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ENDING MODERN SLAVERY: BUILDING ON SUCCESS

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BEFORE THE

COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

ONE HUNDRED FIFTEENTH CONGRESS

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ENDING MODERN SLAVERY: BUILDING ON SUCCESS

WEDNESDAY, FEBRUARY 15, 2017

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 10:05 a.m. in room SD–419, Dirksen Senate Office Building, Hon. Bob Corker, chairman of the committee, presiding.

Present: Senators Corker [presiding], Rubio, Johnson, Flake, Gardner, Young, Cardin, Menendez, Coons, Murphy, Kaine, and Booker.

OPENING STATEMENT OF HON. BOB CORKER, U.S. SENATOR FROM TENNESSEE

The CHAIRMAN. The Senate Foreign Relations Committee will come to order. I am going to re-hit the gavel since people are tied up in the back for a variety of reasons. I want to call the meeting to order.

I want to thank everybody for coming today. And to those who are here and who have traveled extensively to be here, I want to apologize on the front end for what is happening today. We have two votes at 10:30, which means that people will be streaming in and out of the meeting. And secondly, unfortunately, I understand there is a Democratic Caucus meeting that was called without talking to some of the chairmen. So in any event, that does not take away from the importance of this. I just hope that people will bear with us.

We are at a historic turning point in the global fight to end modern slavery today, thanks to the incredible efforts of so many committed individuals, two of whom are with us today. Several are in the audience and certainly many up here at the dais. Faith-based groups, aid organizations throughout the U.S., and just people around the world have come together around this issue that we are highlighting today.

This is the third year that we have held a hearing to highlight Shine a Light on Slavery Day, and the END IT movement has been building for about 10 years now. People around the world are very, very familiar now with this scourge on mankind. Across the country, people have made personal statements about the need to end modern slavery by wearing a red X like so many of us are doing today. And this year on February 23rd, during a Senate recess, this day will take place.

In marking END IT Day, we highlight the horrific nature of modern slavery. We also highlight progress that is being made as the U.S. prepares to embark on an unprecedented global effort to end the scourge on humanity. And we certainly have some pioneers today who have been very instrumental in laying the foundation for that.

Starting with the Trafficking Victims Protection Act, there has been a growing awareness and increasingly effective anti-human trafficking work in the United States. This is important because as we begin to implement the authorization of the End Modern Slavery Initiative to measurably and sustainably ramp up all of our efforts worldwide, we can build on what has occurred.

I want to take this moment to thank people here on the committee that unanimously passed out several years ago this bill and then continued to work to make sure, after about a 2-year process, we actually passed the authorization. I think people understand appropriations are already in place. And now the real work begins, again standing on the shoulders of our witnesses here today and so many others.

Along the way, we have seen efforts to make a difference, as I just mentioned. And our first witness today is Mr. Ashton Kutcher. He is the Co-Founder of Thorn, an organization that works with law enforcement to rescue trafficking victims by leveraging the very technology used to abuse and exploit them. We welcome him today. He, by the way, flew all night. He is working right now on a film. And so he caught a red-eye in after having dinner with this wife. A very smart man on Valentine's Day.

[Laughter.]

The CHAIRMAN. And he is leaving immediately after this. But I will tell you if you knew of what he and his organization have done, it is inspirational, and the metrics that they are able to help us with, the way that they are able to interdict in advance now what is happening is phenomenal and a true testament to entrepreneurialism and people taking a risk, in this case towards a social good.

I had a few moments with him. I am even more thankful for him and his commitment to this. He became interested just by seeing that it was occurring and felt that he could do something about it.

We also welcome our second witness, Ms. Elisa Massimino, President and Chief Executive Officer of Human Rights First, which is engaged in the fight against modern slavery. Thank you so much for what you have been doing and your testimony today.

We are also happy to have with us today the founders of Passion Movement and the Passion Church, Louie and Shelley Giglio. I will have to say that they are the people that brought awareness to me. They are the people that have instilled the awareness in young people all across our country. They want to be a part of ending this. I thank them for their personal inspiration and the inspiration they are to so many people around the world every day.

We also have Jenny Brown, the Campaign Director of the END IT movement, who obviously for 10 years has been making people aware. In many ways, this awareness is what has led us to today.

