ongoing battle. This leadership is exemplified by the robust legal framework, including the Trafficking Victims Protection Act (TVPA) and its subsequent reauthorizations, which has paved the way for stronger anti-trafficking measures worldwide, like the Palermo Protocol. Additionally, the annual Trafficking in Persons (TIP) Report serves as a crucial tool in assessing the progress of countries in their effort to eradicate human trafficking, offering guidance and support for improvement. Furthermore, the U.S. government works tirelessly to foster cross-border collaboration, sharing intelligence and resources with international law enforcement agencies and non-governmental organizations. By relentlessly pursuing traffickers and advocating for the rights of victims, the United States has established itself as a formidable force in the global fight against modern-day slavery.

It is of paramount importance that the United States continues to invest in the global fight against human trafficking, a crime that affects millions of people worldwide and poses a significant threat to human rights, public health, and national security. This nation's commitment to eradicating this modern-day form of slavery not only reflects its unwavering dedication to the principles of freedom, justice, and human dignity but also serves as a strategic investment that fosters stability, prosperity, and the rule of law in countries around the world. By funding and supporting anti-trafficking efforts, the United States contributes to the dismantling of criminal networks that profit from the exploitation of vulnerable individuals, many of whom fall prey to traffickers due to poverty, lack of education, and social marginalization. These criminal enterprises undermine the global economy, corrode the integrity of U.S. institutions, and jeopardize the collective security. Investing in the global fight against human trafficking empowers partner nations to enhance their capacity to prevent, detect, and prosecute these crimes, fostering a more coordinated and effective international response. This not only helps disrupt trafficking networks but also promotes cooperation in the areas of intelligence-sharing, law enforcement training, and the implementation of victim-centered policies. The United States, by funding the fight against human trafficking, plays a critical role in providing survivors with the necessary resources for rehabilitation, recovery, and reintegration, which are essential for breaking the cycle of exploitation and ensuring the restoration of their fundamental rights. It has never been more imperative that the United States remains steadfast in its commitment to fund the global fight against human trafficking, as U.S. leadership and financial support are vital in building a safer, more just world for all.

Recommendations

One By One suggests the increase of the financial commitment in the FY 2024 Budget Request for the State Department, specifically earmarking additional funds for the global fight against human trafficking. This increased investment will not only demonstrate the nation's unwavering commitment to eradicating modern-day slavery but will also enable USAID and other U.S. government agencies to make a more profound and sustainable impact in this critical endeavor.

Additionally, it is of utmost importance that this esteemed legislative body passes the Frederick Douglass Trafficking Victims Protection and Prevention Reauthorization Act, serving as a vital instrument in the ongoing battle against trafficking in persons and exploitation on a global scale. By reauthorizing this critical legislation, this committee reaffirms the commitment to the eradication of trafficking and sends a message to the global community that the U.S. is dedicated to leading the way, specifically to:

- Expand U.S. efforts relating to combating human trafficking, including forced labor, as well as new requirements for the United States Agency for International Development (USAID) to integrate prevention efforts into the agency's global programming, especially incorporating survivor-informed approaches and feedback from beneficiaries;
- Amend the International Megan's Law to address any loopholes to keep children safe from traveling convicted pedophiles; and
- Enhance child trafficking prevention education to address child sexual abuse and exploitation, as well as child trafficking online.

Not only does the bill fortify existing legal framework, but also introduces innovative strategies and provisions that will enhance the ability to prevent, protect, and prosecute. By passing this legislation, Congress ensures that the United States continues to develop and implement comprehensive policies and programs that address root causes of trafficking and exploitation, while strengthening partnerships with foreign governments, law enforcement agencies, and civil society organizations. This reauthorization act bolsters the United States' capacity to provide crucial support to survivors, empowering them to rebuild their lives. This investment in the recovery and well-being of victims, aids in upholding the U.S. core values of freedom, justice, and human dignity and further contributes to breaking the cycle of exploitation.

Mr. SMITH. Ms. Murray, thank you so very much for your testimony, your leadership, and for sharing that story of that young girl in Sierra Leone. I mean it just—what a pivotal moment for you and just underscores how cruel the exploitation truly is. So thank you. Ms. Vandenberg?

**STATEMENT OF MARTINA E. VANDENBERG, PRESIDENT,
HUMAN TRAFFICKING LEGAL CENTER**

Ms. VANDENBERG. Good morning, Chairman Smith, Ranking Member Wild, and members of the subcommittee. It is an honor to testify before you today. My name is Martina Vandenberg, and I am president of The Human Trafficking Legal Center.

I also just want to say that it is an honor today to testify alongside Bella, Gina, and Robert. Thank you all for your leadership. We couldn't do this—any of this without you.

Before I begin, I just want to thank you, Congressman Smith. I have appeared before you over your last 25 years of leadership on human trafficking, testifying before you on multiple occasions to discuss peacekeeping and human trafficking, human trafficking by government contractors, trafficking of domestic workers by diplomats and forced labor and global supply chains. I am particularly grateful to you for your attention to forced labor which is an egregious violation of human rights.

We have gathered together today to discuss the implementation of the TVPA. And so I want to begin this morning with the successes. The first success is accountability.

The TVPA has proven to be a powerful tool to hold traffickers and perpetrators of forced labor accountable. The statute covers extraterritorial jurisdiction, an essential provision to combat forced labor in global supply chains. No. 2, access to justice for survivors.

In 2003, Congress created a private right of action under the TVPA. That law permits victims to hold their traffickers accountable in the Federal courts. The extraterritorial jurisdiction provisions of the statute have allowed trafficking survivors to bring successful civil cases even where the forced labor occurred abroad.

In two important cases litigated in the Eastern District of Virginia, litigated by pro bono lawyers I should add, *Roe v. Howard* and *Doe v. Howard*, Federal courts awarded damages to domestic workers trafficked into sexual servitude and forced labor by a U.S. diplomat. The trafficking occurred in Japan and Yemen. The Fourth Circuit Court of Appeals upheld the jury verdict in *Roe v. Howard*, a decision that reflected Congress' intent to provide trafficking victims with extraterritorial jurisdiction to hold their traffickers accountable.

No. 3, the success of the TIP report. The Trafficking in Persons report has evolved into a powerful foreign policy tool, although I do agree with you, Congressman Smith, absolutely about the grading issues. The country rankings matter a great deal.

And being rigorous and honest with those country rankings is absolutely essential. No. 4, a big success of the TVPA is evident here today on this panel and its survivor leadership. One need only look at the remarkable and powerful witnesses on this panel to recognize the fundamental role that experts with lived experience play in the formulation of U.S. policy.

Trafficking survivors have an immense amount to teach us. They know what is working. They know what is failing. They know how it can be fixed, and they should be in roles of authority to fix it.

Finally, a big success that is already been mentioned, the three Ps, the TVPA's famous three Ps, prevention, protection, and prosecution. Over the last two decades, we have focused myopically, I fear, on prosecution. We are beginning to see more focus on the most neglected P as Becky also called it, prevention.

To prevent human trafficking, we must focus on root causes. Again, I agree completely here with Becky. We must focus on root causes.

Violations of workers' rights, violations of the freedom of association, discrimination, lack of enforcement of labor law, and poverty. And as we have seen today, also broken immigration systems. But still despite this progress over 20 years which is remarkable and enviable, there is still enormous challenges.

One problem that we see here in the United States is with diplomats. Diplomats and information organization personnel are permitted to bring domestic workers into the United States on special visas known as A-3 and G-5 visas. And some of these domestic workers are held in forced labor.

The Department of State now administers an in-person program to interview each A-3 and G-5 domestic worker annually. These official check-in interviews play an essential role in preventing human trafficking, catching it before it can become so egregious. These interviews also have placed diplomats on notice that the State Department is watching and will take action.

Moreover, the in-person registration interviews can provide the only opportunity for a domestic worker held in forced labor to escape her traffickers. And we have seen this happen. We have advocated to make these in-person registration program requirements statutory.

And we urge Congress to pass this mandate in the new TVPA. But what about the domestic workers for whom trafficking was not prevented, those who were held in forced labor, those who suffered human trafficking in the United States? Those workers, those trafficking survivors still confront total impunity.

Take the case of Malawi. In 2016, a Federal court in Maryland ordered a diplomat from Malawi, Jane Kambalame, to pay 1.1 million dollars in damages for trafficking a domestic worker into forced labor in the United States. That domestic worker is here today. Her name is Fainess Lipenga.

Fainess Lipenga is my colleague at The Human Trafficking Legal Center. She is also a member of the U.S. Advisory Council. That diplomat, Jane Kambalame, was allowed to return to Malawi where she was promoted.

She became an ambassador to two other African countries on behalf of the government of Malawi. Seven years later, that 1.1 million dollar judgment is still outstanding. Other countries have made what are called ex gratia payments, payments directly to survivors to cover the crimes of their diplomats because this is a prime example of corruption.

When State officials engage in human trafficking, that is corruption. It is clear that additional consequences are necessary for dip-

diplomats and their sending States who choose to thwart Federal court orders. This makes a mockery of the rule of law.

And diplomats who engage in human trafficking should face sanctions. I would like to turn now to migrant workers held in forced labor in other sectors. What we have learned in our 25 years of working on trafficking and working on the TVPA is that forced labor is a feature and not a bug in global supply chains.

We now know that we will not prosecute our way out of forced labor or human trafficking. In 2021 according to the State Department's Trafficking in Person's report, there were just 1,379 prosecutions for forced labor in the world, in the entire world. We still need criminal prosecutions.

I am not saying avoid that P entirely. But we absolutely now must pivot to prevention and focus on worker's rights. Speaking of worker's rights, I want to raise the alarm bell because we are seeing a very troubling trend here in the United States.

Professional workers brought to the U.S. with contracts that includes steep financial penalties that are euphemistically called liquidated damages. We call these provisions abscondment clauses. The provisions are ubiquitous and contracts for nurses, particularly nurses coming from the Philippines.

The contracts preclude the nurses or any worker from leaving their position for 3 years. And if that individual does try to quit their job, the employer or recruiter enforces the liquidated damages clause in State courts. There are many of these cases in State courts that are pending even as we speak this morning.

The penalties range from 30,000 dollars to 150,000 dollars, trapping these workers in debt bondage. And in New York, ten nurses who left their jobs and their lawyer faced criminal prosecution for so-called abandonment of their patients. It took years to clear up those charges to get those indictments off the book.

But you cannot turn around those arrests. You cannot turn around that harm. Finally, a State appellate court in New York determined that those prosecutions violated the Thirteenth Amendment of the U.S. Constitution.

Nursing shortages in the United States should not give rise to human trafficking. Nursing shortages in the United States should not give rise to abusive conditions for foreign nurses. Nursing shortages should not give rise to what we consider an American Kafala System.

Contracts with abscondment fees, no matter the euphemism used to mask the abuse must end. These contracts are unconscionable and they should also be unenforceable. I would like to end today with some concrete recommendations.

First, I echo Becky. Increase appropriations to focus on the forgotten P, prevention. That means increasing funding for the Department of Labor's Bureau of Labor Affairs.

That also means that the State Department TIP funding and USAID funding should shift to focus on worker's rights, freedom of association, prevention of forced labor, and prevention of all forms of human trafficking. Second, focus on corporate accountability. All of us have seen the series in the New York Times about children exploited on the night shift in slaughterhouses in the United States. It is 2023. This is appalling.

Corporations should face prosecution, administrative fines, and debarment from U.S. Government contracting if they are found to have held workers, if they are found to have held children in forced labor, or if they have benefited from that forced labor. Hold diplomats and their sending States accountable for trafficking of A-3 and G-5 domestic workers. We have requested sanctions in the Kambalame case.

Mandate in-person registration interviews with domestic workers on A-3, G-5 visas to prevent trafficking by diplomats and to allow them an opportunity to escape. Finally, prohibit the use of contracts with penalty abscondment fees for nurses and for all migrant workers in the United States. These tools are used to traffic in our country.

I would like to end with a quote from my colleague, Fainess Lipenga, who has said for many years, nothing about us without us. And that is why it is so important that you are working directly with survivors to write this legislation. Thank you for this opportunity to testify, and I look forward to your questions.

[The prepared statement of Ms. Vandenberg follows:]

**House Foreign Affairs Committee
Subcommittee on Global Health, Global Human Rights, and
International Organizations**

Written Hearing Testimony
Martina E. Vandenberg
President, The Human Trafficking Legal Center

“Implementation of the Trafficking Victims Protection Act”
May 12, 2023

Chairman Smith and Ranking Member Wild and Members of the Subcommittee,

It is an honor to testify before you today on the implementation of the Trafficking Victims Protection Act. My name is Martina Vandenberg and I am the president and founder of the Human Trafficking Legal Center, an organization that serves as a bridge between trafficking survivors and pro bono attorneys. Over the last decade, we have trained more than 5,000 pro bono attorneys to handle civil, criminal, and immigration cases for human trafficking survivors. We have placed more than 550 matters with pro bono counsel, providing legal representation for victims of trafficking who otherwise would have faced the justice system alone.

Today, we have an opportunity to reflect on the impact of the Trafficking Victims Protection Act (TVPA) over more than two decades. What have we achieved since 2000? An enormous amount. But there are still significant challenges that must be addressed.

Let’s begin with the successes.

First, the TVPA has proven to be a powerful tool to hold traffickers accountable. The TVPA criminalizes forced labor, as well as sex trafficking. The law includes explicit extraterritorial jurisdiction, 18 USC §1596, that covers human trafficking crimes committed abroad. The U.S. Government has used this extraterritorial jurisdiction successfully to prosecute perpetrators. Recently, the U.S. has increased the focus on forced labor at home and abroad, a welcome development. The *National Action Plan to Combat Human Trafficking*, issued in 2021, commits the United States to more robust enforcement to eradicate forced labor in global supply chains:

Prosecuting novel cases against companies that benefit financially from forced labor within their value chains holds significant potential to suppress global criminal conduct that poses a threat to its victims and to United States labor markets.¹

¹ *National Action Plan to Combat Human Trafficking* at 48, available at <https://www.whitehouse.gov/wp-content/uploads/2021/12/National-Action-Plan-to-Combat-Human-Trafficking.pdf>

Second, the TVPA provides a civil cause of action coextensive with the criminal provisions so that trafficking survivors can hold their traffickers, including those who benefit from their trafficking, accountable in the federal courts. That statute, 18 USC §1595, has allowed trafficking survivors to seek justice. The civil right of action has been particularly important for survivors of forced labor, who only rarely see their cases prosecuted. Since 2003, when an amendment to the TVPA made these cases possible, trafficking survivors have filed more than 650 civil cases in the federal courts. Through civil litigation, trafficking survivors have seen their day in court, recovering their stolen wages, their dignity, and their sense of hope. As one survivor said to me after winning her civil trafficking case, “This is what justice looks like.”

The extraterritorial jurisdiction provisions of the TVPA reauthorizations have allowed trafficking survivors to bring successful civil cases against perpetrators, even where the trafficking crossed international borders or the forced labor occurred abroad. In two important cases litigated in the Eastern District of Virginia, *Roe v. Howard* and *Doe v. Howard*, federal courts awarded significant civil damages to domestic workers trafficked by a U.S. diplomat and her Australian diplomat husband.² The defendants trafficked each of the women into forced labor in U.S. Embassy housing – one young woman in Yemen, and one young woman in Japan. Federal courts awarded damages to each of the women, finding that each one had been held in forced labor and sexual servitude. These cases – brought as civil cases under the TVPA – each invoked extraterritorial jurisdiction. On appeal, the 4th Circuit Court of Appeals upheld the jury verdict in *Roe v. Howard*.³ That decision reflected Congress’s intent: to provide trafficking victims with extraterritorial jurisdiction to hold U.S. citizens, permanent residents, and persons present in the United States accountable for these egregious crimes. As a pro bono lawyer who represented one of these victims, a young woman from Ethiopia, I thank you.

The success of Congressionally-mandated extraterritorial jurisdiction for civil trafficking cases is mirrored in other countries, where courts have held corporations accountable for forced labor. In Canada, for example, Eritrean workers successfully sued Nevsun, a mining company. They workers alleged that they had been held in forced labor in a zinc mine in Eritrea.⁴

Third, the TVPA’s Trafficking in Persons Report, which started in 2001 as a slender tome printed in Courier typeface, has evolved into a powerful foreign policy tool. Beyond the tier rankings, the TIP Report Country narratives include Congressionally-mandated reporting on corruption cases, incidents of trafficking by diplomats, and trafficking by peacekeepers. In addition, since the Obama Administration, the State Department has included a chapter on the United States. That chapter provides a critical assessment of our own nation’s performance in applying the minimum standards Congress enacted.

² Rachel Weiner, *Former U.S. diplomat again found liable for sexually enslaving a housekeeper*, The Washington Post, July 31, 2017, available at https://www.washingtonpost.com/local/public-safety/former-us-diplomat-again-found-liable-for-repeatedly-raping-housekeeper/2017/07/31/977d31a8-7602-11e7-8839-ec48ec4cae25_story.html

³ *Roe v. Howard*, Opinion, Case No. 17-2338 (4th Circuit), Feb. 25, 2019.

⁴ *Nevsun settles with Eritrean plaintiffs in relation to landmark Supreme Court of Canada case*, The Canadian Lawyer, November 5, 2020, available at <https://www.canadianlawyermag.com/practice-areas/litigation/nevsun-settles-with-eritrean-plaintiffs-in-relation-to-landmark-supreme-court-of-canada-case/334916>

Fourth, the TVPA established the importance of survivor leadership. One need only look at the remarkable and powerful witnesses on this panel to recognize the fundamental role that experts with lived experience play in the formulation of U.S. policy. Congress paved the way for survivors to have a significant impact on the U.S. Government's anti-trafficking policy with the creation of the U.S. Advisory Council on Human Trafficking in 2015.⁵ That Council makes recommendations on federal anti-trafficking policies to the President's Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF). And, after years of advocacy, this work is now compensated. Trafficking survivors should not be exploited as "volunteers." They should be paid as professionals for their policy analysis and expertise.

Two of my colleagues at the Human Trafficking Legal Center, Evelyn Chumbow and Fainess Lipenga, have served on the Advisory Council. Bella Hounakey, who is testifying on this panel today, currently serves on the Advisory Council. And Robert Lung previously served as the elected Chair of the Advisory Council. This approach – placing survivors at the center – is the only way to achieve significant progress in our efforts to combat human trafficking. Trafficking survivors know what is working, what is not working, and how it can be fixed. The U.S. Government has benefited immensely from listening to trafficking survivors – and implementing their recommendations. It is my hope that other countries will adopt this model.

Finally, the TVPA's success lies in the famous 3Ps: Prevention, Protection, and Prosecution. Over the last two decades, we have tended to focus myopically on the final P, Prosecution. But that is changing. We cannot prosecute our way out of forced labor. Indeed, according to the 2022 State Department Trafficking in Persons Report, there were just 1,379 prosecutions for forced labor in 2021 in the entire world. In fact, the total number of prosecutions globally for all forms of human trafficking in 2021 was just 10,572. Prosecution, although an important tool, cannot succeed without the additional Ps. At last, we are beginning to see more focus on the most neglected P, prevention.

What can be done to prevent human trafficking and forced labor? First and foremost, we must tackle the root causes of human trafficking: poverty, discrimination, structural inequality, flawed immigration policies, violations of freedom of association, and failure to enforce labor laws and fundamental workers' rights. If we are to prevent forced labor, we must end labor markets that force migrant workers to buy their jobs. Forced labor is a feature, not a bug, in global supply chains. Labor brokers and recruiters ensnare workers in debt, only to trap them in forced labor.

As Neha Misra of the Solidarity Center recently stated in testimony before the Ways and Means Committee, "[T]he global migration management architecture is purposely designed to promote cheap labor over migrant workers' rights."⁶ This must change.

⁵ The U.S. Advisory Council on Human Trafficking was created by the Justice for Victims of Trafficking Act (JVTA), *See* OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS, available at <https://www.state.gov/u-s-advisory-council-on-human-trafficking/#:~:text=The%20United%20States%20Advisory%20Council,President's%20Interagency%20Task%20Force%20to%20Monitor%20and%20Combat%20Trafficking%20in%20Persons,President's%20Interagency%20Task%20Force%20to>

⁶ Testimony of Neha Misra, Ways and Means Committee Hearing July 21, 2021, available at <https://www.solidaritycenter.org/wp-content/uploads/2021/07/Testimony-of-Neha-Misra-Solidarity-Center-Ways-and-Means-Trade-Subcommittee-Forced-Labor-Hearing-July-21-2021-2.pdf>

It is time to shift resources to invest in structural change and labor rights. If we hope to end forced labor, we must shift our focus from law enforcement to workers' rights, unionizing, and the freedom of association. Worker-driven social responsibility programs, such as the Coalition of Immokalee Workers' Fair Food Program, can prevent human trafficking. The U.S. Department of Labor's Bureau of International Labor Affairs has invested in workers' rights, most recently with a \$2.5 million grant to the Coalition of Immokalee Workers to expand their programs internationally.⁷ Another U.S. organization, the Centro de los Derechos del Migrante, Inc., or CDM, has created a web-based program for workers to report unscrupulous recruiters and employers. These mechanisms can prevent forced labor before it happens, allowing workers to warn others of potential hazards and criminal recruiters.

These are the successes, the TVPA wins over the last two decades. But significant challenges remain. I will focus on just two key issues: trafficking by diplomats and remedies for the trafficking of migrant workers into forced labor.

Domestic Workers Trafficked by Diplomats

Diplomats and international organization personnel are permitted to bring domestic workers to the United States on special visas, known as A-3/G-5 visas. Over the years, in the wake of horrifying cases of forced labor and abuse, Congress has added protections for A-3/G-5 domestic workers. Amendments to the TVPA require that A-3/G-5 workers have contracts and receive a pamphlet outlining their rights as workers in the United States.

Despite these protections, trafficking of domestic workers by diplomats for forced labor persists. To its credit, the Department of State now administers an in-person registration program to interview each A-3/G-5 domestic worker annually. The program initially launched in Washington, DC and New York. Secretary of State Anthony Blinken recently announced that the domestic worker in-person registration program would be expanded across the nation.

These official check-in interviews play an essential role in *preventing* human trafficking. The interviews have placed diplomats on notice that the State Department is watching. At the interview, each domestic worker must bring her passport, her contract, her bank statement, her ATM card, and proof that she is able to communicate with family and friends. In the face of this oversight, corrupt diplomats have developed criminal schemes to thwart protections for domestic workers. We have seen cases in which diplomats pay the domestic workers in official bank accounts, as required by State Department rules, only to demand that the domestic worker kick back the majority of the salary to the diplomat in cash each month. Diplomatic traffickers have seized A-3/G-5 domestic workers' passports, returning the documents only for the in-person registration meetings with the State Department Protocol Office. Diplomatic traffickers holding these workers in forced labor have instructed the domestic workers to lie to the State Department and affirm that their rights are not being violated.

⁷ US Department of Labor Awards \$2.5 Million Grant to Fuel Fair Food Program's International Expansion, February 15, 2023, available at <https://ciw-online.org/blog/2023/02/us-department-of-labor-awards-2-5-million-grant-to-fuel-fair-food-programs-international-expansion/>

Because A-3/G-5 domestic workers are locked in their employers' homes, the in-person registration interviews are the only opportunity to learn whether there is abuse in the home. Moreover, these interviews can provide the only opportunity for a domestic worker held in forced labor to escape.

European members of the Organization for Security and Cooperation in Europe (the OSCE) developed in-person registration programs for domestic workers employed by diplomats years ago. With the implementation of the in-person registration program, the United States has joined the ranks of other OSCE members – Switzerland, Austria, the Netherlands, and Belgium – that conduct annual oversight interviews to prevent the forced labor of domestic workers in diplomatic households. The State Department currently operates this program voluntarily. We have advocated to make this in-person registration program a statutory requirement. Section 107 of Senate Bill 920 would require the State Department to conduct these in-person registration interviews each year across the United States. We encourage Congress to adopt these provisions.

In-person registration can prevent abuse. But what about domestic workers on A-3/G-5 visas who have already suffered forced labor and human trafficking? Fortunately, the State Department Diplomatic Security Service does investigate these cases. And, in some instances, diplomats have faced federal criminal indictment in the United States. But in almost every case, the diplomats are permitted to leave, often returning to their sending state. In several cases, diplomats accused of human trafficking and forced labor in this country have enjoyed promotions – not prosecution – in their own country. Impunity is still the norm.

Again, thanks to Congressional action and the creation of the civil private right of action, these domestic workers can sue their traffickers in the federal courts. But these judgments can result in stalemate when diplomats refuse to pay.

Take the case of Malawi. In 2016, a federal court in Maryland ordered a diplomat from Malawi, Jane Kambalame, to pay \$1.1 million in damages for trafficking a domestic worker into forced labor in the United States. That domestic worker was Fainess Lipenga, who is now my colleague at the Human Trafficking Legal Center and a member of the U.S. Advisory Council on Human Trafficking. Kambalame returned to Malawi, where she was promoted to a post as Malawi's High Commissioner to Zimbabwe and Botswana. In accordance with a Congressional mandate, the Department of State suspended Malawi from all A-3 visa sponsorship privileges to bring domestic workers to the United States in 2019.⁸ But that suspension soon ended, without any resolution of the case. Seven years after the verdict, Kambalame has refused to resolve the case. And the Government of Malawi has taken no substantive steps to settle the matter. Other governments have resolved similar cases with *ex gratia* payments directly to the victims. That is precisely what should happen in this case.

Additional consequences are clearly necessary for diplomats – and their sending states – who choose to thwart federal court orders. Diplomats are state officials. Trafficking by diplomats is an egregious form of public corruption, a misuse of an official position for personal gain.

⁸ Kate Ryan, *In first, U.S. rebukes Malawian diplomats over trafficking case*, Reuters, June 20, 2019, available at <https://www.reuters.com/article/us-usa-malawi-trafficking/in-first-u-s-rebukes-malawian-diplomats-over-trafficking-case-idUSKCN1TM00Y>

Diplomats who engage in human trafficking – in violation of internationally-human rights norms, criminal law, and prohibitions on corruption – should face sanctions.

Remedies for Trafficking of Migrant Workers into Forced Labor

The COVID-19 pandemic revealed – and exacerbated – forced labor in global supply chains. In 2020, U.S. Customs and Border Protection issued multiple withhold release orders (WROs), barring rubber gloves tainted with forced labor from entering the U.S. market. And in 2021, the agency issued a finding of forced labor against Top Glove, one of the companies previously subject to a WRO.⁹ In the United Kingdom, advocates sued the National Health Service for purchasing the tainted rubber gloves rejected by U.S. Customs authorities – and won.

Blocking goods from entering the United States under Section 307 of the Tariff Act of 1930 is a powerful tool. The Human Trafficking Legal Center serves as the secretariat for a coalition of organizations, the Tariff Act Advisory Group (TAAG), which advocates for robust enforcement of these laws. TAAG members have joined an international coalition – uniting with non-governmental organizations across the globe – to fight for similar import bans in all major global economies. We call this initiative “no safe harbor for forced labor.”

As advocates, we celebrate robust enforcement of anti-forced labor prohibitions in global supply chains. Indeed, we demand robust enforcement – around the globe and at home.

The United States must not become a safe harbor for abuse of migrant workers. In recent months, the Human Trafficking Legal Center has observed an extremely troubling trend: professional workers brought to the United States with contracts that include steep financial penalties. The labor recruiters who write these contracts refer to the provisions euphemistically as “liquidated damages.” We call these provisions “abscondment clauses.”

The contract provisions preclude the worker from leaving the position for three years. If the individual does try to quit the job, the employer/recruiter files a breach of contract case against the worker, seeking to enforce the “liquidated damages” clause. These penalties, mischaracterized as breach fees, can range from \$30,000 to \$150,000. These unconscionable contracts effectively trap these workers in debt bondage, making it impossible for them to leave their jobs. The workers are handcuffed by debt, unable to flee. This is the new American kafala system.

We are blowing the whistle on this abuse today because these contracts have become ubiquitous. Nurses and teachers from the Philippines initially raised the alarm. But we are now seeing contracts with abscondment clauses across a range of industries.

These contracts have devastating consequences for migrant workers in the United States. In one particularly troubling case, ten nurses and their attorney faced *criminal* charges in New York after the nurses left their jobs. Years later, a state appellate court in New York held that criminal prosecution to force nurses to remain at their job violated the Thirteenth Amendment to the

⁹ *CBP Issues Forced Labor Finding on Top Glove Corporation Bhd.*, CBP, March 29, 2021, available at <https://www.cbp.gov/newsroom/national-media-release/cbp-issues-forced-labor-finding-top-glove-corporation-bhd>

Constitution's prohibition on involuntary servitude. A second group of nurses in New York sued their employers and labor brokers under the TVPA for forced labor. The nurses won their case on summary judgment.¹⁰

Nursing shortages in the United States should not give rise to abusive conditions for foreign nurses. Contracts with abscondment fees, no matter the euphemism used to mask the abuse, must end.

Conclusion and Recommendations:

The U.S. National Action Plan states,

Globally and in the United States, forced labor and associated harmful employment practices hide the true cost of labor and subvert the legitimate job market, such as displacing American workers, driving down wages, and corrupting the domestic and global economy. These practices create an uneven playing field for responsible businesses that invest in measures to prevent forced labor in their product supply chains.¹¹

We must eradicate forced labor in global supply chains, using every available tool at our disposal. Congress has provided a panoply of mechanisms, including the Uyghur Forced Labor Prevention Act (UFLPA), Section 307 of the Tariff Act, extraterritorial criminal prosecution and civil litigation under Chapter 77 of Title 18, and Global Magnitsky sanctions for human trafficking and forced labor. But even with all of these tools at our disposal, we have made little headway against forced labor over the last two decades.

What can be done? The Human Trafficking Legal Center makes the following recommendations for the next decade of TVPA implementation:

- Fund programs to increase corporate accountability: Forced labor must be a C-suite issue, with attention from the highest levels of corporate leadership. In the 1970s, bribery was ubiquitous, just as forced labor in global supply chains is today. Enforcement of the Foreign Corrupt Practices Act against corporate actors fundamentally changed the understanding of risk. Potential liability under the FCPA sparked corporate due diligence. And that shift propelled the creation of a compliance industry to prevent bribery in corporate America. As Undersecretary of the Department of Homeland Security Robert Silvers recently told the *Wall Street Journal*, "Forced labor belongs in the same breath as FCPA. When it comes to corporate compliance programs, [the] boards of directors need to be focused on this, CEOs need to be focused on this [and], compliance teams certainly need to be laser focused on this."¹² Corporations should face criminal prosecution, administrative fines, and debarment from government contracting if they are found to

¹⁰ *Paguirigan v. Prompt Nursing, et al.*, 17-cv-1302 (EDNY), Opinion and Order, Dkt. 95 (Sept. 24, 2019).

¹¹ National Action Plan to Combat Human Trafficking at 15.

¹² Richard Vanderfort, Forced Labor a 'Top-Tier' Compliance Issue, Says U.S. Official, *The Wall Street Journal*, Sept. 22, 2022, available at <https://www.wsj.com/articles/forced-labor-a-top-tier-compliance-issue-says-u-s-official-11664271003>

have held workers in forced labor in the United States or in their global supply chains abroad.

- Hold diplomats – and their sending states – accountable for trafficking A-3/G-5 domestic workers: Diplomats who ignore federal court judgments and thwart justice in trafficking cases are an affront to the rule of law. Corrupt diplomats who traffic domestic workers must be held accountable. The sending states should take responsibility for the criminal acts of diplomats posted abroad by payment of *ex gratia* payments. Where the sending states fail to do so, the U.S. government should apply sanctions. Jane Kambalame and Malawi should be the first to face sanctions in a diplomatic trafficking case. In addition, Malawi should again be officially suspended from the A-3/G-5 program and the ability to bring domestic workers to the United States. Visa applications for suspended countries should be reviewed carefully to ensure that the countries are not skirting the restrictions by bringing domestic workers into the United States on A-2 visas.
- Mandate in-person registration interviews with domestic workers on A-3/G-5 visas to prevent trafficking by diplomats.
- Prohibit the use of contracts with penalty “abscondment fees” for nurses and other migrant workers in the United States: State Department consular officers should review contracts submitted with visa applications to screen for penalties and breach fees. Visa applications accompanied by such contracts should be denied and the recruitment agencies/labor brokers investigated for criminal activity. In addition, Congress should order a Government Accountability Office investigation into “breach fees” and the trafficking of foreign nurses into forced labor in the United States.
- Increase appropriations to focus on the forgotten “P”, Prevention: The single-minded pursuit of criminal prosecution to end forced labor – and sex trafficking – has failed. It is time for a more holistic implementation of the TVPA that includes all three Ps. That means increasing funding for the Department of Labor’s Bureau of International Labor Affairs. State Department TIP Office funding should similarly shift to focus on workers’ rights, freedom of expression, and prevention.
- Work with allies to promote adoption of import bans on goods tainted with forced labor: Import bans – such as Section 307 of the Tariff Act or the Uyghur Forced Labor Prevention Act – are powerful tools to combat forced labor. But it is not enough for one country, the United States, to enforce these bans. Goods rejected from U.S. ports under these authorities can simply be transshipped to another economy without restrictions. There should be no safe harbor for forced labor. U.S. trade agreements should include an import ban provision, as does the U.S.-Mexico-Canada Agreement, USMCA.

Again, thank you for this opportunity to testify.

Mr. SMITH. Ms. Vandenberg, thank you so very much. You have for years, I think you have testified seven times at least. I deeply appreciate that.

Every time, we learn something new. And obviously, all of our consultations vary. Vigil is our staff director for the subcommittee, and we are working on this legislation and your input again and the input of all of our very distinguished witnesses.

It is making a difference, so thank you for highlighting but also giving depth as to what these issues are all about. And you are right about the forced labor issues. And they have been neglected to some extent.

I mean, I just had a hearing on the Uyghur Forced Labor Act. I chair the China Commission, and it is something, again, a good joint effort to get that legislation passed. And there is every reason to believe that Xi Jinping is gaming the system despite good efforts on part of our customs people.

And I mean, there is all kinds of loopholes that they are already exploiting. Equally, we are talking about forced labor. I had a hearing on what is going on in D.R. Congo with regards to EVs.

Whether you like an EV or not, an electric vehicle, that is fine. That is your preference. But the cobalt that is needed for them is all—all, but most—coming from D.R. Congo.

And they are using children, thirty-five, forty thousand kids who are being exploited horribly. Our hearing brought this out. Our witnesses who were from the some of the D.R. Congo talked about the death and the sicknesses that these kids are acquiring by the inhalation of dust and the like from the cobalt and about 200,000 adults.

And so we have a bill that we are dropping next week. Not similar but pretty much the same timeframe as this bill on Frederick Douglas reauthorization to go after that supply chain. Ford and Tesla and all the others are going to be using cobalt.

Well, get it from a source that is completely and totally clean. And this is not clean. And as you all know or probably know, most of the work on those mines after they extract cobalt goes to China, goes to Xinjiang and places like that to right where the Uyghurs are experiencing a genocide.

So you cannot make this stuff up, how horrible it is. And we need to do a lot more. So thank you. Forced labor is a huge issue.

And I think we got to be careful about not taking promises or fake reforms that come out of places like Beijing when China was upgraded from Tier 3 country which is where it absolutely belongs for both forced labor and for sex trafficking. It was pointed out that, yes, they were getting rid of their reform through labor. And I have actually been in Laogai.

I was in Laogai along with Frank Wolf right after Tiananmen Square where 40 Tiananmen Square activities were making Jelly shoes and socks for export. We brought the evidence, gave it to customs. They put an import ban on it, and that place actually closed.

They opened it up somewhere else. But they went through this great subterfuge about how they were getting rid of reform through labor in the Laogai system, and it was not true. They just transferred what they were doing, and of course they went back to Tier 3 the next years.

But we have got to have those eyes wide open and not being willing to buy into Xi Jinping or—what is his name—Hu Jintao and others false representation about what China is doing. So thank you all for your testimoneys. Just a couple of brief questions and they are very brief.

Obviously, COVID-19 has exacerbated efforts to combat human trafficking. I know ECPAT has made it very clear that grooming online has become much more aggressive to get young people. And one of the things that I learned because I chaired a couple of forums with as head of the OSCE Parliamentary Assembly special representative of trafficking.

And we had a number of women who had employment and then lost it because those jobs went away. So the employment piece I think is extremely important. You might want to speak to that on housing which was mentioned earlier.

Our bill will have a 35 million dollar per year times 5 years effort to have money set aside for housing. There needs to be a decent place to live that is safer than where many of these victims find themselves. So that is something we want to put in there and really make an all-out effort.

It is not major. Thirty-five million is a lot of money. But as least it is a step in the right direction time five like I said, 5-year authorization.

On situational awareness and you might want to speak to this, particularly those who have the lived experience, there have been surveys that have found that 80 percent of trafficking victims, some even say higher, access healthcare at some point, often several times, particularly if there is a pimp involved and his property, which I find so outrageous and we all do, needs to get into the hospital because of beatings and because of the rape that so frequently occurs. We need to do more to make our hospitals and personnel. We have legislation, of course, law, situationally aware.

And I know, Gina, you were at our conference and we heard from what some of the New Jersey hospitals are doing to train the emergency room people and everyone else at that hospital health care facility, whatever it might be to have eyes wide open about what is going on, situationally aware. And do not be a vigilante. Take that information to law enforcement immediately so that they can hopefully step in and rescue that victim if that is a trafficking situation.

So you might want to speak to the health care part of it. Schools, we are working on that like you know to try to—and thank you, Gina, for doing so much in the schools. And all of you do talk about the importance of faith in terms of the healing process.

And I do not know how someone who does not have faith, maybe they can get through it through good psychological counseling. But again, to know again you have been victimized. And so often the victims blame themselves which is absurd but it happens almost all the time.

And faith gives that sense of renewal, reconciliation, and hope. And it says in the Bible, without hope, people perish. We all need hope, but a trafficking victim seems to me needs it more than anyone. And faith helps to provide that.

So if you would want to speak to that briefly as well. I have so many other questions, but I do want to get to my colleagues Yes, Gina.

Ms. CAVALLO. I know for me when I was in the life, I did welcome drugs because I just did not want to feel or see anything. So I mean, that added to the addition. But then that also enabled and added to their control over me where there was that reward and punishment concept.

As far as emergency rooms and beatings or any other health issues, I mean, I had no insurance. And one of the big red flags because it is so difficult at times to identify what a trafficker looks like. What these criminals look like because it is very deceptive and they are masterminded.

I am uncomfortable even giving them that credit, but it is so true. But one of the victims across the board that for my own experience is that when victims whether they know their victims or not, they do not speak for themselves and their head is down. And someone else is speaking for them.

Or they start to speak because they may be feeling a little safe to speak. But the perpetrator, the criminal takes over. That is a huge sign, whether it would be regardless of what is said, whether it is health care, any other setting as well.

But in hospitals, I felt safe but I was still scared because the perpetrator is there. Very rarely was I left alone. And one of my women traffickers was always tagging along with me.

And if I did not keep in the aligned steps that I was psychologically groomed to set in, and then she would go back to him. And then there was retaliation. And their threats are real.

There is a lot of violence. So those are areas that are really important. I know another instance, I mean, even as a child I remember someone intentionally hurt me. And this was a family member.

And I went to the hospital and I share this with you because it is the way I thought everyone lived like this. I thought that this was the normal. And I remember going to the hospital because a family member intentionally hurt me where I required stitches.

So I was at the hospital and my mother came. And the staff was asking what happened. And my mother was protecting someone who was harming me and said, oh, she closed the door too hard. But that is not what happened.

The person who was trying to hurt me pushed the door with his arm and the glass shattered over me, causing me to go to the hospital and needing stitches. So my point behind this is that I heard her say it and I said that is not what happened. And I whispered to her, and she just disavowed what I said.

But I did not close the door too hard. But my takeaway from that was what I learned through the years is protecting those who are hurting me. So that foundation was already laid at a very young age.

And the other part was is when I said to her why did he hurt me. And she said, he did not hurt you. He loves you. So there is that trauma bonding. There is the Stockholm syndrome.

There is so many layers to this because it is not until for me—I mean, my healing journey will always continue. I am in counseling. I do not go as frequent as I used to.

But for me, I have tool belt on. I know what works. And especially being called to the work that I do, it is important that I take care of myself and I know what needs to be done. But it is not like you go to counseling and say, OK, I am a little better. I arrived.

That is not how this works. The trauma, the triggers, they are always there. So in order to do this effectively, I know what my needs are. I know when I have to say no. I know what the boundaries are.

As far as the school setting, I mean, it is incredible. I am just taken back every time I walk into a school, whether it is middle school through universities. These kids from sixth grade are so engaged and they are so hungry not only to listen but to talk.

And unfortunately, we always have to adhere by the bell. You get so many minutes. I think it is 32 minutes per class, and we will go for the whole day and do sixth grade through the high school.

And the kids are left with so many questions because we do not have enough time for Q&A. And teachers and the principals, the feedback is always consistent that even the kids that they have difficulty whether it is kids that—the bullies. It is the kids that are distracting.

It is the kids with the poor grades. It is the kids that think they know at all. Even those kids that are difficult, they are there so attentive and so hungry to want more because there is so much they can relate to.

It is not a simple crime where whether you know the person or not. And plus there is so many different types of trafficking when we talk about familial trafficking, the gang trafficking, when we talk about the grooming with the boyfriending. And many times, it is not who we think they are.

And they are being deceitful. They are luring you into a relationship. And another big sign is when they want to continue to divide you from the parents or the family that you think you are safe from in some cases because the more they isolate you, the more control they have over you.

One of the things that I would like to see more of is more caretakers and more parents involved because I feel it is so important that as far as prevention as well, I feel that we need to start from the beginning. And how girls and boys are raised can look very differently regardless of your background. And I know that from my own experience speaking from where I came from, the boys—and there is many cultures where boys do not have accountability.

And it is OK for boys to get away to do that or it is cute. And it is not cute because we are creating monsters. We are enabling behaviors that have no accountability at all. And the same thing for girls because I have seen it too where girls are so abusive and girls are always, as I said earlier, traffickers. So that is really important.

Ms. HOUNAKEY. Thank you, Ms. Gina. Representative Smith, you mentioned about psychological healing. And you talk about faith perspective. One thing that I submit to you all is to somehow introduce a bill that allows for continuous mental health services informed of funding for survivors.

We know that trauma isn't a linear path. People do not heal. It is a continuous journey. And so if a survivor is not a believer, per-

haps they can have access to funding that allows them to receive mental health services.

And from a faith perspective, when I am at these things, I am aware that there are survivors that are watching from all over the world. And so if you are a survivor that is watching all of us today, I would say that from my personal experience that you cannot heal by yourself. Everything you see was formed by something you cannot see.

And so if you are watching, I need you to believe that those things that your traffickers told you, they are not true. You are not broken. You are not made of glass. You can heal.

You are not defective. You are not damaged. You are not disposable. You are loved. And if you have experienced religious trauma, you can identify to that.

I invited you to have a sense of belief. At least try it out. You cannot possibly heal on your own. God did not hurt you. People did. And it is people that is going to give you hope again. So thank you.

Ms. MURRAY. In terms of the medical training, I think that is a really crucial point. And certainly from an international perspective to go in and do training with medical professionals because it is a key place where they are coming into contact directly with victims of modern day slavery and trafficking. And they do not even recognize it.

And I have kind of got two brains when I go in the room because obviously I was a pediatric nurse before launching the foundation. And so I know the chaos of being an A&E and how hectic the workplace is. And your mindset is definitely let us fix the physical problem and then discharge.

You are conscious of how many beds and time scales. And so the crucialness of going in and training medical professionals and to be aware of all the red flags and then what to do so that they do not endanger the victim further. And so I think doing medical training is crucial.

So we have just started launching ones in hospitals that are right on the borders between Kenya and Uganda because we are seeing a lot of children crossing over the border there being trafficked. And so we are starting to do training in the hospitals on both sides of the border because this is a key place. The other avenue obviously mentioned was schools.

And I think from a prevention point of view to go in and reach the children at an early age of what to be aware of, what to look out for. But for me specifically and from where I come from in the international community, identifying period poverty is a huge vulnerability factor. It is massive.

We are encountering children across different communities who they are having to miss a lot of school every month because of the shame and the stigma that is still attached. And so they wait at home for that week of the month. So many girls are dropping out of education, and it is still in primary care—primary education.