We would also like to welcome Mr. Tim Estes, just serendipitously. This has nothing to do with our involvement. He

is CEO of Digital Reasoning, which is based in Tennessee, and they are actually using intelligence to interdict and help with the tools that Thorn is putting in place.

I want to also thank Ernie Allen for being here as well. Ernie founded the National Center for Missing and Exploited Children, one of our greatest leaders on this issue. People in this movement know him well.

I also want to welcome former U.S. Representative Susan Molinari from Google who has been involved in this even before being involved with Google.

So with that, thank you all for being here. It is a great day for us. A lot of work ahead.

I would like to introduce our outstanding ranking member, Ben Cardin, and my friend.

STATEMENT OF HON. BENJAMIN L. CARDIN,
U.S. SENATOR FROM MARYLAND

Senator CARDIN. Well, Mr. Chairman, thank you for making this one of the first hearings for the Senate Foreign Relations Committee in this Congress. It speaks to the priority that we believe that we must pay to modern day slavery trafficking. And we are proud of the progress that we have made in regards to dealing with this issue. It has been thanks to U.S. leadership, many of the people in this room, Susan Molinari. It is nice to see you again. We served together in the House of Representatives.

It is always a pleasure to have Senator McCain on this committee. He served here for a while. I was a little suspicious when I saw him in the facilities. I thought he was coming over to take our office space, as well as our jurisdiction, for the Armed Services Committee.

[Laughter.]

Senator CARDIN. That had me a little bit concerned.

Senator MCCAIN. I came to counsel you.

[Laughter.]

Senator CARDIN. Your counsel is always welcome.

Senator McCain is one of our great international champions on human rights. He is always very kind in the comments he makes about many of us. But we all have been mentored by Senator McCain on his passion to stand up for what is right and to do that regardless of the political consequences. When you stand up for human rights, you are standing up for what makes America the great nation it is. So, Senator McCain, it is great to have you here and thank you for your incredible leadership.

Mr. Chairman, we have been talking about trafficking for a long time, and quite frankly, it was the U.S. leadership—it was the congressional leadership that made this issue the priority of our Nation and has made progress globally on trafficking, whether it is trafficking for sex or for labor issues, so many areas in which we have seen people abused around the world. I want to thank you for your leadership. It is tough to get anything done in this body, but through your persistent leadership, we have been able to leverage a very small amount of federal funds with private sector dollars that will make a difference globally on our fight against trafficking. You stuck with it. You got it done, and thank you for doing that.

I want to thank Senator Menendez for his leadership on this issue. He has been one of the great champions on trafficking and standing up for the integrity of the Trafficking in Persons report which in the last administration, a Democratic administration, there was bipartisan criticism for the manner in which the Obama administration, we believed, brought in factors that should not have been brought into the rankings on the Trafficking in Persons report.

I am proud of the work that has been done by the Helsinki Commission. I at one time had the opportunity to chair the Helsinki Commission. It was the Helsinki Commission that raised these issues in the international forum. Chris Smith now is our special representative to the OSCE Parliamentary Assembly. He has made a career priority of dealing with trafficking.

Mr. Chairman, as you can see, there have been members on both sides of the aisle that recognize that this indeed is modern day slavery, and we have a responsibility to root this out wherever we find it. And it cannot be compromised for other areas. This is something that in and of itself must be our highest priority.

So we can celebrate the success that we have had, but we know there are too many people at risk. I visited victim centers and have seen the victims of trafficking. I have seen the victims of trafficking in Europe. I have seen the victims of trafficking in Asia. I have seen the victims of trafficking in the United States. And it is heartbreaking. And we know that they are victims and we need to recognize them as victims.

I want to make just one other comment if I might, and that is, there are many reasons I was concerned about the President's executive order on immigration and refugees. But one of the reasons is the impact it has on victims of trafficking. I am not clear whether those who had T-visas would, in fact, still—who are victims of trafficking could have come into this country under that ban. I know that many of the refugees from Syria are potential victims or are victims of trafficking that our refugee program has a major impact on. We know that the Rohingya population of Burma were subject to trafficking. Many were allowed to come to the United States that were put on hold as a result of the President's executive order.