Elementary here? Let me get my terminology right, elementary education, never making it onto high school. And so I think if that can be addressed as a key component in prevention in tackling poverty, then we can actually make a big impact.

Ms. VANDENBERG. If I can just address three of your questions briefly. One is we have learned over the last 30 years of working on human trafficking that survivors actually need lawyers. That goes also for children who are——

Ms. WILD. I am sorry. Could you repeat that last statement?

Ms. VANDENBERG. Trafficking survivors need lawyers. And that goes also for children who are sexually abused by Americans or U.S. persons abroad. We have worked very hard to get pro bono lawyers to represent those children even while they are still in the country of origin and the country where that abuse has occurred. So having legal representation along with mental health support and addition support and housing, all of those basic needs, but legal needs are also, I think, quite fundamental.

Second, and I think you heard this today, survivors need agency. And so when you talk about medical care, I think it is very important to remember that survivors need to be making the decisions. Survivors need to decide whether there is reporting to law enforcement unless it is a child and there is mandatory reporting.

This also goes for the hotline. And as Gina said, survivors, trafficking victims, when they are in the situation, they are terribly frightened of police and are sometimes abused by police and are certainly arrested by police. And so with the U.S. hotline now with the National Human Trafficking Hotline, victims themselves when they call need to be able to decide whether or not to report to law enforcement.

Survivors should not be arrested. They should be given opportunity to do what my colleague, Evelyn Chumbow, who is a survivor of child forced labor in the United States said to me one. Evelyn Chumbow said, I rescued myself. Trafficking survivors rescue themselves.

Finally, I want to turn to this question about employment because I think some of the biggest wins that we have had in the last 4 years, 5 years on forced labor have been because of the Uyghur Forced Labor Prevention Act and because of robust enforcement by customs and border protection of Section 307 of the Tariff Act. And those laws as I have said in my written testimony, those laws which prevent goods made with forced labor from entering the U.S. market. Those laws protect not just workers abroad from being held in forced labor.

They protect workers here in the United States who can in no way compete with workers abroad who are held in forced labor. The last thing I will say is that we have much to thank Department of Labor for these days. It was the Department of Labor who found those children working, cleaning meat house, packing floors in the middle of the night. It is the Department of Labor inspectors who found that. One thing that we need to do to protect workers here and again to prevent human trafficking is from the Department of Labor so that those inspections can take place and so that they are fully, fully resourced.

Mr. LUNG. Thank you. I begin by considering what is probably a very common experience for survivors of human trafficking, whether in labor or in sex trafficking, is the overwhelming sense of isolation that you can turn to no one. There is no one coming to rescue you.

There is no one that is going to help you. And that keeps you silent for years, sometimes decades. And when I began to realize that I was not the only one and that there were others out there like me, of course it was sad but also very encouraging and empowering to know that there is others out there that have had these experiences and are trying to make a difference.

And my first encounter was with a nonprofit in Colorado that was doing some great work. And then I learned that there was a Colorado Human Trafficking Council. It was often called a Governor's council which is a collection of professionals trying to improve laws in Colorado on anti-trafficking.

And then I learned when I attended in 2014 a Share Hope International Conference in D.C. that the Federal Government was working on it. And I had no idea as a victim of human trafficking that the Federal Government had any idea what human trafficking was or what they were doing. And nor did I know 20-plus years ago that you, sir, were making an enormous difference.

So I thank you for all your work. And I think of how proud I am of the United States and of you, sir, and of my Congress and that we are the greatest country in the world and that we lead by example. We are not infallible. We are a flawed country. We are a flawed government.

But we are doing a hell of a lot of good and will continue to do that. And I am forever a man of hope. And when I encounter that the Department of Justice had OVC and the Administration for Children and Families has NHTTAC, the National Human Trafficking Training and Technical Assistance, that the State Department has their network of experts, that the Department of Labor is engaged.

It was humbling, encouraging to realize just how many different divisions of the Federal Government have actively been combating human trafficking. It is so very encouraging. And we still have a lot of work to do. But I am so proud of my country and my government for making a difference. Thank you.

Mr. SMITH. Judge Lung, we are so proud of you and frankly your hope is contagious. I will defer my other questions in written form. Yes, Gina.

Ms. CAVALLO. Can I make one more comment? One of my concerns in the work that I do that I observe and it is pretty consistent, I think that organizations and individuals who do this work, not many of them, they are still a lot that are not survivor informed where they are not survivors at the table. But they say they are survivor informed.

But if they are doing a project or they are having a panel or they are having speakers, they are missing the survivors. Or they may invite a survivor, but the survivor is just there and others are speaking over their voices. And to me, that is tokenism.

And I think we need to take a look at and I would love for your support to help me take a look at this that when funds are distributed that I believe that they should be distributed to those who are actually doing the work and not using survivors as tokens but really—because we need each other. Survivors cannot do this alone. And you all cannot do it without us.

So I appreciate that camaraderie, that respect, that collaboration. And we need to continue to build bridges, not separate them because we are more than our stories. We are more than survivors.

I have my professional life, my personal life, and my lived experience. But it really concerns me when I see organizations who are trying to do the work but they are just missing the most important part. Because I see it when I do presentations.

I see it when I take a backseat and I see other people do presentations but their survivor is missing. Because the impact that you have when you walk alongside a survivor is between your professionalism, your experience, and our experience, the impact we make and the outcome we will have can move mountains. But if we do this without you or you do this without us, it is not going to work.

It is not going to have that same impact. So I request and I plead to you to take a look at this moving forward. Well, if they say, well, yes, we have a survivor included. Well, you have 10 or 20 people there and you have one survivor there and I barely hear him speak or her speak.

I could clearly within a few minutes see that as tokenism. And if that survivor is not in a good place, we are re-exploiting. And that is not what we want to do.

I also want to just mention that for me which I am so grateful to and I always will be has been a big part of my healing has been Celebrate Recovery which I did not intentionally go to 1 day and say, oh, I have issues. I did not even think I had issues.

However, I went and I was invited. And it was four books and a year commitment and it was free. It is all over the country.

And I was invited and I said, oh, I will just do it to do it. And when I started, it was incredible. I mean, I did get to the point after a couple of months where the horses were at the gate and the trauma and the triggers were coming out.

And I was saying, I cannot continue going there because it is causing me to remember things that I buried decades ago. But that is where my healing and what I am so grateful for. The only difference between NA and AA and Celebrate Recovery is that this was a faith-based program.

And I share this with you because part of it is I had one prayer. And as Robert had shared too, the isolation and feeling or being alone can be really, really difficult. And I prayed to meet one survivor.

I wanted to meet one survivor because I think it is like someone who is going through cancer or they are recovering and they have those groups, different types of groups, divorce groups, cancer groups, recovery. I wanted to meet one survivor, not necessarily to get into a group but just to be able to relate, that I was not alone. And it was amazing.

My prayer was answered, just incredible. I met this SOAP Project, Theresa Flores, and through Theresa Flores who does SOAP projects throughout the United States, provides healing retreats for women and men. I have a community of brothers and sisters throughout the United States. And it is just so important that we have that as well. Thank you.

Mr. SMITH. Ranking Member Wild.

Ms. WILD. Thank you so much. I honestly do not even know where to begin. Again, thank you all for shedding light on this subject. And I regret that more members of our subcommittee are not present.

I will be sharing with my colleagues on the Democrat the import of what happened today. Unfortunately, Friday hearings on what we call a fly out day are very challenging. I believe Mr. Chairman Smith and I both drive which makes life a little easier for Friday hearings.

But I do apologize that there are not more of us here and they canceled votes for today which means that people got out of town early. So I just wanted to say that because the lack of bodies up here does not in any way reflect on the importance of this subject which I will be sharing with all of them. The testimony of Ms. Cavallo and Judge Lung makes it clear that although the jurisdiction of our committee, this subcommittee, falls within the Foreign Affairs Committee.

This is not just an international problem. This is not just something that has roots abroad that we need to address. It is clearly worldwide. And I do have to tell you even sitting here and listening to all of the testimony, I couldn't help but almost feel not helpless, never helpless in this job, but worried about how do we really stop this.

How do we really address this? And I think there are a lot of good efforts that are happening, many of which have been discussed here today. But I think that this is going to be something that is going to require far more than governmental officials, far more than civil societies, far more than philanthropic organizations, but is literally going to need to be addressed by employers, educators, and people at all levels of every society in order to really, really get to the root of this and stop it from happening.

So as I said, I do not know where to start. But I do want to start with the issue of the diplomats and their domestic workers because I guess I am drawn to that because it feels like an area where we might actually be able to be effective quickly. And to you, ma'am, in the audience, I am so glad you are here today with us. Thank you for being willing to appear.

It is very meaningful to hear the stories. But Ms. Vandenberg, you mentioned that the State Department personally interviews domestic workers of diplomats. And I want to talk to you about that for a couple minutes or ask you a few things about it. From what your remarks were, I took it that this is sort of a policy of the State Department but it is not embodied in any kind of statute. Is that correct?

Ms. VANDENBERG. That is exactly right.

Ms. WILD. So that if the State Department—and I am not talking about any particular State Department under any particular Administration. But if the State Department were understaffed, overworked, had different priorities, these kinds of interview could easily not happen. Is that correct?

Ms. VANDENBERG. That is exactly right.

Ms. WILD. And how long, to the best of your knowledge, have these interviews been going on?

Ms. VANDENBERG. So they have been going probably for about six or 7 years. You can ask the State Department officials who testify next. I think it is about six or 7 years.

This idea was not our idea. We are way behind on this because the Europeans have been doing this for more than a decade. And so the U.S. actually learned about these in-person interviews at an OSCE meeting where other countries including Belgium, the Netherlands, Austria indicated that they were doing these interviews to prevent harm against these domestic workers.

Ms. WILD. Well, it seems incredibly obvious that we need to make it a statutory requirement. And I will reserve some of my questions for the State Department individuals. But one of the concerns I have, Ms. Cavallo pointed out the importance of having survivor informed people present.

I do not know how these interviews are conducted or whether survivor informed individuals are present and participating in these interviews. I am also very concerned about what then happens to the domestic worker. I imagine there is a lot of fear in being honest at these interviews and probably fears of deportation I assume if they leave the employ of their diplomat.

And that is an issue I will ask the State Department about as well unless you know. But providing a safe haven for these domestic workers I think is really, really important and also sends a message to the diplomatic corps that this will not be tolerated by the United States. So I think that is a really important first step, and I am glad you brought that to our attention.

You also mentioned migrant workers and focus on workers' rights. And this is one of the areas that I am most deeply concerned with. As you know, we had a vote yesterday on a border bill. There has been a lot of discussion about the problems of not allowing migrant workers to come into the United States to work in construction, to work in agriculture, that kind of thing.

Many of us on both sides of the aisle recognize that these industries need migrant workers. At the same time, I worry deeply that they have absolutely no level of workers' rights and are at the complete mercy of their employers once they are here. And that obviously addresses pay and that kind of thing. But in addition, it seems like a situation that could really just lead to trafficking and forced labor and I think does.

Ms. VANDENBERG. You are right. It does.

Ms. WILD. If they complain of not being paid, the answer is too bad because you have no legal status here. Is that a fair statement?

Ms. VANDENBERG. That is exactly right except when those workers are connected with service organizations. That goes for the domestic workers who were interviewed by the protocol office. Workers who are being harmed should be connected immediately with service providers.

And the migrant workers that we see who are most protected are those who are in worker driven social responsibility programs like the Coalition for Immokalee Workers, for example. So when there can be peer support among workers, then workers understand that they do have rights and they cannot be deported. And they can get T visas if they are being trafficked.

Ms. WILD. So if we were to—and this may be idealistic of me. But if we were able to come up with a bipartisan comprehensive approach to having migrant workers come here to work legally, it would seem to me that the information about these organizations that you just mentioned needs to be given to them at the onset, not wait for—once they are in a forced labor situation, they are not going to be able to reach out to these organizations. Is that fair to say?

Ms. VANDENBERG. That is fair to say. Unfortunately in one of the TVPA reauthorizations that we did years ago, I think it was 2008, there is a brochure that workers who come in with legal visas receive upon their interview with—

Ms. WILD. Hopefully in more than one language, more than English?

Ms. VANDENBERG. Hundreds of languages last I checked. So they have translated into other languages. That pamphlet is enormously important, but it is not enough because those workers have to be able to reach the organizations that are able to help them.

Ms. WILD. Thank you. And it just makes me wonder whether we need some sort of program as you have described with the diplomatic corps that also—and I am talking about a governmental agency that interfaces with any kind of industry or employer that is using migrant workers.

Ms. VANDENBERG. I think that is the role for the Wage and Hour Division of the Department of Labor, right? That is what the Department of Labor should be doing and should be resourced to do.

Ms. WILD. OK. The other problem—and Judge, you mentioned the different States and all of these organizations. And I am glad that we are seeing a multiState approach to it. On the other hand, it seems that in many ways it needs to be centralized.

Because I am from Pennsylvania, I have some knowledge of what is happening in Pennsylvania to combat this problem. But if I heard from somebody in another State about a human trafficking problem, I am not sure that I would know where to direct them. I would make it my business to find out where. And I would be interested to hear from you, Judge, about how you feel about the decentralization of these kinds of services.

Mr. LUNG. I will start with acknowledging in the Obama Administration, there was the National Committee on the Sex Trafficking of Children and Youth in the United States. And I was honored to be a member of that committee. And they tasked us with this impossible challenge that we accomplished over the course of 5 years to create a two tier system to analyze the anti-trafficking efforts of every single State in the United States.

We created the two tiers to determine at what level the States are. Some States might be only Tier 1 and some States are more advanced, New Jersey and Texas and a couple others that Shared Hope regarding as their A States were definitely Tier 2 right from the start. But we created—I think it was 35 or 36 different ways of analyzing the anti-trafficking efforts in each individual State and then required each individual State to grade themselves and to have other folks involved in the system to participate in the grading of their individual States.

Our point of contact was generally the Governor's office in each of the individuals' States where we would at least reach out to the Governor's office and ask them to make the point of contact. And then we would receive feedback from each State on where they were in the tier system. What I have been told is that the chairperson of that committee has reached out.

I believe that our host was the State Department and that they were going to reach back out and see if they were going to sort of re-up that committee to follow through and see if, OK, well, we have developed this tier system to analyze each State's performances. How are you doing? And it is the thing I think of with all of your efforts especially under the TVPA is that it is incredibly important to have this multi-disciplinary approach by the Federal Government.

We need the Department of Labor and Agriculture and Education and State Department. We need every single agency, every single division of the Federal Government to have a role in this. But then what else we need are two things—well, three things.

We need collaboration. Last year, OTIP collaborated with OVC to have a project together. And it is fantastic to see the Department of Justice and OTIP saying, OK, well, let's do something together. Let's see how we can advance this together.

Having different Federal agencies reach out to each other, if Department of Education says, I am not sure how we do this. Let's go call Department of Justice, OVC, and see what they would recommend. You do not have to reinvent the wheel.

For each individual division of the Federal Government, we do not have to reinvent the wheel. Start with who already is ahead of the game and get their information. So I think cross-agency or cross-divisions of the government is important.

I think certainly as Congressman Smith has indicated, I think what is critically important is to make sure that there is implementation. We can write every great law in the world. But if we do not implement them, then we have just been sitting here wasting our time and words, right?

So I think implementation is critically important. Then I think the third thing that is most important is followup, is to have accountability. OK. Hey, such-and-such division, we gave you 350 million dollars. Show us what you did with it.

We wrote these laws. We passed this. We expanded your mandates on what you can do from your agencies. Show us what you did. So we need to have accountability.

The interesting thing is for nonprofits, they get a grant of 15 million dollars to do this project or that project. And they are mandated to have a followup of, OK, now we gave you that grant. Show us what you did with it.

And they have to. Now we need the Federal Government to do the same thing. If you are going to have your grantees prove what they do with the money, I would like to see the divisions prove to an accountable position or to this very committee, OK, we gave you this money. We authorized this law. What did you do with it?

It does not have to be some kind of consequence. It is just, how about we celebrate what you did with it? Let's recognize what you

accomplished and then let's figure out how we can advance it further. If we accomplish this—

Ms. WILD. That may very well be the subject of another hearing I would suggest to the chairman and same thing with the diplomatic corps. I can envision we could spend an entire congressional session just on subhearings of today's hearing, I am sure. I want to give my colleagues a chance. I have got plenty more questions. But I would like to yield to them for now. Thank you.

Mr. SMITH. Thank you. Dr. McCormick?

Mr. MCCORMICK. Thank you, Mr. Chair. Almost hate to call you victims because of the phenomenal success you have had in your lives, what you have carved out and in what I think is a very bright future for people like you who have made a difference and continue to make a difference in the future. You are truly empowered warriors more than anything as what defines you. So I appreciate that.

This is a very real and painful topic to talk about a lot of times. As an ER doctor, we see some horrible things in the home, things that are unspeakable. You see death of babies. You children who grow up with demeaned senses of who they are and how that leads to these horrible abuse situations, both in the home and out of the home.

You also see this in spiritual realms. And as a matter of fact, several of you talked about the spiritual side of this. And quite frankly, I would like to reinforce the point that this goes far beyond government and how we are going to face this, through our churches, through our communities, through all the individual relationships we have.

One of the things I thought was really interesting is when I first joined the military, it was a very commonplace for us to—when I say, we, I mean the military in general, I do not mean myself—visit brothels when you go into a foreign port. And that is now illegal. We do not allow that anymore because I think that was a big part of child trafficking. That has been addressed probably by yourself and others. So I applaud those efforts.

We have seen progression over time. But I wanted to just take a moment to recognize what I think is a bigger part of this when you talk about faith, Ms. Bella and Judge. And we talk about what we are doing outside the government.

I wanted to give you an opportunity to kind of talk about not just what we can do but what we collectively can do as a nation outside of government which is always well intended but sometimes does not get to the heart of the matter. How can we as communities band together? How can we empower you as a government to even get out of the way or to encourage participation not just by people who have massive budgets but people who have massive hearts when it comes to dealing with this thing?

People who are in churches that aren't aware of the problem or who can address this when it comes to counseling or pro bono work or all the things that we do for communities. If you would just speak on that, the empowerment of people inside this great nation which I believe has the most philanthropic hearts, who would give millions of dollars outside of taxes in the most accountable way in

making a difference into the future. So if Ms. Bella and Judge—and by the way, I want to acknowledge too.

I thought it was a very powerful statement when you say now you walk into a room and people stand. I want to stand right there because that really empowers not just as somebody who went through something but somebody who has overcome something. That was just an incredible moment that I wrote down. I am going to write that down in my journal tonight. Fantastic, thank you for sharing that.

Ms. HOUNAKEY. I nominate you as tribute to go first.

Mr. LUNG. I think it is a great question because sometimes government is not the right solution. I think it is a part of the solution, right? I think the great efforts, the grassroots organizations can make that are not dependent on or restricted by certain government regulations.

Bella and I actually worked with St. Thomas University College of Law in Miami. A professor there, Roza Pati, she actually runs an anti-trafficking organizations and it is a faith-based organization. They are an ethic law school and making efforts in Miami that way.

I think of a church that I attend to in Colorado, Southeast Christian, that hosted an anti-trafficking organization and put on this presentation. It was a phenomenal presentation of survivors and anti-trafficking organizations in the community. And I was astounded at what a basic level of absence of knowledge community members had.

And so these provisions that a church provides to just have this educational outreach. I think about Shared Hope International. For a period of time, they had not just their national conference but they also had a faith-based conference that they hosted in Florida 1 year.

And they had a different conference that was just for first responders. So I am very encouraged by people who I think, well, here is an absence of knowledge or here is a place that we can make improvements and then go do it, right? Don't just find that there is a problem. Be the solution.

And I think of all these amazing examples of very, very small organizations making phenomenal differences. I think your point is well made. I love our government. Our government is the greatest.

But sometimes we are too big or we cannot accomplish things and we need to rely on small organizations or a different approach to the solutions. So faith-based organizations, community organizations are phenomenal. I appreciate you paying homage to having a faith-based approach. Sometimes the government cannot be a part of that, and that is OK too.

Mr. MCCORMICK. It is interesting you said homage. I think it is interesting that people now rise when you enter the room. But eventually, I think we are all going to have to take a knee to something bigger than us. And that is why I point out faith because there is an ultimate power far greater than this government for sure. So thank you.

Ms. HOUNAKEY. All rise. Thank you for that question. I grew up in Michigan. I grew up in Grand Rapids, Michigan in a little street where the youth pastor who was also a lawyer will drive me to

school when my foster mother cannot or the teacher or the nurse or my piano teacher.

It was a part of community. It was not about if they were Republican or Democrat. It was not about if they were from Michigan or Togo. It was not about anything but prioritize me and the 22 other girls who survived—and boys who survived trafficking with me.

It was seeing us as people, as children. And I think the more we prioritized that, at the heart of it, everything we do is to love people, to care for people. Yes, sometimes it is about budgets. I understand that working for a controversial agency.

I understand that. But I think continuing to see that if we do not take action, who is at risk here? And we see that you mentioned being a doctor and being in the ER and seeing people lose their lives.

We might not tug at every community but just doing what we can for the next person. It is because of all of those people, my little street on Madison Avenue in Grand Rapids, Michigan, that is allowing me to be in front of you today. If those people see me, I was a little girl from Togo who survived trafficking, now as a girl in foster care, now as a girl in juvenile home, but as a person that needed help, as a person with potential and doing everything.

Seeing their actions, support, their belief. They say they love God and they do not go on the street and shove the Bible in everybody's faces. They say they love God.

And so they do what they can for me. And I was the next person that presented the love of God for them. So I think again the part of collaboration, regardless of where we fall in the aisle and see people as people needing to serve them is where we need to continue prioritizing. Thank you.

Mr. McCORMICK. Thank you. And as a guy who has witnessed far greater youth ministers myself, I will say that pretty much the universal truth is we all want to be loved. And oftentimes when we do not feel loved is when we are most vulnerable to those predators.

So thank you for pointing that out. Getting back to government and unintended consequences, though, one of the things I do have, I am very, very encouraged by the programs we do have that are helping that we are making progress toward better legislation. But I am also worried about legislation with unintended consequences that can actually encourage a problem.