So I just urge us that as we look at our priorities for protecting those who are victims, that we recognize that we in our zeal to protect our Nation on things like this executive order, has an impact on protecting people from the scourge of trafficking and modern day slavery. And I would just urge us to make sure that when we say this is going to be our priority that we are going to protect these victims, that we look for every possible way in order to be able to accomplish these goals.

As the chairman said originally, I apologize that Democratic members are going to have some conflicts and there are some conflicts on floor votes. But I must tell you this is a very, very important hearing and one we thank our witnesses and we thank the interest that we have from the private sector to work with us to find ways that we can be more effective in stopping modern day slavery.

The CHAIRMAN. Thank you so much.

And with that, we will turn to my friend and, as has been mentioned, someone who has been fighting for the rights of people who

do not have them all around the world, one of the crankiest Members that we have here in the United States Senate.

[Laughter.]

The CHAIRMAN. But we are glad that he has come to our hearing today. And I want to thank you personally for your and Cindy's leadership on this issue.

I want to thank you also for allowing the Modern Slavery Initiative to be carried on the NDAA last year. Thank you for hanging with us but showing the leadership you have, I know you are going to make a few comments. We appreciate that and we introduce you now.

STATEMENT OF HON. JOHN McCAIN, U.S. SENATOR FROM ARIZONA

Senator MCCAIN. I thank you, Mr. Chairman. I will now translate the chairman's remarks into English.

[Laughter.]

Senator MCCAIN. In the interest of time, Mr. Chairman, I would like my statement to be made part of the record and just say that the reason why I am here is to thank you, thank Senator Cardin, thank Senator Menendez especially, and all members of the committee for this bipartisan effort. If it had not been for yours and Senator Cardin's tenacity and dedication to this issue, it would not have passed into law as part of the National Defense Authorization Act. So I want to thank you and I want to thank all members of this committee for their effort and their highlighting this terrible, terrible issue that unfortunately, thanks to a lot of things, including social networking, seems to be growing rather than lessening throughout the world.

I also want to thank Elisa and Ashton. Ashton, you were better looking in the movies.

[Laughter.]

Mr. KUTCHER. My wife says that too.

[Laughter.]

Senator MCCAIN. I want to thank you very much. On a personal note, I am proud of my home state of Arizona for being a leader on the issue. I applaud the work of my wife Cindy who for years has dedicated her time and effort on this. But I want to thank Thorn especially for their efforts.

And just finally, Mr. Chairman, this issue is so terrible and so heart-wrenching and so compelling that a lot of times some of us would rather talk about more pleasant things. So I thank you for everything that you and members of this committee, but especially you and Ben, have done in furthering this effort. Some day it will pay off. And we will hear from our witnesses of the compelling stories that are so deeply moving, and I cannot think, frankly, of a higher priority.

I thank you, Mr. Chairman.

[The prepared statement of Senator McCain follows:]

THE PREPARED STATEMENT OF HON. JOHN MCCAIN

Thank you, Chairman Corker and Ranking Member Cardin for holding today's hearing, and, more importantly, for your commitment to ending modern day slavery through your work on this committee.

Human traffickers target the most vulnerable and at-risk individuals in our society and their crimes undermine the most basic of human rights. And the sad reality is that no matter where you live, the chances are it's happening nearby. More than 20 million people have been trafficked and trapped in horrific situations in over 165 countries across the world, including the United States. If we are to finally eradicate modern slavery once and for all, it will require significant additional resources and sustained cooperation within the international community.

Marshalling both public and private resources, the End Modern Slavery Initiative Act that passed as part of last year's National Defense Authorization Act will be critical in stopping such inhumane acts by giving support to victims, creating strategies to prevent slavery, and enforcing laws to punish perpetrators.

This Initiative is an important step forward, and I am encouraged to see United States leadership on this issue, but human trafficking remains a widespread global phenomenon and we cannot address it on our own. We find susceptibility to trafficking wherever there is poverty, unemployment, and lack of opportunity, where rule of law is weak, where corruption is rampant, and where citizens live in fear without the protection of government. This is why we must do more to strengthen rule of law and support the work of our foreign partners, not only through anti-trafficking measures but also through vital democracy and governance aid. And it is why we need the support and commitment of our partners in return.