I am very concerned with half a million people per month crossing the southern border not just because it is a humanitarian crisis but because the vast number of children who are being assaulted as the progress up here. I believe the chair mentioned 80 percent of the women who are migrating up this way are being raped, 80 percent. And if you consider how many people out of that half million, let's make it a fraction.

Let's say it is a couple hundred thousand per month. Take 80 percent of that. Let's just round it off even lower. A hundred thousand women being raped per month who are migrating up here because of what I consider a bad policy.

I am sure that it is horrible where they live too. But that is not due to us necessarily. It is not that we cannot help with that.

But I am worried that what we have legislated or failed to legislate has led to over 100,000 rapes per month. And then further the chair also mentioned 85,000 children that are in our charge. I take this very seriously.

I am a man of not just faith but of military consequence. In the Marine Corps, we are accountable for what we take charge of. The general orders are very clear of that.

And we as Americans, we as a government, when we take charge of a child, our most precious commodity. As a father of seven, I will tell you nobody is going to come near my children or take charge of my children more than I am going to. There is nobody more accountable to my children than myself.

If I as a government going to say, I am going to take charge of your child whether I know who the parent is or not, 85,000 children that we take charge of have disappeared. We have a significant problem in our policy. I am worried that what we are doing is causing harm.

Our first application of the Hippocratic Oath is to cause no harm. And I am worried that policy, of course, can do great good. But it also can create great harm.

And I want to make sure that our government is not just held accountable what we do right but what we do that causes harm. And so I want you to address—and Ms. Murray, you talked about prevention. Maybe the biggest thing—in healthcare by the way, prevention is one of the biggest things we talk about.

If you are not obese, if you are exercising, if you are taking care of yourself, if you are taking your medications, prevention will lead to an incredible life compared to without prevention. In government what I am worried about is we are not doing the right things to prevent these horrible things. Nobody can doubt that if 85,000 children disappear and 100,000 kids are being raped on the way up here by the way, if 100,000 people are already used to being raped and then 85,000 disappear, what have we caused because of our lack of prevention or because of harmful legislation? I would like you to address that please.

Ms. MURRAY. Of course. And again, from a medical background, it is drummed into you right from school. Prevention is better than cure. It is better for the person.

But also, as an NHS nurse, it was cheaper for the NHS to prevent it than to cure it. And so with that approach with human trafficking, I think prevention is absolutely key. It is a key pillar for me.

And so as much as I do not feel like I have the authority to speak into what is going on here, what I can speak into is certainly identifying key vulnerabilities that have a global impact. And so being aware of what key vulnerabilities are and then addressing that at that point. So rather than waiting till it has happened, rather than waiting till someone has been trafficked, rather than waiting till have somebody has been raped.

But instead being aware of the key vulnerabilities and then addressing that at that point. So again, for me, I always keep coming back to period poverty because that for me has been something that I have seen firsthand across both Kenya, Uganda, and Pakistan have a huge issue where girls particularly are marginalized

because of this. And so it leads them into different situations of abuse.

I have met girls that have been willing to sell their bodies just in order to get sanitary products. Now that, for me, is an area where every single one of us can make an impact that is so cheap, so easy, and yet makes a life difference to girls around the world. And so I think for me as much as I cannot and will not speak into your border issues, but what I will speak into is being aware of the vulnerabilities that are out there and then trying to equip different NGO's around the world that are tackling those key vulnerabilities before it becomes an issue.

Mr. McCORMICK. By the way, thank you for mentioning Africa. Thank you for mentioning sanitary products. I have seen—I am going to combine my two statements now with the faith-based which I have been part of a faith-based organization that has distributed sanitary stuff to Africa and other countries.

I think that is incredibly important because you nailed it. That is right. People are selling their bodies for necessities.

I think I have been to orphanages or places of faith-based in about five different nations around the world. And it does me great joy to see America involved in that in some very real ways that are consequential around the world. But to talk about—I do have the authority to talk about what we do here in the government.

And I just want to make the statement that although we often mean well, that there are real consequences to bad policy. I am very concerned about this migration for people who want to have hope, that want to experience the American dream which I do not disparage anybody who wants to take part of this American dream. I have benefited as much if not more than anybody in the world by this American dream. And I am so blessed as anybody who comes to America.

But at the same time the amount of evil by evil people who are preying upon people who try to hope in something greater that they are experiencing because we have had bad consequential legislation or lack thereof that has led to a massive border crossing of humanity that is being pillaged and raped and put into slave labor and being tormented and sometimes killed even because we have horrible border policy, worries me greatly. And I think I would be remiss if I did not mention that if we do not change it, we are going to see more death, destruction, slavery, and rape. Those words should never come out of the words of a U.S. Representative's mouth when it comes to our consequences for our actions or lack thereof in America. And with that, I yield.

Mr. SMITH. Thank you so very, very much, Dr. McCormick, for those comments. And I agree with you 100 percent. Eighty-five thousand kids who have been lost, unaccompanied minors and we do not know where they are.

It is engraved invitation to the traffickers to exploit. So thank you. I would like to now yield to Ms. Radewagen.

Mrs. RADEWAGEN. Thank you, Mr. Chairman. Talofa lava. Thank you for sharing your profoundly touching stories with us.

As an indigenous woman, I am truly cognizant how human trafficking particularly affects indigenous women. I am very deeply

concerned about it. I have a couple of questions here, and one of them, I think, has been kind of partially addressed along the way.

But let me just put these two questions out there for all of you. If you want to address any or all parts of it, that would be very helpful. And what more can the U.S. Government, international community do to more effectively deter traffickers and implement prevention strategies? That is one.

And the other is how has the crime of human trafficking including geographic trends changed over recent years? How did the invasion of Ukraine, COVID-19, and other world events affect human trafficking trends? And how did they impact anti-trafficking trends or efforts? So I would love to hear from any and all of you.

Ms. VANDENBERG. I can start. Thank you for those very important questions. Let me start with the Ukraine invasion because an organization called La Strada which coordinates many, many services for trafficking survivors and does policy advocacy all over Europe, in Ukraine, and in the former Soviet Union.

La Strada wrote a report at the very beginning of the crisis right after the Russian invasion. And that report, a very important report, put out a list of all the things that could be done to prevent trafficking of Ukrainian women and children mostly who were fleeing a war zone. What they suggested and what the Europeans by and large have done is creating paths for people enter those countries and work and survive.

It is not reasonable. It is not humane. It is not logical to expect people to come to the country and then have no opportunity to work and also have no money to support themselves.

And so I think there needs to be incredibly thoughtful consideration of what people need while they are waiting for a war to end, what people need while they are waiting for their asylum decisions to be made because people cannot live on fumes. And what we have seen is people who are highly vulnerable are the ones who then are trafficked. And although there has been trafficking of Ukrainians in Europe which is where most the refugees ended up.

There has been trafficking of Ukrainians in Europe. It has been far less than anticipated because of those protections put in place for those migrants. The United States has also allowed Ukrainians to come to the United States as a sponsorship of people from Ukraine, Haiti, and several other countries. I would argue that those programs that give people status, that give people an ability to earn a living, that make them less vulnerable, those are the policies we need to look at to prevent trafficking rather than trying to solve it and resolve it after the harm has already been done.

Mr. LUNG. So I will start with something that is not quite on top of your questions. But you began with identifying as indigenous people. And it makes me proud of the work that the United States Advisory Council does.

As you may know, the United States Advisory Council, the members are only survivors of human trafficking. And Bella is serving on the council. I served for 2 years under the Trump Administration.

And when I was on the council, one of the projects we were doing was trying to identify the underserved populations. And we included the indigenous people, not just Native Americans human

trafficking is a crisis in that community but also the outlying provinces and Samoan Islands and these other locations that are unseen. They are underserved.

They are almost ignored, I think. And so we made an effort to define that population and to call attention to all of the Federal agencies that we engaged in and said here is the underserved populations. Of course, boys were a part of that, LGBTQI+ community, et cetera.

But indigenous was one of the populations that we identified that were underserved victims of human trafficking. So I was proud of the council's work in that regard. One of your questions was regarding when it was the impact of COVID.

I think that is a massive issue. One of the significant and most immediate consequences was that when you take away access to schools and you take away access to church and you take away access from everything else that makes up a person and their community, those connections are how we learn about abuse. That is how we learn about human trafficking.

As Representative Smith indicated, there is this statistic that is either 80 or 85 percent of victims of human trafficking have contact with the medical field, in urgent care and in ER and in other locations. It is significant. And that is one of the ways we learn about human trafficking is those providers finding out that human trafficking victims are coming up through that system through the medical field.

But the same thing is happening in schools, that school counselors, nurses are encountering, hey, this child looks like they have been abused or this child is having emotional or psychological issues and start to investigate what is going on. But when COVID occurs and suddenly you cannot go to school and you cannot go to your church and you cannot go to your community and you cannot engage in all these things. COVID does not stop human trafficking.

Human trafficking is amplified by things like COVID when you start isolating a person from all the different parts of the community that might have been able to engage and prevent that further. So massive impact. I am fearful that over the next pandemic we have that legalizes our being isolated from our communities of support, that was a tragic shame, one that we will probably encounter for a while.

Just the impact of our children and their educational experiences. They were essentially kicked out of their own schools for a year. And families were kicked out of their own communities or kicked out of their own churches or whatever was the definition of their community about it just being removed from those rights that we had but for the pandemic. That was a massive impact we are going to discover for quite a while.

Ms. HOUNAKEY. Thank you, Judge Lung. Your question on what the international community can do, I think of that. I cannot help that I was born in Togo.

If I would, I could. I would not have been—I do not think I would have. In some countries, it is sort of a barrier to be born a woman.

And so for me, I think about the work that the Nomi Network is doing in India and also Cambodia and Touch of Life in Ghana. Both of these programs are striving to empower young women and

girls. And so the economic empowerment aspect of it is that in parts of India, in Togo, in Ghana, it is not a privilege to be a woman.

And so you have to sell your body to have access to food that may cost 50 cents. And so in India, for instance, what they do is that for women who are trafficked there, instead of aspiring to go abroad in order to have a job to feed your family, they teach life skills, sewing, making shoes or purses or scarves so that they can sell these items or ship them internationally so that they can have the financial return from that to take care of their families. And in Ghana, they have boys and girls there who are with Touch of Life who have been trafficked.

They put them in schools so that they can be educated and earn a living. And these countries, the stories is that if you were born a girl which any of us can control. I cannot help that I was born in West Africa, Togo, that I am a woman.

But then some parts of Togo, being born a woman, it is a disadvantage because then I am not supposed to go to school. I am not supposed to be educated. I am not supposed to aspire to become anything because that is a disadvantage.

So to your question, many of you said about empowering, giving support—financial support to USA Department of Labor, Department of State, OTIP so that we can continue on that financial empowerment so that we do not wait until is trafficked, exploited or in the State of total desperation. I do not know many of you. I do not know your personal lives.

But I am sure you have been in situations where you are extremely desperate. And I do not know if you have been in situations where you are desperate for water, food, or you sleep on bare concrete, or that you wish an animal would walk by so you can kill it and eat it raw. I do not know if you have been in that situation.

But in a total State of desperation, people, children would do almost anything to survive life, to survive the next hour, not even the next day, to survive the next hour. And so when we talk about what the international community can do, when we talk about geographic location, et cetera, what I think about is these young girls in India or Cambodia or Togo or Ghana who are in this very moment that we are here, they are in utter State of desperation. Maybe some of them have died since we sit here.

And these are the things that we can do something about. We can do something about that. We can buy them an extra day maybe or extra week maybe. So I think it goes back to what are we doing to support what we believe in.

We believe in human right. We have a moral obligation. And so are we taking actions to support what we believe is our moral right—people's moral right? I will yield the floor.

Ms. MURRAY. I will amen that 100 percent because we are seeing again and again how there is a huge still gender and equality where girls are treated as less than. Girls are almost classed as disposable in some of the communities that we have been working in. And so, again, just to echo what you just said, that is a huge problem that we really need to address from the prevention angle.

And then in terms of COVID, we have witnessed a lot of children who dropped out of school during COVID because schools were

closed. And obviously in international communities, there was not an online learning platform available when you live in a community where you have not got electricity. There is no online learning.

And so many children were then put to work. Go and be useful for the family. Go and sell peanuts on the roadside, whatever it be to help the family.

But sadly since the schools have reopened, many children never came back because the families then became used to the children working. And it was considered then as normal. They are putting toward the family.

And so COVID had a huge detrimental impact and NGO's around the world including one by one have been fighting that ever since and still very much are fighting the consequences of COVID. And then just to go back to Dr. McCormick. I think churches have a huge part to play in fighting human trafficking.

And so one by one in the UK has launched a churches against trafficking campaign where we are working with churches of all different denominations, all different kind of backgrounds, uniting the church together to really tackle Goliath. And it is great to see the kind of key message there is that actually we need all hands on deck to fight this. And as we come together as a community, we can bring down the traffickers.

Ms. HOUNAKEY. I also just want to add something quickly. You mentioned earlier about accountability for cooperation. I think it is disrespectful of us here when there are companies in this country who instead of improving conditions for labor, they are turning into vulnerable populations for cheap labor.

I think that is utter disrespect that COVID happened. Instead of saying, we are going to improve conditions so that people can work in the way that dignify us as a country. They turn instead to say, you know, hmm, where can I find the most vulnerable people? Oh, children, there you go, people who have vulnerabilities.

And so for me, when we sit here, we talk about this. The first thing I think of and the council is going to speak on this in our next report is what does accountability lies? Is it DOL? Is it DHS?

Where does our accountability lies so that the next health global crisis, traffickers are not just like in the communities. They are turning into organized crimes. And what can I say about cooperation?

I am not accountable because I am just a staffing agency and I subcontract out. So how do we hold third party contractors? That is my question to you all is that, does the bill also address companies that are hiring or subsourcing out to find workers and exploit them? What does our accountability look like for, for instance, staffing agencies who are turning into third party contractors to continue their work?

Mrs. RADEWAGEN. Thank you, Mr. Chairman. I yield back.

Mr. SMITH. Can I just very briefly before I go to Ms. Wild for one final question? I will submit some questions to our distinguished panel. But we do want to get to our second panel.

A moment ago, Dr. McCormick talked about the military. And I say this as an invitation to anyone who has any information about anything relative to trafficking to let the TIP office know, to let us know, to let their local human trafficking coalition like in New Jer-

sey know because it does make its way to policy. Right after the TVPA was signed into law, a reporter/prosecutor who lived in Ohio came in and said he had evidence and he showed me a video of our troops in South Korea going to juicy bars as they called them where women who were either indigenous, South Korean, Philippine, women—some Russians.

All were being held could not leave. And we even at CP patrol outside for troop protection outside of these brothels and it was horrible. So I went to Joseph Schmitz who was the IG for the Pentagon.

Asked him if he would investigate the Balkans where there were problems with the war and trafficking with U.N. as well as others, military. And they look at South Korea. He did an unbelievably good job and then teed it up to the President of the United States, George W. Bush, and asked him to do an executive order that would make it very clear that complicity of any kind of trafficking is an actionable offense under the Uniform Code of Military Justice.

Bush went even beyond that and said that even prostitution as it should be in my opinion as well is an actionable offense under the Uniform Code of Military Justice. General Tai

[phonetic] who was our Supreme Allied Commander in South Korea got so into ensuring that there was no complicity and no enabling of this. And we worked with the South Korean government to get rid of their so-called entertainment visa which is bringing women in from the Philippines, so-called entertainment.

And the military just jumped in lock, stock, and barrel. And you know one of the greatest ways of preventing was? Putting places off limits was one. But also having a time limit as to when people—yes, when you are drunk at 2 o'clock in the morning and you go into one of those bars, bad things happen.

So it was amazing how the curfew even worked. General Tai testified twice before our committee and the Armed Services Committee. And then we put it into the TVPA as an actual offense in terms of minimum standards in terms of militaries and peacekeepers. And all because of this reporter/prosecutor who gave us a tip that we acted upon. So I say to anyone, even the CSPAN audience, if you have something that we need to be working on, please tell us.

Ms. WILD. I too want to move on to the next panel. And I am going to ask you a question, Ms. Vandenberg, which if it is more appropriate for the next plane, please feel free to say so. But the TVPA, the Trafficking Victims Protection Act, provided authority to impose targeted sanctions against foreign individuals related to human trafficking.

My understanding is that the executive—and I think it has been around since 2000, I think. And to date, the executive branch under multiple Administrations has not yet used this authority, although it has imposed some relevant sanctions against other authorities under the Magnitsky Act and so forth. Do you believe that targeted sanctions specifically on this issue would help deter human trafficking?

Ms. VANDENBERG. On the issue of diplomats, I do. And we have asked for sanctions under Global Magnitsky. But according to a

CFR report and according to the information that I know that Trafficking Victims Protection Act sanctions have not been used.

Ms. WILD. Thank you very much.

Mr. SMITH. Again, I want to thank this amazing panel for your insight, your guidance, your passion. You are just inspiring beyond words. So thank you so much, and we will submit a few questions for the record if you would not mind getting back. Thank you.

We'll adjourn for a minute or two, just to say goodbye.

[Whereupon, at 12:06 p.m., the subcommittee recessed, to reconvene at 12:13 p.m., the same day.]

Mr. SMITH. Thank you very much, and again, that was a very inspiring panel of leaders, including survivors. And so the hearing obviously is reconvened.

And I do want to thank our panel from the Administration for not only the work that you are doing, but for your patience. We did want to hear first from those amazing survivors. And normally the Administration goes first. And you were very kind and courteous to extend that to them as well. So thank you.

We have two distinguished witnesses, beginning with the Honorable Cindy Dyer, who is the Ambassador-at-Large to Monitor and Combat Trafficking in Persons, leading the United States' global engagement to combat human trafficking and support the coordination of anti-trafficking efforts across the U.S. Government.

Ambassador Dyer, congratulations on your confirmation. Ambassador Dyer is a human rights advocate and lawyer with three decades of experience working at the local, national, international levels to prevent and respond to human trafficking, sexual assault, and domestic violence. She was the Vice President for Human Rights at Vital Voices Global Partnership.

And I would note parenthetically Theresa Loar, with whom I went to high school with, served on that as well back in the Clinton Administration—after the Clinton Administration I guess, timewise. But you served on that for 12 years, where she worked with local governmental, and civil society leaders in more than 25 countries throughout Asia, Africa, Latin America, the Middle East, and Europe on issues related to human trafficking.

Prior to that, she served as the Director of the Office of Violence Against Women within the Department of Justice under President George W. Bush. Ambassador Dyer began her career at the local level serving as a specialized domestic and sexual violence prosecutor in Dallas, Texas, for more than 13 years. And she earned her bachelor's degree from Texas A&M and her JD from Baylor Law School.

We'll then hear from Mr. Johnny Walsh, who is Deputy Assistant Administrator at the U.S. Agency for International Development. Mr. Walsh oversees the Bureau for Development, Democracy, and Innovations Center for Democracy, Human Rights, and Governance.

He was most recently a senior expert at the U.S. Institute for Peace from 2017 to 2021. And previously served in government in a range of foreign policy roles, including as the U.S. mission to the U.N. Senior Policy Advisor for the Middle East and South Asia, and two stints as the State Department's lead advisor on Afghani-

stan's peace process and tours of duty in Iraq and Afghanistan, no easy places to be working.

I yield the floor to our distinguished Ambassador-at-Large, and I thank you for being here.

STATEMENT OF THE HON. CINDY DYER, AMBASSADOR-AT-LARGE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS, U.S. DEPARTMENT OF STATE

Ambassador DYER. Thank you so much.

Chairman Smith, Ranking Member Wild, distinguished members of the Subcommittee, thank you for the opportunity to appear before you today to discuss the United States Department of State's efforts to combat human trafficking.

Thank you also for the opportunity to hear the amazing testimony of the panel before me. I hung on every word. The time flew by. And it was an honor to get to really listen to them. Thank you for that opportunity.

Human trafficking is a crime that exists in every country and affects people of every age, ethnicity, and gender, with historically and systemically marginalized groups often at greatest risk. The last few years have been particularly challenging as we—as you discussed earlier, and seen new trends in trafficking.

The covid-19 pandemic, inflation, Russia's war on Ukraine, and disruption caused by climate change have exacerbated entrenched challenges, such as poverty and economic inequality, heightened job insecurity in many sectors, diminished access to justice and services, disrupted global supply chains, and contributed to new waves of risky migration.

All of these factors and others have heightened the risk of trafficking around the world. In recent years, we have seen increased online recruiting and exploitation of trafficking victims, especially online sexual exploitation of children; more forced criminality and forced begging cases; and rapidly growing forced labor in scam centers based in Southeast Asia that exploit victims worldwide.

The scale of trafficking is vast, the challenge we face immense, but we are not helpless, and we are using all the tools at our disposal to face these challenges head on. Today more than ever, the United States' sustained leadership and commitment to combating human trafficking in all its forms is critical.

As Secretary Blinken Stated during last year's Trafficking in Persons Report launch ceremony, it will continue to take relentless diplomacy, coordination, advocacy, and commitment if we are going to stop it.

And as he noted, the United States is committed to fighting it because trafficking destabilizes societies, it undermines economies, it harms workers, it enriches those who exploit them, it undercuts legitimate business, and most fundamentally, because it is so profoundly wrong.

The State Department's Office to Monitor and Combat Trafficking in Persons, the TIP office, which I have the honor to lead, is advancing the United States' global efforts to combat human trafficking through a Three P Framework: the prosecution of traffickers, the protection of victims, and the prevention of human trafficking.

We address the three Ps collectively by objectively analyzing government efforts, engaging in strategic bilateral and multilateral diplomacy, targeted foreign assistance to build capacity of foreign governments and civil society, and advancing Federal anti-trafficking policies through interagency coordination.

We also partner with international and civil society organizations, human trafficking survivors, and the private sector to advance the fight against human trafficking. It is this fourth P, for partnership, that strengthens the effectiveness of the other three Ps in the fight against human trafficking.

We recognize that all countries can and should do more to prosecute traffickers, provide justice and protection for victims, and actively work to prevent human trafficking.

We are focused on implementing key actions to advance an effective anti-trafficking response, including addressing human trafficking in the context of the impact of Russia's war in Ukraine; documenting and decrying human trafficking in the People's Republic of China, especially Xinjiang and the PRC's Belt and Road Initiative; highlight Cuba's coercive labor export program; and supporting diplomatic engagement with countries hosting these workers to mitigate their exploitation; engaging with survivors and underserved communities; and preventing human trafficking in global supply chains and in the U.S. Government's procurement of goods and services.

We, too, recognize that combating human trafficking cannot be done alone. We must continue to work collectively across the U.S. Government with bilateral and multilateral partners and with local governments and civil society to further advance anti-trafficking efforts.

Thanks to sustained support from Congress, in particular through the groundbreaking Trafficking Victims Protection Act of 2000 and its subsequent reauthorizations, the Department has a well-established set of tools to draw upon in the fight against human trafficking.

For more than 20 years, the Trafficking in Persons Report continues to be the world's most comprehensive resource on governmental anti-trafficking efforts and is our principal diplomatic tool to guide relations with foreign governments.

Our most recent TIP report included narratives for 188 countries and territories, and its introduction focused on the importance of engagement with survivors of human trafficking. The TIP report is one of our most powerful tools to encourage governments around the world to improve their anti-trafficking efforts. Ensuring it remains accurate, objective, and effective is among my highest priorities for the TIP Office.

Similarly, the targeted U.S. foreign assistance resources we bring to bear to strengthen the capacity of governments and civil society is an important element of our three P approach. Since 2001, the TIP Office has leveraged more than \$700 million in foreign assistance funding to support nearly 1000 anti-trafficking projects across more than 90 countries to address both sex trafficking and labor trafficking worldwide.

Through bilateral projects and innovative programming such as child protection compact, CPC, partnerships and the Program to

End Modern Slavery, our investments have produced tangible results. Our assistance has helped thousands of human trafficking survivors receive vital assistance, including repatriation, psycho-social support, and counseling to rebuild their lives.

We have also helped dozens of governments to build crucial legal, policy, and regulatory infrastructure to care for victims and bring traffickers to justice. In places where individuals are particularly vulnerable to trafficking, such as in Southeast and South Asia and many parts of Africa, our assistance is helping identify victims of trafficking and ensuring they receive the protection and services they need.

Chairman Smith and Ranking Member Wild, thank you again for holding today's hearing and this subcommittee's steadfast commitment to combating human trafficking.

As this subcommittee considers legislation for the 118th Congress, I look forward to working closely with you and your staff on legislative efforts to reauthorize the international provisions of the TVPA, which remain the cornerstone of the United States' global efforts to combat trafficking.

Ensuring Congress continues to provide the appropriate tools and authorities we need to effectively tackle international trafficking challenges today and tomorrow is essential.

Thank you.

[The prepared statement of Ambassador Dyer follows:]

**Statement of Ambassador Cindy Dyer
Before the House Foreign Affairs Committee, Subcommittee on Global Health,
Global Human Rights, and International Organizations
“Implementation of the Trafficking Victims Protection Act”
May 12, 2023**

Chairman Smith, Ranking Member Wild, distinguished Members of the Subcommittee, thank you for the opportunity to appear before you today to discuss the U.S. Department of State’s efforts to combat human trafficking.

Human trafficking is a crime that exists in every country and affects people of every age, ethnicity, and gender, with historically and systematically marginalized groups often at greatest risk. The last few years have been particularly challenging and seen new trends in trafficking. The COVID-19 pandemic, inflation, Russia’s war on Ukraine, and disruption caused by climate change have exacerbated entrenched challenges such as poverty and economic inequality, heightened job insecurity in many sectors, diminished access to justice and services, disrupted global supply chains, and contributed to new waves of risky migration. All of these factors, and others, have heightened the risk of trafficking around the world. In recent years, we have seen increased online recruiting and exploitation of trafficking victims—especially online sexual exploitation of children, more forced criminality and forced begging cases, and rapidly growing forced labor in scam centers based in Southeast Asia that exploit victims worldwide.

The scale of trafficking is vast; the challenge we face, immense. But we are not helpless, and are using all the tools at our disposal to face these challenges head on.

Today, more than ever, the United States’ sustained leadership and commitment to combating trafficking in all its forms is critical. As Secretary Blinken stated during last year’s Trafficking in Persons Report launch ceremony: “It will continue to take relentless diplomacy, coordination, advocacy, and commitment [...] if we’re going to stop it.” And, as he noted, “the United States is committed to fighting it because trafficking destabilizes societies, it undermines economies, it harms workers, it enriches those who exploit them, it undercuts legitimate business, and most fundamentally, because it is so profoundly wrong.”

The State Department's Office to Monitor and Combat Trafficking in Persons (the TIP Office), which I have the honor to lead, is advancing the United States' global efforts to combat human trafficking through a "3P" framework – the prosecution of traffickers, the protection of victims, and the prevention of human trafficking. We address the 3 Ps collectively by objectively analyzing government efforts; engaging in strategic bilateral and multilateral diplomacy; targeting foreign assistance to build capacity of foreign governments and civil society; and advancing federal anti-trafficking policies through interagency coordination. We also partner with international and civil society organizations, human trafficking survivors, and the private sector to advance the fight against human trafficking. It is this "fourth P" for partnership that strengthens the effectiveness of the other "3Ps" in the fight against human trafficking.

We recognize that all countries can and should do more to prosecute traffickers, provide justice and protection for victims, and actively work to prevent human trafficking. We are focused on implementing key actions to advance an effective anti-trafficking response, including addressing human trafficking in the context of the impact of Russia's war in Ukraine; documenting and decrying human trafficking in the People's Republic of China, especially Xinjiang, and the PRC's Belt and Road Initiative; highlighting Cuba's coercive labor export program and supporting diplomatic engagement with countries hosting these workers to mitigate their exploitation; engaging with survivors and underserved communities; and preventing human trafficking in global supply chains and in the U.S. government's procurement of goods and services.

We too recognize that combating human trafficking cannot be done alone. We must continue to work collectively across the U.S. government, with bilateral and multilateral partners, and with local governments and civil society to further advance anti-trafficking efforts. Thanks to sustained support from Congress, in particular through the groundbreaking Trafficking Victims Protection Act (TVPA) of 2000 and its subsequent reauthorizations, the Department has a well-established set of tools to draw upon in the fight against human trafficking.

For more than twenty years, the Trafficking in Persons Report (TIP Report) continues to be the world's most comprehensive resource on governmental anti-trafficking efforts and is our principal diplomatic tool to guide relations with

foreign governments. Our most recent TIP Report included narratives for 188 countries and territories, and its introduction focused on the importance of engagement with survivors of human trafficking. The TIP Report is one of our most powerful tools to encourage governments around the world to improve their anti-trafficking efforts. Ensuring it remains accurate, objective, and effective is among my highest priorities for the TIP Office.

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Chairman Smith and Ranking Member Wild, thank you again for holding today's hearing and this Subcommittee's steadfast commitment to combating human trafficking. As this Subcommittee considers legislation for the 118th Congress, I look forward to working closely with you and your staff on legislative efforts to reauthorize the international provisions of the TVPA, which remains the cornerstone of the United States' global efforts to combat trafficking. Ensuring Congress continues to provide the appropriate tools and authorities we need to effectively tackle international trafficking challenges, today and tomorrow, is essential.

Mr. SMITH. Thank you very much, Ambassador, for your testimony and leadership. I'd like to now turn to Johnny Walsh.

STATEMENT OF JOHNNY WALSH, DEPUTY ASSISTANT ADMINISTRATOR, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. WALSH. Thank you so much, Chairman Smith. Thank you, Ranking Member Wild. Thank you, distinguished members of the Subcommittee. Thank you for your leadership on combating human trafficking all these years, the opportunity to be here today.

I just have to acknowledge the first panel, which was just so unbelievably powerful. I think all of us in the gallery were feeling emotion rising within us. But also feeling inspired by how much courage these folks show. They are much more than just horrible stories that many of them have gone through. They are smart, they are strategic, they're a total inspiration.

And if you'll allow me, I just also want to thank the staffs at USAID and at the State Department who work on counter-trafficking, who are just so smart and so accomplished, but who lead with their hearts and have done just immense amounts to help against this terrible scourge.

So, since 2001, with the passing of the TVPA, USAID has provided counter-trafficking assistance in 88 countries. We currently support counter-trafficking efforts in 35, and in many more our larger body of development work contributes in one way or another that we can unpack to the counter-trafficking fight.

In Fiscal Year 1922, we obligated \$32.5 million into counter-trafficking activities globally. That is more than 3 million above our earmark, which is an indicator of how important our missions around the world very organically consider this work to be.

And beyond our direct counter-trafficking programming, a very large fraction of USAID's international development work helps in one way or another, either by addressing root causes of counter-trafficking, like conflict or corruption or poverty, or violence, natural disasters, lack of opportunity. Or by building local capacity in ways that are directly relevant to the fight against trafficking. For example, by supporting stronger judicial systems and rule of law.

So USAID's effectiveness, we think, rests on a very strong in-country presence in the countries where we work through our missions. And these allow us to design and effectively monitor interventions that are informed by local context and adaptive to local context.

So our counter-trafficking work tends to follow, we also think in terms of four Ps: prevention, protection, prosecution, and partnership.

So just briefly first on prevention, we work to raise awareness of trafficking, particularly with the most vulnerable groups, the most high risk communities, by promoting public information and education campaigns across source and transit and destination countries for trafficking.

By way of example, in Colombia USAID is working in very high risk communities to protect the rights of Venezuelan migrants who are vulnerable to trafficking. And this program's raising awareness among this community about different methods of exploitation. And

we complement it with tools like training almost 4000 service providers on how to address trafficking issues, gender-based violence. That is just in the past year.

Second, on protection, when we think about protecting trafficking survivors, USAID's approach, State Department's approach also is survivor-centered, it is trauma-informed. Everything that was said in the first panel about that resonates very deeply with us.

We support around-the-world reintegration assistance for survivors. That means psycho-social and medical services. It means legal assistance. It means providing safe and secure accommodations where people need it. It means providing access to employment and business opportunities. Whatever survivors need to rebuild their lives and avoid being re-victimized.

Third, on prosecution, this is especially in State Department's lane. But we help with the development of anti-trafficking laws in many countries, with real penalties for traffickers and protections for victims. We provide victim-centered training and technical assistance for law enforcement, for prosecutors, judges, so they are maximally effective in what they do.

By way of example, we have a regional program across the Caribbean region to improve the prosecution of TIP cases, trafficking cases. We are helping countries develop or strengthen, for example, national referral mechanisms so they can better screen, identify, and investigate trafficking.

And fourth, on partnerships, there is no way to do this alone. We, like, work across governments and civil society and faith-based organizations, advocacy organizations. We are all in it together. It takes an all-hands-on-deck approach, as one of the panelists said.

In Senegal, for instance, we bring together all of these constituencies to work on the problem of forced child begging, which, I cannot imagine a more vulnerable population to this problem. But a multi-stakeholder approach is often the way we can cover the most of it in the country.

Just briefly, to close, in December 2021, USAID revised our counter-trafficking policy to align with the U.S. Government's new national action plan to combat human trafficking.

And among other things, the USAID policy emphasizes survivor-centered approaches, partnering across all these groups that I have referred to, government and otherwise; better coordination within our own government, and for that matter within our own agency; extensive use of evidence in learning, rigorous data; and clear roles and responsibilities for staff across USAID.

And I would say that that CTIP Guide and its associated field guide for missions, they help missions design, implement, monitor, and evaluate programming more effectively. But they also serve in effect as USAID's implementing guidance for the TVPA.

So Chairman, Ranking Member, thank you for calling this hearing. We share the belief that we are all in it together. We do not have a monopoly on good ideas. And through this exchange, I think we can advance the fight against these issues.

[The prepared statement of Mr. Walsh follows:]

**Statement of Johnny Walsh
Deputy Assistant Administrator
Center for Democracy, Human Rights, and Governance (DRG)
U.S. Agency for International Development**

**Hearing Before the House Foreign Affairs Subcommittee on Global Health,
Global Human Rights, and International Organizations**

**Implementation of the Trafficking Victims Protection Act
May 12, 2023**

Chairman Smith, Ranking Member Wild, distinguished Members of the House Foreign Affairs Subcommittee on Global Health, Global Human Rights, and International Organizations; thank you for your leadership on combating human trafficking and the opportunity to be here today to discuss USAID's work on addressing human trafficking through the 4 Ps of protection, prevention, prosecution, and partnerships, our revised Counter-Trafficking in Persons (C-TIP) Policy, and our C-TIP Code of Conduct.

The International Labour Organization (ILO) estimates that human trafficking and forced labor are responsible for an estimated \$150 billion in illicit profits per year. In 2022, the ILO estimated that 27.6 million people were in forced labor. With an issue of this magnitude, partnership, coordination, and empowerment of trafficking survivors are essential to addressing the root causes and long-term effects of human trafficking.

Since 2001, USAID has provided over \$370 million in C-TIP assistance in 88 countries, and currently supports these efforts in 35 countries. In Fiscal Year (FY) 2022, we obligated \$32.5 million for C-TIP activities globally and continue to integrate C-TIP strategies into other development programs. Our C-TIP work addresses root causes such as conflict, corruption, poverty, gender-based violence and gender inequality, socioeconomic and structural inequalities, racism, natural disasters, lack of educational and job opportunities, and shortfalls in basic

social services. Through crucial investments to address these issues, USAID's C-TIP efforts also advance USG national security interests by preventing or mitigating conflict and displacement and strengthening the capacity of national and local institutions that promote stability. USAID's effectiveness rests on a strong in-country presence, allowing us to design and monitor well-run interventions informed by local context.

4Ps of Prevention, Protection, Prosecution, and Partnerships

USAID supports stand-alone C-TIP projects as well as integrating C-TIP interventions into our wider development portfolio using the 4Ps framework.

Prevention

USAID has worked to prevent trafficking in persons by raising awareness in at-risk sectors and communities, strengthening government institutions and nongovernmental actors, promoting behavior change, and addressing cultural and social norms related to TIP in source, transit, and destination countries.

In Bangladesh, for example, USAID's Fight Slavery and Trafficking in Persons (FSTIP) project is reducing vulnerability to TIP by enhancing public awareness of human trafficking and its dangers. USAID supported the Government of Bangladesh to finalize and launch a Comprehensive Survivor Service Guideline that outlines a comprehensive step-by-step process for service providers supporting trafficking survivors. USAID has already trained 35 government officials and nine NGO members on the comprehensive survivor service guidelines.

Protection

To protect TIP survivors, USAID's approach is survivor-centered and trauma-informed as we integrate mental health and psychosocial support into programming. USAID-funded activities provide services for physical and emotional healing, legal assistance, safe and secure accommodations, and access to workforce development opportunities. For example, in Bosnia and

Herzegovina, USAID is supporting nine local organizations to provide legal and practical protections for survivors and strengthen the capacity of government institutions and non-governmental organization-managed shelter providers to protect victims. As a result of our direct support to victims, the Prosecutor's Office confirmed an indictment against one person for human trafficking. USAID's support was recognized by the Prosecutor's Office for the specialized services of legal advice and representation of the minor victim in the Court, continuous communication, developing a trustful relationship, and supporting the minor victim.

Prosecution

USAID supports efforts to develop effective anti-human trafficking laws with significant penalties for traffickers and protections for trafficking victims, as well as providing victim-centered training and technical assistance for law enforcement officers, prosecutors, and judges. USAID also works to improve victims' access to legal and justice-related services.

USAID supports both bilateral and regional efforts to improve the identification and referral of trafficked persons to social services. For example, USAID is supporting a regional response in Barbados, St. Lucia, Antigua and Barbuda, and Trinidad and Tobago to improve the screening and identification of victims and the prosecution of TIP cases. The project is in the start-up phase, but the Police Special Victims Unit Director in Barbados has already indicated that USAID's support through specialized and advanced training to the team led to an increase in police screening of TIP cases.

Partnerships

Countering TIP requires effective coordination across a broad range of stakeholders. Therefore, USAID works closely with local, national, regional, and global networks, as well as representatives of civil society, government, the private sector, labor unions, media, and faith-based organizations to expand the range of services and address root causes.

In Senegal, USAID is mobilizing local government, religious actors, and community-based organizations for a coordinated approach to prevent and reduce forced child begging in urban areas. These locally-led initiatives then serve as models to fuel advocacy at the national level and mobilize key stakeholders for a reform of the Koranic school system.

Revised C-TIP Policy

In December 2021, USAID revised our C-TIP policy to align with the U.S. Government's revised National Action Plan to Combat Human Trafficking and its related priorities to elevate gender and racial equity and end forced labor in global supply chains. Through updated programming objectives to guide C-TIP activity design, the Policy promotes:

- Integrating survivor-centered approaches into programs and policies that empower the individuals and communities we serve;
- Partnering with host country governments, civil society, and the private sector to counter human trafficking;
- Enhancing coordination within USAID and with other U.S. government agencies;
- Drawing on the best available evidence to inform our programming; and
- Providing clear roles and responsibilities for staff across USAID to implement effective C-TIP programming.

USAID takes an inclusive approach to engage marginalized populations and vulnerable communities as partners and leaders. We are committed to a survivor-centered approach that empowers people with effective psychosocial services, delivers legal assistance that meets their needs, provides safe and secure accommodations, and offers access to meaningful work.

USAID's revised C-TIP policy emphasizes rigorous research methodology to better understand what is working and what is not, and to continually learn

lessons and adapt to changing threats such as the rise in online sexual exploitation of children.

USAID continues to provide technical support and guidance to USAID Missions to implement the revised C-TIP Policy, including through our C-TIP Field Guide, which we revised in January 2023. The Field Guide helps Mission staff to design, implement, monitor, and evaluate C-TIP investments based on the 4Ps approach at every stage of the program cycle, from country strategic planning to activity design to evaluation. The Guide provides recommendations for integrating C-TIP activities into larger development programs, designing stand-alone activities, using a survivor-centered approach, and developing more comprehensive identification and referral protocols to assist victims.

C-TIP Code of Conduct

Through the implementation of our Code of Conduct, USAID seeks to be a leader among donor organizations in preventing human trafficking. As a baseline, the Code explicitly prohibits USAID personnel from in any way engaging in, facilitating, or supporting trafficking in persons, procuring commercial sexual acts, or using forced labor during duty or non-duty hours. Employees must report suspected violations of federal trafficking laws by USAID contractors or assistance recipients to the Office of the Inspector General (OIG), and relevant contract or agreement officers. The Code also obligates employees to report suspected violations of the Code by other employees. Training on the Code is mandatory for all USAID personnel.

Chairman Smith and Ranking Member Wild, thank you for calling this hearing on the Trafficking Victims Protection Reauthorization Act. USAID shares the belief that no single entity, whether it be a government, a civil society organization, a private sector actor, or other stakeholder, can effectively combat a crime as complex as trafficking in persons alone. We are grateful for the opportunity to share our experience in combating trafficking with the Subcommittee.

Thank you, and I look forward to your questions.

Mr. SMITH. Mr. Walsh, thank you, pardon me, so much for your testimony and leadership. I do have a number of questions, and hopefully we can do a second round so I could yield to my colleagues.

In my opening I did mention, Ambassador Dyer, the importance of getting it right. I mean, I actually had three hearings about how we got it so wrong in 2015. And I would say that Kari Johnstone, who testified at one of those hearings, that the information that was provided in the TIP Report itself was right on, it was very accurate.

And but when it—the recommendations went up the chain of command, for other reasons totally disassociated with human trafficking, Tier 3 countries were upgraded to either watch list or to—nobody went to Tier 2. But they were upgraded.

And China, Oman, as I mentioned before, Malaysia was, and that was because they thought they were going to get into TPP at the time, which was making its way through Congress and the Administration. But it was just like these are not chips to be given away. This is all about speaking truth to power in an absolutely honest way to the best of all of our abilities.

And so I want to thank Kari, because she did a great job. But when it went up the chain of command, we did lose. And as I said before, Reuters were the ones who broke the story after doing anonymous interviews with the TIP Office, that things got changed.

Yes, they do make the final call, the undersecretaries, the Secretary of State especially. But they should just be, you know, what you do, and we did this when we wrong the original law, especially with the lag between the findings in TIP and you know, what action might be taken pursuant to sanctions.

This is all a Administration call, and they may want to take other things into consideration. I hope they would not, but the TIP report has to be sacrosanct.

And I remember talking to a number of countries, and I will not name them, who were so angry because they were Tier 3, and they said others were elevated to watch list and therefore not sanctionable, and their records were worse.

So the argument isn't really against the TIP Office or you. It is really against what happens when it goes up the chain of command. And if they do it again, I will have them, or try to, come and give an accounting for that.

I remember I asked Secretary Kerry, I said who made the decision. He said, "Well, the buck stops with me." It was a full committee hearing. And it shouldn't be that way. Oman got it. Why? Because they had been very involved with the nuclear negotiations, providing—they were conduits with Iran and United States and our partners in Europe.

But that shouldn't be a reason to give them a benefit where it is not earned. Same way with Cuba, because we had a rapprochement with opening up an embassy.

And parenthetically, I have tried to get into Cuba my entire career. And I thought when we looked like we were moving toward a, or we had diplomatic relations, I went there with the Ambassador.

And he said but you got to know this: we tell you the people you cannot see. I said what? You know, that is not what human rights work is all about. So I never got the visa. But they were elevated as well.

So I just would hope that, you know, the people up that chain of command will realize that, you know, Congress gets fed up with that kind of manipulation. Speak truth to power and let it go where it goes. So that is just an encouragement for you, because I know you will get it right in the report. It is the next steps that I worry about.

Let me also ask, if I could, and obviously with Title 42 ending last night, you know, the—we have differences of opinion of what we should do vis-a-vis the border.

I voted for the Secure Fence Act of 2006, which established everything that we thought would have mitigated illegal crossings. Chuck Schumer voted for it, Hillary Clinton voted for it, as did a lot of other people, you know, on both sides of the aisle. There were 80 votes in the Senate for it back in 2006.

And I think we would have a different dynamic today had that wall been built. And I am all for legal immigration, I am all for refugees, you know, well-founded fear of persecution, getting the help that they need.

But one of the concerns, and I know the New York Times underscored this, that the HH—Office of Refugee Resettlement similarly has lost some 85,000 migrant children, unaccompanied minors.

And I am wondering, you know, last year in the TIP Report, and obviously the U.S. is included in the TIP Report, it was pointed out to the government, our government, continued not to mandate human trafficking screening for all foreign national adults in immigration detention or custody. And did not screen for trafficking indicators among the people it removed.