Ultimately, when foreign countries see a serious and sustained commitment from the United States it often compels them to consider and make real policy changes. We need to provide a strong incentive for governments at every level to do all they can to prevent and prosecute trafficking, identify and support victims, and shield at-risk populations. This Initiative gives us the tools necessary to support the efforts of foreign governments committed to addressing human trafficking and allows for innovative partnerships where there is an active civil society to engage.

On a personal note, I am proud of my home state of Arizona for being a leader on this important issue. I also applaud the work of my wife, Cindy, who, for years, has dedicated her time and energy to the cause of ending human trafficking both in Arizona and around the world. And, I am encouraged by the work of organizations like Thorn, who we will be hearing from today, who are harnessing technological innovation to assist law enforcement in restoring freedom to victims of this crime.

As a country, we have had an extensive history of responding with necessary action to prevent slavery and ensure that fundamental freedoms are afforded to all people. But the fight against modern slavery is not over, and we must do more now. I am encouraged to see the Senate Foreign Relations Committee discussing ways to successfully implement this remarkable initiative and explore new opportunities to restore safety and give support to citizens across the world that are in dire need of protection and security.

The CHAIRMAN. Thank you so much for coming. We appreciate it. Thank you.

With that and setting the stage for the fact that we have 27 million people around the world today that, as we sit here in this hearing, are living in slavery, 24 percent of those are in sexual servitude. 76 percent are living in cages at night, working in fishing, working in brick kilns, working in rug manufacturing. We have two of the best witnesses we could possibly have and people who have committed their lives and resources to this.

Our first witness is Mr. Ashton Kutcher, Co-Founder of the Thorn: Digital Defenders of Children. Ashton, I just want to say again your story—for those people who are involved in venture capital and entrepreneurialism, it would be uplifting to see what you have done solely to help other people. I look forward to your testimony.

Our second witness today is Elisa Massimino, President and Chief Executive Officer of Human Rights First. We thank you again for being here.

If you would give your testimony in the order introduced, any written documents you have, without objection, will be entered into the record. Again, thank you so much for being here.

STATEMENT OF ASHTON KUTCHER, CO-FOUNDER, THORN: DIGITAL DEFENDERS OF CHILDREN, LOS ANGELES, CALIFORNIA

Mr. KUTCHER. Thank you. It is an honor to be here. As a young man raised and brought up in the public school system, I pledged my allegiance to that flag every single day. And the honor—maybe one of the greatest honors of my life today—is to be here and leverage the work that I have done as testimony that may in some way benefit this Nation that I love.

I would like to start by saying thank you to Chairman Corker for your leadership in this endeavor, and to Senator Cardin, your leadership has been extraordinary. And I would like to also say thank you to the rest of the committee that has supported this effort. This is a bipartisan effort, and in a country that is riddled with bipartisan separation on so many things, slavery seems to come up as one of these issues that we can all agree upon, and I applaud you for your agreement. And I believe in you and your leadership and your ability to take us out of it.

I am here today to defend the right to pursue happiness. It is a simple notion: the right to pursue happiness. It is bestowed upon all of us by our Constitution. Every citizen of this country has the right to pursue it. And I believe that it is incumbent upon us as citizens of this Nation, as Americans to bestow that right upon others, upon each other, and upon the rest of the world.

But the right to pursue happiness for so many is stripped away. It is raped. It is abused. It is taken by force, fraud, or coercion. It is sold for the momentary happiness of another.

This is about the time when I start talking about politics, and the Internet trolls tell me to stick to my day job. So I would like to talk about my day job.

My day job is as the Chairman and the Co-Founder of Thorn. We build software to fight human trafficking and the sexual exploitation of children. That is our core mission. My other day job is that of the father of two, a 2-month old and a 2-year-old. And as part of that job that I take very seriously, I believe that it is my effort to defend their right to pursue happiness and to ensure a society and government that defends it as well.

As part of my anti-trafficking work, I have met victims in Russia. I have met victims in India. I have met victims that have been trafficked from Mexico, victims in New York, in New Jersey, and all across our country.

I have been on FBI raids where I have seen things that no person should ever see. I have seen video content of a child that is the same age as mine being raped by an American man that was a sex tourist in Cambodia. And this child was so conditioned by her environment that she thought she was engaging in play.