It also that on the prioritized recommendations, screen all—this is you, TIP Report, saying this—screen all individuals in immigration detention or custody for human trafficking indicators. And I am wondering if Homeland Security has followed through on that, on that recommendation made by you.

And if you could, do we know what has happened to those children? Is there any further insight? I mean, we all, you know, we have heard from victims today. To think that there could be tens of thousands of victims who—and children—that we just do not know where they are.

Ambassador DYER. Thank you, sir. First of all, certainly I personally and the JTIP Office share your deep concern about not only not only unaccompanied migrant children, but about all migrants and making sure that those individuals who are making a perilous journey are protected, and they are protected specifically from trafficking.

I know that the also really the addressing the challenges of irregular migration, specifically providing protection to refugees and asylum seekers and offering lawful migration pathways are key priorities for the Administration.

And I actually noted that they esteemed Martina Vandenberg, during her previous testimony specifically, who is of course such a recognized authority, specifically called out offering lawful migra-

tion pathways as a key way of reducing vulnerabilities. That is absolutely a part of this plan.

We recognize that forced displacement in the western hemisphere has reached historic highs. And I am also mindful of Bella's comment earlier about individuals who, in her words, they are fleeing an utter State of desperation. And so we look at this crisis through that lens of sympathy that many of these individuals are fleeing an utter State of desperation.

The Administration is working closely with the interagency group, both the Department of Homeland Security, which I think has the answers to many of the questions that you guys were—very good questions you were bringing up here today, Health and Human Services, and Department of State.

For our role, at the Department of the State and at the Trafficking in Persons Office, we see our highest and best purpose as making sure that we are protecting vulnerable, and that they are being screened, to your excellent point, Mr. Chairman.

So one of the things that—

Mr. SMITH. But are they? I mean, that was made a year ago in your recommendations.

Ambassador DYER. We are—we agree with you that all migrants should be screened. I will have to defer to my colleagues at DHS with regard to, especially now that Title 42 is expiring and Title 8 will come back up. I will defer to them on—

Mr. SMITH. Can you get back to us?

Ambassador DYER. Yes.

Mr. SMITH. So we know what, you know, in terms of your interpretation of what they are doing?

Ambassador DYER. Absolutely. And certainly it is the perfect time to be asking the question because we are having a change in the authorities under which we will be working.

I do know as it pertains to screening, some of the work that the Trafficking in Persons Office is doing specifically in the region, in the western hemisphere, specifically encourages screening of migrants so that they do receive protection and services. And to the great point of the panel earlier, preventing individuals who are at great risk of trafficking from becoming actual victims of trafficking.

We have programs in the region specifically focused on screening and prevention. We have regional programs that are not just one country focused, but a whole-of-region approach, because we recognize this is a crisis that not one country can solve.

I think it is important to know that we have \$80 million in trafficking programming in the western hemisphere, which is the region that has the highest amount of programming, which I think speaks to the Administration's focus and sincere concern about this issue.

In addition to the international programming money that we have there, we are also engaging in bilateral diplomacy, making sure that our allies and colleagues in the region are doing what they need to do to stop trafficking in their countries before it goes further.

We are also making sure to call these efforts out in the Trafficking in Persons Report. Please know that I share your emphasis and your focus on getting it right and on integrity, not only because

this year's report will have my name on it, but also because for 12 years, I worked with NGO's in the field who relied on that report to speak what they saw.

And it serves as a microphone to those advocates and activists. So please know that we share your deep concern about that.

We are really working aggressively to address this crisis, using all the tools that you have given and paying a specific attention to make sure and also through the interagency working group. So thank you for the opportunity to address that.

Mr. SMITH. If you could, do we have any idea, I mean, the news media and others sometimes conflate the coyotes are bringing people up, getting paid to do it. And I am just wondering, because I haven't seen the specifics or the breakout, maybe you have it, how many of these individuals either it evolves into a bona fide trafficking situation, particularly for you young people?

You know, we do not want terms being imprecise, because obviously it is dangerous when you pay somebody to bring you up and they turn out to be part of a cartel. But how many of them are—do we have any idea how many cases of human trafficking we have?

And I'll say why that is so important. When we did the original TVPA, we got a State Department number of about 50,000 people coming in every year. That was their best estimate, and nobody knew. But I put it into the findings of the bill.

The Washington Post took me to task a couple years later and said how, well, it is more like 17,000. Well, that is because there was a reappraisal that we done, and CIA I think was involved with it as well. And it was a big page-one story that we were exaggerating.

So I am one of those who absolutely loathes exaggeration, pro or con, do not undercount, do not overcount. But really, if you could, how many of these cases are human trafficking? And what is becoming of these kids? You know, and adults, not just kids, the adults as well? Do we have anything on that?

Yes, Mr. Walsh.

Mr. WALSH. No, I was just going to say I would not want to misspeak on the number. And perhaps you have one. I think that we should come back to you for the record with our best estimate of that.

Mr. SMITH. If you could. Because again, we need accuracy on this as well. Maybe you embed it into the TIP report this year, just so you know, it gets enshrined in, you know, the findings of the TIP report.

And again, we have done TIP work bipartisan all along. When the Republicans do not do it right, you know, we got to speak out. When the Democrats do not do it right, we need to speak out. It is all about the victims.

So I cannot tell you how concerned I am about how many of those people, particularly the women and children, are enslaved today. So that number would be extremely important, and as soon as you could provide it, it would be great.

And what is being done to help them. You know, because again, there needs to be a all-hands-on-deck in every country, every State I mean. But especially in places like Texas and Arizona.

Let me just ask you very briefly about the DR Congo. You know, I did a hearing a year and a half ago as Chairman of the Tom Lantos Commission on cobalt, I mentioned it earlier today, and the fact that they are using slave labor, especially child labor, to extract it and then send it to China for processing.

The DR Congo, I know there is an MOU with them, and I do not think, you know, that is—there is all kinds of corruption. They do not have a foreign corrupt practices act, so we know that, you know, people are being paid off, or we have every reason to believe.

And those mines are being run by the Chinese Communist Party. There is almost no salary to speak of. When Americans had one of those mines—since then, it has been dropped by like 60 percent in terms of the salary.

And the kids, you know, that is just wrong on every level. So I am just wondering if that is something you are looking at. And if it is reminiscent in a way with what happened in DR Congo with peacekeepers. And I actually went to Goma, met with the peacekeepers and of course met with government people and above all with victims.

When the deployment there, they are there to protect and there you have these U.N. peacekeepers. We had four hearings on that before and after the trip. And frankly, the U.N. said they wanted zero tolerance. Kofi Annan put out a strong statement, and Jane Hall Lute came and testified, who was running point for that for the U.N.

And you know, one of the areas we called zero compliance, with the zero intolerance effort. So on peacekeeping in general, your thoughts on who well we are doing or not doing with regards to these, you know, what hundred thousand, whatever the number is today of U.N.-deployed and other AU peacekeepers as well.

Because we got to stay at that one, you know, because unfortunately when in country, the sense of entitlement and abuse is very strong. And you have a vulnerable population. And remember in DR Congo, these were 12-and 13-year-old kids, for a meal, who were being sold.

Ambassador DYER. Thank you so much for your concern. We appreciate you raising this issue. And definitely we are paying close attention to the situation in the DRC. And also, to your good point, the broader influence that PRC has in African countries, recognizing that it is not just a uniquely DRC-focused problem. That this is PRC influence.

I also appreciate that not only is it the child victims, but there are other adult victims of trafficking that are in equally deplorable situations. We are absolutely using the interagency working group through the President's interagency task force and the SPOG. But also through the forced labor enforcement task force.

The JTIP Office represents the State Department on that task force to make sure that we are really taking a close look at any goods made with forced labor. That has actually been one of the biggest things that I have had an opportunity to do since joining the office in January.

We are also, I wanted to mention you had also touched on the peacekeeping and the important to really focus on this. I will tell

you that as someone who has been reading the draft narratives for 2023 TIP report, this is included.

We are absolutely monitoring peacekeeping and whether or not peacekeepers are engaging in or contributing to trafficking in persons. That is definitely something that we call—we are monitoring and calling out in the Trafficking Persons Report.

Mr. SMITH. Didn't you say it's gotten—the IML, the International Megan's Law, if you could. Again, that took 8 years to get passed, a whole lot of pushback like you cannot believe, on that one.

And we know that these child sex tourism trips are occurring. We did put a redundancy, not just on the reporting, that they have to tell us where they are going or face a very significant jail sentence, identical to Megan's Law.

Well, long story short, we also put in the language in that there will be, what do you call it, indicia in the passport. You open it up, the people at border security, name of the country, opens it up. It says, "The Bearer has been convicted of a crime against a child."

And we worked very closely with the Kankas, that is Megan's parents, in getting that into law. As well as with members of our—of the Senate who were very helpful on that. But long story short, we understand that there is—there is a lot of people who are not being included in this.

You know, passports are good for 10 years, and you know, whenever there is a new passport, it ought to have that stamp on it so that that out of an abundance of caution for children, you know.

Because we know why many of these—the proclivities to recommit these crimes is so high. In a way, you are doing them a favor, you are making it less possible that maybe they will do it, you know, that week of renting a child in Brazil or wherever.

So I just wondering if—what do you think we should be doing to advance this? Because I am very concerned, you know, there is up to 900,000 registered sex offenders in the U.S. That is a lot of, you know, potential people. Not all of them are child sex offenders, but many of them are.

Ambassador DYER. Well, first of all, we absolutely—

Mr. SMITH. Yes, I just missed one part of the main point. Critics argue that the State Department should be capturing more through passport applications by adding a question on it about this, you know. Right now that does not happen.

Ambassador DYER. First of all, we are absolutely supporting the goal of this legislation. As a former sexual violence prosecutor, I am very well aware of the recidivism rates, and I appreciate your leadership. And certainly, extrajurisdictional child sexual exploitation and abuse is awful, and we need to do everything that we can to prevent it from happening.

I know that Department of—DHS has the Angel Watch Program, which really oversees it. And I believe that my colleagues at the Department of State in diplomatic security are the Department of State colleagues that oversee that. For the specific mechanics of how it works, I would need to refer to those experts.

But I will say that in addition to us supporting the goal of this and recognizing it is important, the Department does also call this out in our Trafficking in Persons Report. And so it is definitely an issue that we recognize the critical importance of and are following.

Mr. SMITH. But we are looking in our legislation of changing from may register to shall. And so hopefully you could be helpful on that.

You know, I have met with the Angel Watch people, I have gone and sat with them. They are great, they are wonderful. But when they do not have, you know, the full help from the Department of State, it becomes more difficult, you know, if it is more permissive standard.

I ask Mr. Walsh, if you could just, then I will yield to my distinguished colleague. We hear that there have been reports submitted to the IG on USAID's mission staff potential involvement and with—and participation in human trafficking. I do not know to what extent that is—where that is.

But as you know, and I appreciated you saying how, you know, you brief and you train service providers and of course staff members as well to be very cognizant of being part of the solution, not part of the problem. And I am wondering if you could shed any light on the IG's investigation.

Mr. WALSH. So the nature of an IG investigation, I would not have a whole lot of insight into where it stands right now. I would say that generally USAID over the last few years has really tried to batten down our hatches internally.

We have implemented a code of conduct across the Agency that starts with fairly obvious things like an emphatic prohibition in any involvement in any way in trafficking or forced labor by staff, by implementing partners, by contractors.

But goes beyond that to in effect render all members of USAID eyes and ears to be watching for this, to be conducting due diligence as we work with an immense range of stakeholders who might well see something or finds themselves adjacent to such an act.

And that every single member of USAID now in the first few months that they are on board takes training on this so that they know what to watch for, the different forms that trafficking can take. Because it is not always common knowledge for people coming in.

So it is a very intensive internal process. And that is even in advance of any findings the IG comes out with.

Mr. SMITH. Thank you. Ms. Wild.

Ms. WILD. Thank you so much, Mr. Chairman.

I want to ask a quick question about funding for the trafficking hotline, that my understanding is only minimally funded by the U.S. Government and done more by Polaris Project on a private basis. Is that correct? Do you know? If not, I will find the answer somewhere else.

Ambassador DYER. That is overseen by—Health and Human Services oversees that.

Ms. WILD. OK, that was my next question—

Ambassador DYER. I do know that they receive some Government—

Ms. WILD. So it is an HHS program, OK.

Ambassador DYER. But it is—but you are correct that it is—

Ms. WILD. Underfunded.

Ambassador DYER. Polaris that operates it.

Ms. WILD. OK, thank you. So Ambassador, I haven't been—I have been trying not to be too obvious with my scrolling, but what I have been scrolling about on my phone is the topic of today's hearing. And I was looking up the TIP reports that State has done.

And I think you made reference to the fact that your name will go on this year's report, and I look forward to that. When does that generally come out, or when——

Ambassador DYER. The TVPA requires that that report be issued to you by June 30. So that looming deadline——

Ms. WILD. Soon, you are working on it.

Ambassador DYER. Is super—it is in my sights.

Ms. WILD. OK, that is great. And I am just going to ask my staff right here to make sure that we get a copy of it when it comes out.

So but my question, as I was looking through the 2022 report, I was—most of the countries that I saw in Tier 1 did not surprise me. I was a little surprised to see the Philippines in Tier 1. And I am the author of the Philippine Human Rights Act and have a particular interest in what goes on there.

But, and I will learn more as I evolve on this subject about the criteria and so forth. But my question to you is how often do the regional bureaus within the State Department or other parts of the executive branch argue for modifying, and by that I mean improving, a country's ranking based on considerations having nothing to do with the TVPA prescribed criteria?

I mean, I assume that happens. And I will just ask you the second part of the—well, let's go with that first.

Ambassador DYER. I will say the TVPA sets out very clearly what can be considered in a country's tier ranking and what cannot. And I can assure you that the conversations that we have are firmly rooted in the——

Ms. WILD. Language of the TVPA.

Ambassador DYER. Parameters set by the TVPA.

Ms. WILD. OK.

Ambassador DYER. And one of the good things is that we actually, we do not just communicate or consult with those regional bureaus at TIP report time. We actually have ongoing relationships with them. And so that actually does make it much easier.

These are not discussions—it is kind of like an employment review. You do not bring it up for the first time at the review. It is something we should have talked about before.

And so we have really pretty good ongoing conversations regarding not only the TIP report, but also programming in that country. And then we are very mindful to remain within the parameters that are very clearly set by the TVPA.

Ms. WILD. So then I take it from that response that no matter how much internal lobbying there might be by a region or a bureau, the criteria is strictly applied?

Ambassador DYER. That is correct. In all of my conversations and in all of our conversations, we are focused on the minimum standards that are very clearly laid out for us. I actually, I love being able to have it, because I can often tell—and I actually use this when I am explaining to other governments why they may or may not have a tier ranking that they like.

Actually, the clarity that is in the TVPA is like a security blanket for me. And I can say this is what I am here to look at. And it is very grounding, so thank you.

Ms. WILD. I am glad to hear that. So I guess that leads me to my next question. And how often do you have to interact with other countries' governments on the issue of their TVPA ranking?

Ambassador DYER. We actually, we will insert ourselves into any conversation that they will let us slip in the door. We actually engage really very, in robust bilateral engagement with countries, as well as multilateral.

I think that of note, just yesterday, the Secretary was having a meeting with a foreign minister from a country, and we were able to attend the meeting too, to make sure that this issue is front and center, even if that was not the topic of conversation.

I think that a lot of that is due to the hard work that you guys have done with the TVPA. It is relevant in so many conversations, and we definitely will squeeze in the door whenever we can.

Ms. WILD. OK, I am glad to hear that. And I will, as I said, watch closely for this year's report.

Mr. Walsh, I wanted to switch gears a little bit. I have the honor of representing the district that counts one of the largest Ukrainian-American populations in the United States. And on their behalf, my constituents' behalf, and I hear from them often, I do want to ask about Russia's horrific ongoing invasion and Russian forces' use of various forms of trafficking.

It has been pretty extensively documented. I am not sure that it has been documented to the true extent that it has happened. But we had another hearing, and I think we had a full committee hearing on the issue of children being kidnaped and taken to Russia. And I just think the numbers are probably—that we are seeing are lower than what has actually happened. But that is based on anecdotal evidence.

So can you just tell us generally how USAID is working to address this situation?

Mr. WALSH. Yes, absolutely. So long before Russia's further war into Ukraine began, this was a major area of anti-trafficking work for USAID and for others. And we had a partner government and many partners across civil society to work, I would say across the four Ps.

That included helping Ukraine set up its own huge national hotline that created a lot of reporting mechanisms to detect trafficking.

Ms. WILD. And do they have that in place now?

Mr. WALSH. They do. And so there were many other things we were doing before, but the hotline, for example, is one of many pre-existing things that we have contributed to in Ukraine that were essential when the true crisis hit early last year.

And so we had, you know, 6000 people I think it was working on like reporting through this hotline, able to receive, you know, reports of emergencies in a moment when everyone felt they were in an emergency.

So some of those parts of the problem are very hard to get at. A kid who is being held in essentially captivity in Russia. But it does mean that there is a large network to help Ukrainians contact

and reabsorb kids who can make their way back into Ukraine, to provide survivor services.

It is not just people who are trafficked by way of Russia. I mean, when everyone is displaced, that creates vulnerable populations across the board. And so I think this was actually true in a lot of our programming on Ukraine, but the preexisting was such a valuable foundation to really turn into high gear.

Ms. WILD. So let me just, you have led me to another thought, which is would it make sense for the United States to work with other countries who perhaps do not have this kind of infrastructure in place that you mentioned that Ukraine has, or had before the war? Because it seems to me that that is a vital component of this worldwide.

I do not know how many countries have that kind of trafficking infrastructure. Can you give me any idea of like the percentage-wise, or?

Mr. WALSH. I would struggle to numericize it, but you are describing the core ethos of our work on trafficking, you know. And in countries either where the host government is very serious about this problem, or where the USAID mission/embassy is every exercised about it, or both, what we try to do is essentially a whole-of-society approach that is in the first instance preventive by nature.

But it is also very much about protection of survivors. It is about upholding and strengthening the rule of law to go after violators.

And you know, the 35 countries I mentioned where we are currently operating, the almost 90 where we have done this, it very often is setting up these systems of resilience that can catch kind of every kind of trafficking in principle. And like it works better in some than in others.

We try to be very agile when there is an opening in a country. So the Chairman mentioned the DR Congo before. Not everything is easy in DR Congo. But one thing where there might be a moment of opportunity is they have reconstituted their anti-trafficking commission nationally. It seems keen to work with each of us.

And so at a moment when the world is focused on especially labor abuses in the Congo for much larger geostrategic reasons, we have this tool that like we can build out into a resilient, multi-stakeholder approach to really chip away at the problem.

Ms. WILD. OK, that is good to know. And I would love to continue the engagement with our committee on what we might do here in Congress to continue to assist in that endeavor, both in Ukraine and the rest of the world, other countries that need it.

My impression at least from our full hearing that we had on the situation with the children in Ukraine was that the Ukrainian Prosecutor General is incredibly cooperative and proactive. Am I right in that assessment?

That was very encouraging to see. I do not know whether that is—you have that in other countries that you work with or not. But I am glad that that is the case.

So I hope that if there is anything that we can do, and believe me, I fully understand that Ukraine is not the only place that we need to focus on this problem, it just happens to be right now the

most visible one I think. And of course I have a special interest because of my constituents.

But if there's other things that we should be looking at to improve from our vantage point, please bring it to our attention.

Thank you. I yield.

Mr. SMITH. Mrs. Radewagen.

Mrs. RADEWAGEN. Thank you very much, Ambassador Dyer and Deputy Administrator Walsh, for appearing today.

USAID has many comprehensive documents, including the CTIP policy, CTIP field guides, CTIP code of conduct and standard operating procedures to guide your work on combating human trafficking among staff and abroad. Assuming that USAID has human trafficking experts that have read and understand the TVPA and related laws, why is the term sex work used throughout these documents?

Mr. WALSH. I think that the term sex work has come into increasingly common use across a wide range of fields, including lots of parts of the trafficking apparatus of the U.S. Government.

I would say that we are not assigning value judgment to it when it has been used, and that the official position of the U.S. Government, including this Administration, is that sex work is—that is not meant to connote legitimate, legal work in a place. The legality of it in different places obviously varies.

But we are not trying to soften or wash the term, because the U.S. Government has a fairly clear position on it.

Mrs. RADEWAGEN. But is USAID promoting sex work as a legal form of employment rather than treating it as exploitation, and in cases where there is recruiting, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act, as sex trafficking in accordance with TVPA?

I mean, is the Administrator aware of how this approach compromises the safety of U.S. taxpayer beneficiaries?

Mr. WALSH. We are absolutely not promoting this work in any of our programming. That is not policy, that is not the intent. And if ever we were to find an inadvertent, you know, ancillary effect of one of our programs that had that effect, we would address it immediately.

Our focus is on the immense amount of trafficking that infiltrates this industry in many different ways and trying to provide every kind of support, especially to survivors, and accountability to perpetrators that we can, and that we can help our local partners to do.

Mrs. RADEWAGEN. Thank you. Mr. Chairman, I yield back.

Mr. SMITH. Thank you. Just a couple of final questions, and again, thank you for your patience. It has been a long hearing, but I think very, very enlightening and a good one.

Let me just ask you with regards to, you know, JTIP has obviously create the Human Trafficking Expert Consultant Network. And I am very glad that you include victims the way you do.

And I am just wondering if there is any attempt or any plans to try to hire, bring in and make full-time employees in very strategic positions, those who, again, have that lived experience and have overcome what they have overcome.

Ambassador DYER. First of all, I completely share your focus on survivor leaders and those with lived experience. They absolutely are critical in every phase of our program. Not just in drafting the law, yes, but also in how we implement it. And it has been an honor to get to work with members of the advisory council, even in the highest levels, during the most recent President's inter-agency task force.

And Brenda Myers-Powell from the advisory council spoke and sat at the table right there up next to all the cabinet-level people. It was just amazing, and such a change from when I began work in 1993. So just, it is wonderful.

We actually are considering ways to better inform all of our work in all ways, whether it is through hiring, whether it is through using the consultant network.

We currently do I think the best training that I have ever personally attended was when I came onto this job, and it was offered for the Trafficking in Persons Office. And it was provided by a member of the network, the consultants' network.