I have been on the other end of a phone call from my team asking for my help because we had received a call from the Department of Homeland Security telling us that a 7-year-old girl was being sexually abused and that content was being spread around the Dark Web. And she had been being abused and they had watched her for 3 years and they could not find the perpetrator, asking us for help. We were the last line of defense. An actor and

his foundation were the potential last line of defense. That is my day job and I am sticking to it.

I would like to tell you a story about a 15-year-old girl in Oakland. We will call her Amy. Amy met a man online, started talking to him. A short while later, they met in person. Within hours, Amy was abused, raped, and forced into trafficking. She was sold for sex. This is not an isolated incident. There is not much that is unusual about it. The only unusual thing is that Amy was found and returned to her family within 3 days using the software that we created, a tool called Spotlight.

And in an effort to protect its capacity over time, I will not give much detail about what it does, but it is a tool that can be used by law enforcement to prioritize their caseload. It is a neural net. It gets smarter over time. It gets better and it gets more efficient as people use it. And it is working.

In 6 months, with 25 percent of our users reporting, we have identified over 6,000 trafficking victims, 2,000 of which are minors. This tool is in the hands of 4,000 law enforcement officials and 900 agencies. And we are reducing the investigation time by 60 percent. This tool is effective. It is efficient. It is nimble. It is better. It is smarter.

Now, there is often a misconception about technology that in some way it is the generator of some evil, that it is creating job displacement, and that it enables violence and malicious acts. But as an entrepreneur and as a venture capitalist in the technology field, I see technology as simply a tool, a tool without will. The will is the user of that technology, and I think it is an important distinction. An airplane is a tool. It is a piece of technology. And under the right hands, it is used for mass global transit, and under the wrong hands, it can be flown into buildings. Technology can be used to enable slavery, but it can also be used to disable slavery. And that is what we are doing.

I alluded to a phone call that we got from the Department of Homeland Security about this girl that was being trafficked on the Dark Web. Now, it is interesting to note that the Dark Web was created in the mid-1990s. It was a tool that was created by the Naval Research Lab called TOR, a tool with absolute purpose and positive intention for sharing intelligence communications anonymously. It has also been used to help people who are being disenfranchised by their government within political dissent in oppressive regimes. But on the other side, it is used for trafficking, for drug trafficking, for weapons trafficking, and for human trafficking. And it is also the warehouse for some of the most offensive child abuse images in the world.

Now, when the Department of Homeland Security called us and asked for our help and asked if we had a tool, I had to say no. And it devastated me. It haunted me because for the next 3 months I had to go to sleep every night and think about that little girl that was still being abused and the fact that if I built the right thing, we could save her.

So that is what we did. And now if I got that phone call—and, Greg, wherever you are at—the answer would be yes. We have taken these investigation times of Dark Web material from 3 years down to what we believe can be 3 weeks. The tool is called Solace.

Once again, I will not go into too much detail about the tool, but it is being used by 40 agencies across the world today in beta, and we believe that it is going to yield extraordinary results. And just like Spotlight, it gets smarter and more efficient and more cost-effective over time.

So where do we go from here? What do we need? Obviously, we need money. We need financing in order to build these tools. Technology is expensive to build, but the beauty of technology is once you build the warehouse, it gets more efficient and more cost-effective over time. I might be able to present to you a government initiative where next year I come back and ask for less. And to me, it seems extraordinary.

The technology we are building is efficient. It works. It is nimble because traffickers change their modus operandi, and we can change ours as well just as efficiently, if not more efficiently, as they can. It is enduring and it only gets smarter with time.

We also are collecting data. We have KPIs. We actually understand that if we are delivering value, we increase our efforts in that area. If we are not delivering value, we shut it down. And it is a quantifiable solution. One of my mentors told me do not go after this issue if you cannot come up with a quantifiable solution. We can quantify it and we can make the work that we are doing and the initiatives you put forth accountable.

My second recommendation is to continue to foster these private-public partnerships. Spotlight was only enabled by the McCain Institution, and the full support of Cindy McCain and a man that I find to be not only a war hero but a hero to this issue, John McCain.

It was not just created by them. There was extraordinary support from the private sector. The company, Digital Reasoning out of Tennessee, stepped up to the plate. They offered us effort. They offered us engineers. They offered us support and pro bono work. We have had the support of companies that oftentimes war with each other from Google, to Microsoft, to AWS, to Facebook. And some of our other technology initiatives included many, many other private companies. It is vital to our success. These private-public partnerships are the key.