And it—she did it in connection with another expert. It is tremendous, and we are actually, that is one of the priorities that I want to make to make sure that we are fulsomely including survivor voices in all that we do. And I promise it will remain a priority for me.

Mr. SMITH. Can I ask you how many people are working the TIP Office today? And obviously you have people in every embassy that, you know, are doing data calls and the like. But in the actual TIP Office?

Ambassador DYER. I believe, I can correct this is I am wrong, I believe it is about 86 full-time folks and about 27 additional consultants. We also have some Foreign Services officers. And I can certainly let you know specifically.

Mr. SMITH. That would be great.

Ambassador DYER. And you are right that we do work really closely with our colleagues, the Foreign Service officers that are out in the embassies that are kind of the boots on the ground. And it is a great honor to get to collaborate with them.

Mr. SMITH. I know OMB may not like this question, but is your budget sufficient? Could you do more with more resources?

Ambassador DYER. Well, you know, I am not going to turn down piles of money. But you know, we—I feel like—

Mr. SMITH. Kind of like what is not being done because of lack of resources.

Ambassador DYER. You know, we are able—we are a lean, mean, machine, and we are doing really—we are fully meeting our mandates. We do have a terrific staff with amazing expertise. I have specifically enjoyed getting to work with some of our Foreign Service officers too.

So we appreciate your focus on us. Thank you.

Mr. SMITH. Mr. Walsh?

Mr. WALSH. On the question about the role of survivors, in our agency, the first thing I would say is such is the prevalence of this crime, and that any agency as large as USAID will absolutely have a great many survivors working for it. There is no way around that.

Second, we very formally and in a concerted way incorporate survivors in designing basically anything that has to do with counter-trafficking. I think it was Mrs. Hounakey who said nothing about us without us.

So for instance, our global anti-trafficking policy that we put out was based on consultations with survivors who we brought in for a very rigorous back-and-forth exchange. Versions of that are true in program design around the world.

And I would just say as a—we often see these very virtuous follow-on effects from that. And as one example, in Bangladesh, we did a major anti-trafficking program that included like training in a vast range of services to help survivors of the sort we have talked about.

The essentially graduates of that program self-organized into their own national advocacy network of survivors, and they are pushing the Bangladeshi Government, which is receptive in many cases, in a way that we ourselves could not possibly have achieved. So it is this virtuous cycle.

And then in terms of—I am not going to wade too much into funding questions, but I would just refer back to my very first point, which is that we do not have centralized, dedicated anti-trafficking money at USAID. And so missions are looking at their discretionary budgets and making choices among uniformly virtuous causes.

And it is very clear year after year that the demand for anti-trafficking resources is quite high. Like it easily outstrips every year the minimum of the earmark. And you know, we in the center are trying to inform those programs and make them as effective as possible.

But it reflects not just the scale of the problem, but the ardor to do something about it that we see, without having to tell people, just organically around the world.

Ms. WILD. I'm so sorry to step out, Mr. Chairman. I have to get to a 1:30. But I am going to be following up. Thank you so very much for holding this.

Mr. SMITH. Thank you so much.

Just one or two final questions and we will submit a few for the record as well.

When the interagency meetings occur, does Homeland security get into—and Justice Department as well—into what the prosecutors are doing or not doing, U.S. Attorneys are doing or not doing to make this a priority?

I mean, every time, every Administration, we have tried very hard to say please make this a priority. I met with my own U.S. Attorney a number of times. I said please make it a priority. You know, and if it comes from the Attorney General, it is a priority.

And I am wondering especially with these huge numbers of migrant children, unaccompanied minors, and others who potentially, and I really hope you will get to us ASAP on those numbers. I mean, we, I believe, have a catastrophic situation underway now where they have gone missing and they are being exploited.

Well, some very heavy focused, and you are prosecuting—focused on law enforcement, you know, with the idea of it is all about rescuing. But let's go after the perpetrators of these crimes, we'll

make a difference. Does that get a discussed when you have the interagency meetings?

And again, you know, with all due respect, when certain people say, oh, the border is secure, well it is not. And evidence every day of huge lines of people coming in. And I couldn't be more worried about those individuals.

Like I said in the opening, I have heard from several people, including the President of Guatemala, on how many of these women and young girls are sexually assaulted. It is just, it is outrageous.

And so you know, what is discussed at those interagency meetings about we need to go after this with everything we have got. One thing that Bush did when he first got elected—first began, because it took him a while to implement the TVPA, and I am sorry to say that.

But then when he did, he did rescue-and-restore conferences all over the country. And I went to a few of them. I went to one in Newark, he did one in Tampa, he did.

And it was to get the U.S. Attorneys, the local prosecutors, everybody on the same—the NGO's and the whole faith-based community. It was to say make it a priority, make it a priority. Because quickly priorities become less so if we do not ever promote it.

And I am just wondering if, you know, just asking again, is it a priority enough among all the different agencies?

Ambassador DYER. Thank you so much for asking. And as you were asking the question, I was wondering if you were eavesdropping on a meeting that I had yesterday. Because not only do we talk about it at the President's interagency task force, and certainly at the senior policy operating group.

But we have one-off meetings where we go into deeper detail. I had a meeting with Hilary Aham yesterday, who I am such a fan of. She is the head of the Human Trafficking Prosecution Unit at DOJ. She is also the new national coordinator there at DOJ on human trafficking.

And she and I were talking about this literally yesterday. So we are absolutely focused on it. We are absolutely trying to make sure also, another that we talked about, I think that interestingly I know that people who previously have been in this role have been prosecutors.

But they were all Federal prosecutors. I was the prosecutor that had a can of corn propping up one corner of my desk because it was in Dallas County and we did not have all the resources. But many of our State and locals certainly are getting these cases.

And we were even strategizing about that. So please know that—and I do not want to over-emphasize prosecution, because I know deeply all that I could not do as a prosecutor, which is why I worked at a shelter for 9 years and at a non-profit. But certainly we have a role to play, and certainly it is top of mind as recently as yesterday.

So thank you so much.

Mr. SMITH. Not to belabor the point, but is there any ballpark number as to how many of the illegal migrants are trafficked?

Ambassador DYER. You know, you bring up such a good point. The migrants are deeply at risk of trafficking, for the very reasons that you spoke about earlier.

Many times they have debt that they have paid someone to help them get across the border, and then once they arrive they are not able to pay off that debt. They are ending up in a place in a debt bondage. That is one of the most common ways.

I do not have specific numbers for you, but I will definitely commit to looking to see if they exist. Because we certainly recognize that migrants are deeply vulnerable and for the reasons we talked about. And I am happy to look in to see if there is actual data for that.

Mr. SMITH. And again, I do not want the conflating, I am asking it and not be conflated with smuggling——

Ambassador DYER. Correct.

Mr. SMITH. And that kind of thing. Because we need a clear line of demarcation, even though sometimes smuggling matriculates into a trafficking situation. But more—we need to be specific. And I appreciate you getting back to us ASAP.

But we do have a final question from my—or questions from my friend and colleague, Mrs. Radewagen.

Mrs. RADEWAGEN. Thank you very much, Mr. Chair.

Actually, I have two questions. Here is the first one. Mr. Walsh, the revision of the CTIP policy in January 2021 was for the first time survivor-informed by paying survivor consultants for their expertise and review of the document. What steps did USAID take to ensure the revision in December 2021 was also survivor-informed?

The policy highlights a survivor-informed approach. What steps are being taken by USAID missions to co-create local CTIP programming? And are survivors being paid for their consulting services to USAID?

Mr. WALSH. So that policy is essentially the guidance that Washington puts out to any field mission that wants to do trafficking programming or to renew it. And is conveying best practices, overall priorities. And that is true across a range of fields.

If there was one foremost principle that we tried to imbue in this version of the CTIP policy it was the survivor-centered framework through which we want every program to be designed. I would not describe that as new per se, but it is our foremost priority.

And so now when missions do design these programs, we will send top-notch expertise to help them, to help convene survivors, to inform the local context of any given program——

Mrs. RADEWAGEN. Excuse me, Mr. Walsh. My time is short.

Mr. WALSH. Oh, forgive me.

Mrs. RADEWAGEN. You are not answering my question. What steps did USAID take to ensure the revision in December 2021 CTIP policy was also survivor-informed?

Mr. WALSH. I fear I am missing which part I am not answering. We consulted with a group of survivors. I could come back to you on who was paid versus not paid. I would have to look into that, and I would not want to misspeak.

But they were central drivers of the core ideas in that policy, and by extension, our programs are designed thusly.

Mrs. RADEWAGEN. And with your permission, Mr. Chairman, Ambassador Dyer and Mr. Walsh, smaller, survivor-led anti-trafficking organizations often encounter difficulty in applying for and com-

peting with large development organizations for U.S.-funded programs because Federal contracting procedures are complex, to say the least.

How can JTIP and USAID develop systems for anti-trafficking implementation that help these smaller organizations, such as set-asides for survivor-led organizations or increasing the number of smaller grants that only grassroots organizations are likely to bid for?

Likewise, is there a CTIP senior accountable officer at USAID to help with these efforts? If so, why—if not, why not?

Ambassador DYER. I actually really appreciate that question. I worked at a non-profit where we focused on supporting locally led women leaders and women's organizations. You are so right that they were unable to apply for not just JTIP funding, but just any Federal Government funding. It is very complicated.

One of the things that I think that JTIP has done a good job of is many of our programs require like a local organization. And so some of our big programs, we have the main organization is a big non-profit that is able to do the financial disclosure and they have a DUNS number, and they have all these things.

But they are required to work with a local in the field. And so that is one of the ways. And you know, the benefit of that is a lot of times those local NGO's actually get on-the-job capacity building, with the hopes that they can at some point learn to do it themselves.

And so that is something I know that we have done that with our program to end modern slavery, which we are very grateful to Congress for helping us. I know that we have done it with that program.

And I know that one of the things that I am really focused on is, you know, as a former grantee of the JTIP Office, is making sure that we are really making sure that our programs are not only available to those smaller NGO's, but also that they are—that our grantees are survivor-led.

And so really focused on that, so thank you for your question.

Mrs. RADEWAGEN. Administrator Walsh?

Mr. WALSH. Sure. First of all, localization is one of our top priorities across areas. It certainly applies here. There is a continual balance between ensuring accountability for the money that we put out into the field with minimizing the burden on implementers such that small organizations, local organizations, are as able to compete for and to implement programs with our money as any large conglomerate.

And so I think we look at as No. 1, the percentage of money that is actually going to small organizations, and we are trying to continue to move that up.

But it is—localization on CTIP programming or anything else is also about local voices designing it, per our last topic, is about how involved are they in monitoring the program as it goes on. So helping us gather very localized data so that work we do is actually tailored to local needs.

And by way of one example, I would say in Malawi, there is an organization Global Hope Mobilization, really inspiring group, that is the direct implementer of a real whole-of-society approach across

really all the four Ps. There is no international intermediary. It is just a very effective group of locals in a country that is experiencing like a democratic and human rights opening. So a really important moment to take advantage of.

And then in terms of you asked about the senior official accountable, on some level I regret to note that I suppose it is me. We are, in the center we are vastly smaller than JTIP in terms of a dedicated anti-trafficking office.

That is somewhat balanced by the fact that our missions are implementing in a more decentralized way the vast majority of USAID's on-the-ground work.

Mrs. RADEWAGEN. Thank you, Mr. Chairman, I yield back.

Mr. SMITH. Thank you very much.

Again, I want to thank you for your leadership. I thank you for your patience. This is a very long but I think a very, very incisive hearing from first our first panel and now the both of you. So thank you for that.

I do want to thank CSPAN for being here. You know, they have independent editorial judgment as to what they cover, because there are so many hearings on Capitol Hill and so many events that they can go to.

They are here today, and they have provided an opportunity for Americans to hear you and to hear our extraordinary panel that preceded you and the victims who just poured out their hearts about what they went through. But also what they are doing to mitigate and hopefully end this horrible scourge of human trafficking.

So thank you. The hearing is adjourned.

[Whereupon, at 1:23 p.m., the subcommittee was adjourned.]

APPENDIX



**COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEE HEARING NOTICE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128**

**Subcommittee on Global Health, Global Human Rights, and International Organizations
Christopher Smith (R-NJ), Chairman**

Revised

May 8, 2023

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs to be held by the Subcommittee on Global Health, Global Human Rights, and International Organizations at 9:30 a.m. in room 2200 of the Rayburn House Office Building. The hearing will be available on the Committee website at <https://foreignaffairs.house.gov/>.

DATE: Friday, May 12, 2023
TIME: 9:30 a.m.
LOCATION: Rayburn 2200
SUBJECT: Implementation of the Trafficking Victims Protection Act
WITNESSES: Panel I:

Ms. Bella Hounakey
Trafficking survivor

**Ms. Gina Cavallo
Trafficking survivor*

Mr. Robert Lung
Trafficking survivor

Ms. Becky Murray
Founder and CEO
One By One

Ms. Martina E. Vandenberg
President

The Human Trafficking Legal Center

Panel II:

The Honorable Cindy Dyer
Ambassador-At-Large to Monitor and Combat Trafficking in Persons
U.S. Department of State

*Mr. Johnny Walsh
Deputy Assistant Administrator
U.S. Agency for International Development

*NOTE: Witnesses may be added.

*Witness added.

By Direction of the Chair

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-226-8467 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

To fill out this form online: Either use the tab key to travel through each field or mouse click each line or within blue box. Type in information.

COMMITTEE ON FOREIGN AFFAIRS MINUTES OF FULL COMMITTEE HEARING

Note: Red boxes with red type will NOT print.

Day Friday Date May 12, 2023 Room Rayburn 2200

Starting Time 9:32am Ending Time 1:23pm

Recesses (____to ____)(____to ____)(____to ____)(____to ____)(____to ____)(____to ____)

Presiding Member(s)
Rep. Smith

Check all of the following that apply:

Open Session ☒

Executive (closed) Session ☐

Televised ☒

Electronically Recorded (taped) ☒

Stenographic Record ☒

To select a box, mouse click it, or tab to it and use the enter key to select. Another click on the same box will deselect it.

TITLE OF HEARING:

Implementation of the Trafficking Victims Protection Act

COMMITTEE MEMBERS PRESENT:

Reps. Smith, Radewagen, McCormick, Wild

NON-COMMITTEE MEMBERS PRESENT:

HEARING WITNESSES: Same as meeting notice attached? Yes ☒ No ☐

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

Bill Bedrossian

Anne Basham

Kenneth Morris

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED _____

Note: Please include accompanying witnesses with their titles, etc. (please note the fact that they are accompanying witnesses)

Clear Form

Full Committee Hearing Coordinator

Committee on Foreign AffairsSubcommittee on Global Health, Human Rights, and International Organizations118th Congress

ATTENDANCE

Meeting on: Implementation of the Trafficking Victims Protection Act

Date: May 12, 2023

Convened: 9:32 am

Adjourned: 1:23 pm

Representative	Present	Absent	Representative	Present	Absent
Mr. Smith	X		Ms. Wild	X	
Ms. Salazar		X	Mr. Bera		X
Ms. Radewagen	X		Ms. Jacobs		X
Mr. Hill		X	Ms. Manning		X
Mr. McCormick	X				
Mr. James		X			

RESPONSES TO QUESTIONS SUBMITTED FOR THE RECORD

**Questions for the Record Submitted to
Mr. Johnny Walsh
Deputy Assistant Administrator,
United States Agency for International Development
from Representative Chris Smith
House Foreign Affairs Subcommittee on Global
Health, Global Human Rights, and International Organizations Hearing on
May 12, 2023
“Implementation of the Trafficking Victims Protection Act”**

Question:

What are USAID requirements for staff training regarding trafficking in persons? For example, do staff get specific training on how to identify, prevent, and respond to human trafficking, especially in US embassies and missions located in Tier 2 Watch List and Tier 3 countries? Are staff required to complete such training by a specific deadline? If so, please specify the timeline.

Answer:

USAID requires all staff to take the Counter-Trafficking in Persons Code of Conduct training within five months of joining the agency. The Code of Conduct training explicitly prohibits USAID personnel from in any way engaging in, facilitating, or supporting trafficking in persons, procuring commercial sexual acts, or using forced labor during duty or non-duty hours. Employees must report suspected violations of federal trafficking laws to the Office of the Inspector General (OIG), and relevant contract or agreement officers. In addition, USAID has included C-TIP in its broader human rights training.

Question:

We hear that there have been reports submitted to the USAID Office of Inspector General (OIG) of the potential involvement in human trafficking by USAID mission staff and foreign service officers. What is the progress, if any, by the USAID Inspector General on investigating these reports submitted between 2017 and 2022? Please specify how many reports have been submitted during this timeframe; how many of them have been investigated; the results of these investigations; what actions were taken on the results; and why some were not investigated.

Answer:

We refer you to the USAID Office of Inspector General (OIG) to respond to questions related to their investigative work. We will share OIG contact information with your staff.

Question:

Please provide a progress report on the number of sexual exploitation and abuse reports that have been submitted into the USAID portal since its inception. Please specify how many reports have been submitted during this timeframe; how many of them have been investigated; the results of these investigations; and what actions were taken on the results.

Answer:

USAID has no tolerance for sexual misconduct, including sexual exploitation and abuse (SEA). We work with relevant stakeholders, including our implementing partners and the Office of Inspector General (OIG), to take appropriate action in response to reports of such misconduct. At the same time, SEA is chronically underreported across the development and humanitarian assistance sector due to a number of factors, including fears of stigma or retaliation, limited availability of or accessibility to trusted service providers, impunity for perpetrators, and lack of awareness of care and support benefits that may be available. These factors make accurate data and reporting about the prevalence of sexual misconduct very difficult to obtain. USAID is committed to addressing formal reports while also expanding sexual misconduct prevention and mitigation efforts, strengthening safe, accessible, and responsive reporting mechanisms, and ensuring that support services are available to all survivors, regardless of whether they choose to report.

From 2017 to May 2023, USAID received 558 reports of SEA in its programs. In general, USAID relies on its implementing partners to investigate incidents of SEA, provide survivor support, and take appropriate disciplinary and remedial actions. USAID encourages partners to take a survivor-centered approach in response. Once USAID receives a report, it may direct partners to take specific steps to address an actual or alleged violation and to ensure that survivors are protected, and may impose special conditions as part of its awards or take other remedial actions, including suspending or terminating awards in part or in whole. The USAID OIG may also investigate and take action independent from the Agency, and we would refer you to the OIG for any questions about their efforts in response to reported incidents. While it can often be challenging for partners to follow up on allegations for various reasons, where information has been provided, partners have substantiated 59% of those reports that have resulted in an investigation. Of these substantiated reports, partners have taken action through 103 terminations (noting that in some cases, the subjects of complaint are no longer with the organization, or are no longer accessible by the organization). Survivor support has been offered and/or provided in 102 cases, and the implementing partner took broader organizational action to prevent and mitigate SEA in 118 instances. USAID has acted further in a

number of instances, with USAID's Suspending and Debarring Official taking 60 suspension and debarment-related actions related to sexual misconduct since FY 2018.

Over the last few years, USAID has worked to strengthen its systems related to external sexual misconduct reports – that is, sexual misconduct reports connected to USAID-funded programs and activities. Given the variety of existing mandatory reporting requirements, feedback, and complaints mechanisms managed by partners themselves, and the nature of how various external reports may come to the Agency, there is not a dedicated portal for reporting misconduct in USAID-funded programming to the Agency, though the OIG does have a hotline portal on its website and the Agency has a separate reporting portal for internal misconduct. USAID is in the process of building systems related to incident tracking and management, including centralizing reports and/or disclosures received by USAID from implementing partners.

Question:

How many of USAID's regional and country missions are adopting USAID's Counter Trafficking in Persons Policy into their operations, and what metrics can you share to demonstrate this?

Answer:

USAID's revised Counter-Trafficking in Persons (C-TIP) Policy provides principles and programming objectives for all of USAID's regional and country missions. Missions are encouraged to incorporate these principles and programming objectives into new programs.

Rather than track indicators related to policy implementation, USAID employs evaluations to analyze whether policies have been integrated into agency operations. Our review of operational plans and technical assistance for activity designs indicate that Missions are integrating the revised C-TIP Policy's programming objectives into their C-TIP approaches in several ways. For example, a planned C-TIP activity in the Sahel will be shaped by the USAID C-TIP Policy's guiding principles, including promoting survivor-centered approaches; measuring effectiveness and adapting successful program approaches; promoting strategic partnerships; and safeguarding marginalized and vulnerable populations. A 2022 C-TIP activity in Senegal to address forced child begging implements the C-TIP Policy's programmatic objective of strengthened relationships with host governments, civil society, and private sector, as the activity mobilizes local government, religious, and community actors to promote reforms and address abuses in targeted areas.

Question:

The last Administration created a C-TIP (Counter-Trafficking in Persons) team of five within the DRG Center, why was the team dismantled? How many full-time C-TIP positions are there now at the DRG Center? Is there an Agency Lead for human trafficking? (If yes, what is the name of this person and what is the person's rank?) Is there a Senior Accountable Officer at USAID for C-TIP? (If yes, what is the name of this person and how is this person carrying out the duties?)

Answer:

The Counter-Trafficking in Persons (C-TIP) team was not dismantled, but incorporated as a component within our primary human rights unit, the Justice, Rights, and Security Team. USAID's Center for Democracy, Human Rights, and Governance (DRG) leadership made this shift because we consider C-TIP a fundamental human rights issue, with critical linkages to our support for judicial and prosecutorial actors as well as broader human rights programming. DRG leadership also sought to reduce the undue administrative burden that the C-TIP team was bearing from managing itself as a small unit. It does not imply a deprioritization of C-TIP, and over the last two years we have found that C-TIP staff have had more time to focus on their core work, and are more readily available to receive and offer support from colleagues who work on analogous human rights issues.

The DRG Center currently has three full-time C-TIP positions, including a fellow, and is recruiting another individual to be part of the C-TIP team. The Agency Lead for human trafficking is Senior Bureau Official Johnny Walsh of the Bureau for Development, Democracy, and Innovation. With the newly established Democracy, Human Rights, and Governance (DRG) Bureau, the Agency lead for human trafficking will be the Assistant to the Administrator of the DRG Bureau. The Senior Accountable Officer at USAID is Deborah Broderick, who is the Deputy Director for Acquisition and Assistance at USAID Management Bureau.

Question:

Why is the term "sex work" used in your C-TIP Field Guide? Is USAID training mission staff to treat commercial sex acts and/or sex trafficking as "sex work" rather than exploitation? If no, then why use the phrase "sex work" rather than the legal phrase "commercial sex act"? "Commercial sex act" is the proper language provided by the TVPA. Is the Guide not a serious training tool? Is USAID at all concerned that using such phrases like "sex work" can water down the role that traffickers play and the suffering of the victims? Is the Administrator aware of how this approach also compromises the safety of U.S. taxpayer beneficiaries?

Answer:

The U.S. government considers prostitution to be inherently harmful, and the Field Guide's terminological choices are in no way designed to legitimize it. The use of the term "sex work" is not a value judgment or validation of prostitution. The Counter-Trafficking in Persons (C-TIP) Field Guide uses the term "commercial sex work" to broadly acknowledge that country Missions may need to account for differences in local laws regarding prostitution in designing C-TIP interventions responsive to the local context. USAID does not promote prostitution in any of its programming and seeks to protect vulnerable individuals and communities from exploitation.

Question:

What steps did USAID take to ensure the revision of the C-TIP Policy in December 2021 was survivor-informed? Were survivors paid for these consulting services?

Answer:

Survivor consultants who reviewed the USAID Counter-Trafficking in Persons (C-TIP) policy were compensated through the State Department's contract with the Human Trafficking Expert Consultant Network, as are all consultants who participate in it. The December 2021 Policy reflects their input.

Question:

The C-TIP Policy highlights a survivor-informed approach - what steps are being taken by USAID missions to co-create local C-TIP programming? How are survivors being paid for their consulting services to USAID?

Answer:

USAID provides grants to local organizations to conduct counter-trafficking in persons (C-TIP) work, building their capacity, working to improve coordination among non-governmental organizations (NGOs) and between NGOs and government, as well as to international organizations. USAID Missions leverage the expertise of local partners and engage in co-creation with them to design and implement C-TIP activities. The vast majority of activities we fund are executed by local service providers. Meaningful survivor-informed programming is core to our C-TIP efforts, as improved survivor engagement is a programming objective emphasized in USAID's C-TIP Policy. We aim to continue enhancing our survivor-informed programming as we learn more from the field and literature about best practices in engaging with survivors.

Survivor consultants have been compensated in the past through the State Department's contract with the Human Trafficking Expert Consultant Network.

Question:

How does USAID's counter-trafficking work internationally affect the flow of migrants to the U.S.?

Answer:

Through the U.S. Strategy to Address the Root Causes of Migration in Central America (RCS), USAID is working with partners in civil society, government, and the private sector to address the drivers of migration from El Salvador, Guatemala, and Honduras by supporting economic growth, improving democratic governance, defending human rights, reducing the threat of violence, and combating gender-based violence. USAID and the Department of State worked together to develop the RCS pillars; four of the pillars – rule of law, human rights, citizen security, and gender-based violence – either directly address human trafficking or the factors that contribute to it, such as impunity or the presence of gangs and other illicit networks. To better address the root causes of trafficking and increase the likelihood of effective and sustainable solutions, USAID integrates counter-trafficking in persons (C-TIP) strategies into other sectors, such as health, education, democracy, human rights and governance (DRG), agriculture, or food security. Making improvements in areas such as global health, education, economic growth, DRG, and food security can translate into progress in the prevention, protection, and prosecution of TIP, particularly when coupled with an integrated whole-of-government approach. Increased integration of counter-trafficking activities into the Agency's programs across sectors is the first objective outlined in USAID's revised C-TIP Policy.

Across the region:

- In Colombia, USAID's Conectando Caminos por los Derechos (CCD) provides local committee advocacy, inter/intra-institutional coordination strengthening, and capacity strengthening for addressing TIP across CCD's 10 prioritized urban geographies, where over 60 percent of migrants and Colombian returnees reside. This approach is also complemented by three cross-cutting components: communications; capacity development; and monitoring, evaluation, and learning.
- In Haiti, USAID is supporting a citizen security activity to strengthen the capacity of Haitian institutions to both prevent and respond to sexual and gender-based violence.

In Central America:

- Through El Refugio de la Niñez in Guatemala, USAID implements a comprehensive protection model for trafficking in persons victims at a specialized protection center.

Girls receive holistic protection services, including medical, psychosocial, educational, lodging, recreation, and legal assistance. This victim-centered approach is designed to address trauma and uphold victims' human rights. The project strengthens national capacities to provide protection services for victims of trafficking in persons and unaccompanied migrant children, while preventing human trafficking and irregular migration in Guatemala. Over 1,000 unaccompanied migrant children and adolescents (727 men and 277 women) were assisted on their return to the country, including reception, care, and reintegration services between February 2022 and March 2023.

- The project also strengthens national institutions, including the Social Welfare Secretariat (SBS), the Solicitor General's Office (PGN), and the Secretariat against Human Trafficking and Sexual Violence (SVET) through the transfer of models that ensure quality protection services for trafficking in persons victims and unaccompanied migrant children.
- From February 2022 to March 2023, USAID's support of El Refugio resulted in 15 convictions against human traffickers. This represents approximately 65% of all country convictions attributable to USAID's support. In addition, El Refugio has accompanied the beneficiaries and acted as plaintiff in 41 cases.
- More broadly, through the Central America Regional Security Initiative (CARSI), USAID supports evidence-based crime and violence prevention programs to address organized crime and community violence, which are key drivers of irregular migration. CARSI is a joint initiative implemented in collaboration with the State Department's Bureau for International Narcotics and Law Enforcement (INL).

Question:

Does the DRG Center conduct research to combat human trafficking? If so, what are the current and recently completed research projects? Please provide documentation indicating the project description, methods, prime awardee or prime contractor, and results. You may submit these through a classified annex/annexes, if necessary.

Answer:

The Center for Democracy, Human Rights, and Governance (DRG) works with academic institutions and researchers to carry out counter-trafficking in persons (C-TIP) evaluations, studies, and research to provide Missions with specific evidence-based recommendations for C-TIP programming. Some examples of recent C-TIP research include studies examining prevalence of human trafficking, recruitment patterns, migration drivers for at-risk populations, and improvements to TIP data collection. We also routinely conduct impact evaluations, victim surveys, and community-based trauma healing research.

USAID will share information on this research with the Subcommittee under separate cover.

**Questions for the Record Submitted to
Ambassador Cynthia Dyer (No. 1 to No. 15)
by Representative Christopher Smith
House Foreign Affairs Subcommittee on Global Health, Global Human
Rights, and International Organizations
May 12, 2023**

Question 1:

Last year's Trafficking in Persons (TIP) Report said that the U.S. Government failed to mandate human trafficking screening for all foreign national adults and children in immigration detention or custody, and that individuals who were removed were not screened for trafficking indicators. TIP Report recommendations include screening all individuals in immigration detention or custody for human trafficking indicators – has the Department of Homeland Security followed through on this recommendation? What is the State Department's interpretation of what DHS is doing regarding screening efforts?

Answer 1:

I refer you to the Department of Homeland Security for details on their screening policies. The Department of State and its interagency partners regularly convene to advance and coordinate federal anti-trafficking policies and collaborate with a range of stakeholders on priority areas, including on screening. The Department remains eager to work closely with our interagency partners and stakeholders to implement the

recommendations in the TIP Report and to encourage improved screening for human trafficking across the federal government.

Question 2:

We need a precise idea of how many cases of human trafficking we have coming across the U.S. southern border. How many migrants coming across the U.S. southern border are trafficked? How many of the migrants trafficked are children? Please make sure this number is not conflated with human smuggling cases but is specific to trafficking.

Answer 2:

Addressing the challenges of irregular migration, providing protection to refugees and asylum seekers, and offering lawful migration pathways are key priorities for the Biden-Harris Administration. With respect to border management, the Administration is using the available tools to implement a comprehensive multi-agency, multi-country plan rooted in enforcement, deterrence, and diplomacy. We are surging more security personnel, asylum officers, immigration judges, and lawyers to the border. We are working hand-in-hand with regional partners to impose stiffer consequences to limit irregular migration, expand safe and lawful pathways for orderly migration, and surge additional resources to the southern border. Together, we are working to facilitate safe, orderly, humane, and regular pathways for refugees and migrants, prevent loss of life and the exploitation of vulnerable people, and undercut the ruthless migrant smuggling and human trafficking

operations that lure migrants into dangerous journeys. I would refer you to DHS for specific data regarding the U.S. southern border and potential human trafficking cases.

Question 3:

Reports show that the Department of Health and Human Services (HHS) has lost contact with over 85,000 migrant children over the past two years. What has happened to these 85,000 children, unaccompanied minors, that crossed the U.S. southern border but whose whereabouts are unknown? As the Ambassador-at-Large to Monitor and Combat Trafficking in Persons, what are you doing to find out what happened to each of these children?

Answer 3:

I would direct you to the Department of Health and Human Services to answer questions about the care of migrant children who have crossed the U.S. southern border. On February 27, the Departments of Labor and Health and Human Services announced several actions to increase their efforts to thoroughly vet sponsors of migrant children, investigate child labor violations, and hold companies accountable. HHS has been building capacity on post-release services and is on track this year to serve more than 50 percent of children released with such services. For example, HHS established a new Program Accountability team responsible for assessing and addressing potential child exploitation risks associated with the unaccompanied children program, even while an internal audit of HHS's sponsor vetting and placement processes found adherence to processes

designed to meet or exceed statutory requirements. HHS will continue to work with Congress to ensure it has the funding to build on this expansion of post-release services with the goal of having capacity to serve all children and sponsors within the next two years.

Globally, the Department of State continues to work to prevent and eliminate illegal child labor and forced child labor. In addition, the TIP Report's U.S. narrative has included an assessment of the U.S. government's efforts to implement TVPA-mandated requirements for caring for unaccompanied children. The Department of State and its interagency partners regularly convene to advance and coordinate federal anti-trafficking policies and collaborate with a range of stakeholders on priority areas, including on addressing forced child labor and on the care of those who may be particularly vulnerable to human trafficking, such as migrant children.

Question 4:

How many people are working in the J/TIP Office? How many are full time, how many are consultants, and how many are Foreign Service Officers?

Answer 4:

The TIP Office's current staffing level is more than 100 people, including 86 full-time employees (77 Civil Service and 9 Foreign Service Officers) and 36 third-party contractors.

Question 5:

With the rise in encrypted end-to-end communication platforms, identifying and surveilling these networks becomes a significant challenge for law enforcement.

Has J/TIP identified technologies utilized by trafficking networks to evade surveillance, and how significant of a hurdle is it to identify and dismantle trafficking networks by law enforcement?

Answer 5:

The TIP Office is concerned by information that human trafficking crimes are being shielded by the misuse of encrypted communication platforms at an increasing rate and that perpetrators of online child sexual exploitation and abuse are using encryption techniques to hide their identities, amass their collections, and communicate with minors, thus making it more difficult for technology companies to detect it on their systems and thwarting law enforcement investigations.

The TIP Office is funding several programs to combat the online sexual exploitation and abuse of children around the world, including through the International Center for Missing and Exploited Children, by using a multi-lingual virtual learning management system to train over 10,000 law enforcement officers, prosecutors, judges, social workers, immigration

officers, and customs officials in over 100 countries on investigating, prosecuting, and convicting offenders of online child sexual exploitation and abuse.

Question 6:

Similarly, has J/TIP been made aware of any additional tools for law enforcement officials to have at their disposal to counter encryption, which is often used by human traffickers to conceal their communication channels? If so, what are these tools?

Answer 6:

While the TIP Office is not regularly consulted on the development of law enforcement tools, our experts collaborate on the development of resources related to cyber-enabled trafficking in persons, including by providing subject matter expertise and helping to raise awareness. For example, the TIP Office collaborated with DOJ and interagency and non-governmental experts in support of DOJ's forthcoming updated National Strategy on Child Exploitation Prevention and Interdiction, which includes sections on encryption. The TIP Office is also supportive of the Tech Against Trafficking Initiative, which worked with the OSCE to publish in 2020 the report, *Leveraging innovation to fight trafficking in human beings: A comprehensive analysis of technology tools*. The report identifies 305 technology tools to counter human trafficking.

Question 7:

Is the problem widespread and how advantageous might it be for law enforcement to have and use those tools?

Answer 7:

All indications are that the criminal misuse of encryption is often organized, widespread, and increasingly sophisticated. The TIP Office defers to law enforcement as to what legal measures and technological tools would be most appropriate in combating the criminal misuse of encryption.

Question 8:

What is the State Department doing to eradicate forced labor from global supply chains? In the 2022 TIP Report, the People's Republic of China (PRC) was singled out for its pervasive use of forced labor – which is often state-sponsored. What are the challenges the State Department has in countering forced labor in the PRC?

Answer 8:

The TIP Office works to prevent forced labor in global supply chains by supporting implementation of and sharing the principles contained in existing federal regulations; partnering with and developing tools for the private sector; supporting DHS's work to prevent the importation of goods made with forced labor, including through robust implementation of the Uyghur Forced Labor Prevention Act (UFLPA); cultivating promising practices among U.S. government and nongovernment stakeholders; encouraging cross-sector collaboration; and urging foreign governments to take similar steps.

The Ambassador-at-Large to Monitor and Combat Trafficking in Persons represents the State Department on the DHS-led Forced Labor Enforcement Task Force, which developed and maintains a strategy to ensure goods made wholly or in part with forced labor do not enter the

United States. The Department is diligently implementing the UFLPA and is working to determine whether entities should be added to or removed from the UFLPA Entity List. The TIP Office also combats forced labor in the PRC by encouraging allies and partners to enact similar legislation and by raising awareness among the private sector of the risks of establishing supply chains in the region.

Separate from the UFLPA, the Department and interagency partners have taken concrete measures to promote accountability for genocide, crimes against humanity, and other violations and abuses in Xinjiang and globally, through visa restrictions, financial sanctions under Global Magnitsky, export controls, and import restrictions such as Withhold Release Orders. The Department will continue to remind countries and companies that the United States will not allow the importation of goods made with forced labor.

Question 9:

The 2022 TIP Report also noted the concerning increase of forced labor, especially involving children, in the Democratic Republic of the Congo (DRC) corresponding with an increased global demand for cobalt. Please specify U.S. efforts on countering trafficking, especially of children, in the DRC?

Answer 9:

Since 2015, the TIP Report narratives on the DRC have highlighted concerns about forced labor of children in artisanal cobalt mines. As part of the clean-energy transition, increasing demand for electric vehicles (EVs) is driving dramatic increases in the demand for cobalt, a key component in most rechargeable lithium-ion batteries used in EVs. The U.S. government is employing innovative measures such as the development of a U.S.-DRC-Zambia MOU supporting the implementation of the instrument the DRC and Zambia signed to develop a responsible, sustainable EV battery sector free of forced or child labor. The DRC is also part of the Global Battery Alliance's Cobalt Action Partnership, which is a means of fostering transparent, verifiable, and responsible artisanal and small-scale mining in cobalt supply chains. The Department of Labor also has a new supply chain traceability tool focused on cobalt in the DRC. The Department of State will continue to

monitor and assess these developments and raise concerns regarding the government of the DRC's overall progress meeting the TVPA's minimum standards to eliminate human trafficking, including forced labor within mining and other key sectors.

Question 10:

In the most-recent TIP Report, only 30 countries were ranked Tier 1, meaning most of the world does not meet Trafficking Victims Protection Act minimum standards to combat human trafficking. In your view, what more must the J/TIP office do through its diplomatic efforts and grantmaking programs to ensure that more countries meet these standards?

Answer 10:

Human trafficking is a global threat that undermines the rule of law, distorts markets, and is a global health risk. It is fueled by factors including poverty, discrimination, corruption, and political instability. These factors exist in many parts of the world, and global threats like Russia's war on Ukraine, climate change, and COVID-19 exacerbate them. Indeed, the number of Tier 1 countries peaked in the 2018 TIP Report with 39 and decreased to 30 over the succeeding four reporting cycles. Under the TVPA, governments must not only sustain their anti-trafficking efforts to remain on Tier 1 but make appreciable progress to improve them. Unfortunately, not all governments do so each year. We apply the same standards consistently around the globe, and if a government's anti-trafficking efforts do not demonstrate appreciable progress year on year they may face a downgrade in the TIP Report.

The global nature of the problem is why the TIP Office's mission of monitoring and combating human trafficking worldwide is so vital. The TIP Report holds governments and other actors accountable for their efforts in combating human trafficking and protecting victims, and its recommendations, which we reaffirm regularly in bilateral and multilateral diplomacy, provide a clear roadmap for what countries must do to combat trafficking more effectively. Our international programs provide assistance in protecting survivors of trafficking, prosecuting traffickers, and working to prevent trafficking. In partnership with Congress, we hope to continue and expand our worldwide efforts to monitor and combat trafficking.

Question 11:

What are State Department requirements for staff training regarding trafficking in persons? For example, do staff get specific training on how to identify, prevent, and respond to human trafficking, especially in US embassies and missions located in Tier 2 Watch List and Tier 3 countries? Are staff required to complete such trainings by a specific deadline? If so, please specify the timeline.

Answer 11:

The Department of State provides classroom, virtual, and web-based training to raise awareness of human trafficking and train personnel to properly identify and address it. In addition to three human trafficking-specific online distance-learning courses, the Department provides classroom, virtual, and online distance-learning courses that feature a human trafficking module. All Foreign Service Officers, whether posted domestically or overseas, are required to complete the Department's human trafficking awareness training course. Consular officers are required to complete the Department's human trafficking awareness training course tailored for consular staff every other year. Diplomatic Security Service (DSS) special agents are also required to take a human trafficking training course in their initial agent training, before they travel overseas, and

afterwards every other year. This year, the Department debuted a Human Trafficking Victim Interviewing course, training more than 100 DSS special agents from posts around the world. This training is offered quarterly to all active special agents and analysts working on human trafficking investigations. Diplomatic Security has also hosted targeted trainings for requesting posts through their Victims' Resource Advocacy Program (VRAP) on proper identification and referrals, particularly for security and medical professionals. VRAP continues to infuse victim-centric responses to trafficking survivors into trainings for offices that interact most with victim-witnesses.

Question 12:

What can the J/TIP office do to ensure survivor consultants are hired throughout the U.S. Government to ensure survivor-informed counter-trafficking policies? What can J/TIP office do to also hire them as J/TIP civil servants so they may have substantive decision-making power in U.S. government anti-trafficking programs and grantmaking procedures?

Answer 12:

The TIP Office is committed to increasing the human trafficking survivor community's awareness of and access to federal job opportunities when positions are announced. Priority Action 4.3.2 of the National Action Plan to Combat Human Trafficking is to leverage federal survivor-consultant networks and federal training and technical assistance centers to ensure survivor input is consistently incorporated into policies and programs. As part of our implementation efforts, earlier this year the TIP Office kicked off an interagency process to consider how we can take a more "whole of government" approach to engaging survivors on the topic of leadership.

Federal statutes and OPM regulations apply to all Direct Hire selections in the Department.

Question 13:

How can the J/TIP office expand its work with fellow Department of State colleagues to ensure that domestic workers arriving on A3 and G5 visas have meaningful access to complaint mechanisms and can seek redress for grievances allegedly caused by international organizations and foreign government employers?

Answer 13:

The Department is committed to implementing all applicable provisions related to A-3 and G-5 visa holders under the Trafficking Victims Protection Act, as amended, and related legislation.

State and the U.S. Mission to the UN continue to implement their respective domestic worker in-person registration programs for A-3 and G-5 visa holders employed by foreign mission and international organization personnel in the United States. Registrations offer workers an opportunity to meet with U.S. government representatives without their employer present to discuss their working conditions and learn about their rights in the United States and how to seek help if needed.

The TIP Office is very supportive of this successful program aimed at preventing human trafficking. In addition, the TIP Office regularly coordinates with relevant bureaus and offices across the Department on

cases related to human trafficking involving domestic workers on A-3 and G-5 visas employed by accredited foreign mission members in the United States.

Question 14:

What can J/TIP do to increase the role of Global Magnitsky sanctions as a tool to combat trafficking?

Answer 14:

In November 2022, the TIP Office established and filled a Senior Sanctions Policy Advisor position to work with other stakeholder bureaus and the U.S. interagency to impose targeted sanctions on human traffickers worldwide. Since then, the TIP Office has increased its efforts to conduct extensive research on forced labor in key high-profile sectors and geographic areas, seeking to identify specific individuals and entities complicit in forced labor, for sanctions consideration, primarily—but not exclusively—under Global Magnitsky. In December 2022, the Department of the Treasury, in conjunction with the Department of State, sanctioned two PRC fishing companies, their CEOs, and over 150 fishing vessels for their connection to serious human rights abuses involving the severe mistreatment of deckhands aboard the vessels. These abuses had a nexus to forced labor, as the deckhands were forcibly kept at sea for many months at a time, in many cases their passports were confiscated, and they were

beaten or denied sufficient food or medicine if they could not work sufficiently. It is our hope that sanctioning traffickers under Global Magnitsky and other authorities, as appropriate, would set an example for other countries to employ similar measures to help combat this crime.

Question 15:

What role could J/TIP play in providing better oversight to employer-sponsored visa categories that are well-documented to be vulnerable to trafficking, such as the H2, H1, J1, A and G visa categories? What role could J/TIP play in helping to better regulate (or "screen", or "train") labor recruitment agencies that bring migrants into the U.S.?

Answer 15:

The U.S. narrative in the TIP Report has documented longstanding concerns related to oversight of temporary worker and other nonimmigrant visa programs. As the United States government continues to collaborate with countries in the region to address the acute and long-term drivers of irregular migration, the TIP Office is continuing to advocate and work closely with other State Department Offices and Bureaus and federal partners so that our efforts to expand access to regular migration pathways include safeguards for worker protections. The TIP Office, along with our colleagues across the Department and the interagency, continues to encourage countries to strengthen laws and policies that prohibit charging worker-paid recruitment fees and other unscrupulous recruitment tactics that increase vulnerability to trafficking. However, executive action alone cannot solve the entrenched challenges of abuse in labor migration schemes in our region.

Congressional action is needed to address systemic gaps that facilitate exploitation within our employment-based visa programs.