The third thing I would like to highlight is the pipeline. You know, we sit at the intersection of discovery of these victims, but the pipeline in and the pipeline out are just as vital and just as important and addressing them are just as important.

I would like to highlight one thing in particular, that being the foster care system. There are 500,000 kids in foster care today. I was astonished to find out that 70 percent of the inmates in the prisons across this country have touched the foster care system, and 80 percent of the people on death row were at some point in time exposed to the foster care system. 50 percent of these kids will not graduate high school, and 95 percent of them will not get a college degree.

But the most staggering statistic that I found was that foster care children are four times more likely to be exposed to sexual abuse. That is a breeding ground for trafficking. I promise you that is a breeding ground for trafficking.

But the reason I looked at foster care is that it is a microcosm. It is a sample set that we have pretty extraordinary data around to date, even though we cannot seem to fix it. It is a microcosm for what happens when displacement happens abroad as the unintended consequences of our actions or inactions in the rest of the world. When people are left out, when they are neglected, when they are not supported, and when they are not given the love that they need to grow, it becomes an incubator for trafficking. And this refugee crisis—if we want to be serious about ending slavery, we cannot ignore it and we cannot ignore our support for this issue in that space because otherwise we are going to deal with it for years to come.

The outbound pipeline. There is just not enough beds. The bottom line is once someone is exposed to this level of abuse, it is a mental health issue. And there are not enough beds. There is not enough support. And we have to have the resources on the other side, otherwise the recidivism rates are through the roof. It is astonishing because when Maslow's hierarchy of needs are not being met, people will resort to survival, and this is their means of survival and the only source of love that they have in their life, that is what they go for. So we have to address the pipeline out, and we have to create support systems on the other end. It is not an entitlement. It is a demand to end slavery.

My fourth and final recommendation is the bifurcation of sex trafficking and labor trafficking. They are both aberrations. They are both awful. They are both slavery, and they are both punitive in fact. But the solution sets are highly differentiated. When you look at sex trafficking, a victim is most often present at the incident of commerce. And this provides an opportunity for drastic intervention, whereas in labor trafficking, the victims are being hidden behind the manufacturers and the merchandisers. And it requires an entirely different set of legislation and proactivity and enforcement in order to shut it down.

You know, there is a lot of rhetoric that is going on in the world right now about job creation in the United States. Well, if we want to create jobs in the United States, I would ask you to consider eliminating slavery from the pipelines of corporations because a lot of that slavery is happening abroad. And if we ask those corporations under extreme pressure that if you do not change it, you are going to be penalized, and if you do not clean up that pipeline, it is going to mean trouble, they are forced with two decisions. They can either clean up the pipeline abroad or they can move the jobs to the United States of America where they can be regulated and supported. Bringing jobs to America can be the consequence of doing the right thing, or it can be the consequence of doing the wrong thing. But that choice is up to you.

Now, it is not lost on me that all of this disruption in our marketplace is going to have economic backlash. That is not lost on me at all. But I ask you do you believe that Abraham Lincoln had to consider the economic backlash of shutting down the cotton fields in the South when he shut down slavery because I am sure that weighed on his mind.

You know, happiness can be given to no man. It must be earned. It must be earned through generosity and through purpose. But the

right to pursue it—the right to pursue it is every man's right. And I beg of you that if you give people the right to pursue it, what you may find in return is happiness for yourself.

Thank you.

[The prepared statement of Mr. Kutcher follows:]

THE PREPARED STATEMENT OF ASHTON KUTCHER

Mr. Chairman and distinguished members of the Committee, I am honored to appear before you today to express my conviction that we can end modern slavery during our lifetimes.

I want to express my particular gratitude to Chairman Corker for his vision, courage and tenacity, Senator Cardin, and the members of this Committee, for the work you did in a bipartisan way that made the End Modern Slavery Initiative a reality. It will change the world.

As this Committee has reported, at least 27 million people, including children, suffer as a result of forced labor and sexual exploitation. The leading experts tell us that this is a problem in more than 165 countries. But it is not just a problem somewhere else. It is also a problem in this country.

While it's important to know the numbers and statistics, it can make this problem seem distant. However, this is an issue that touches real people's lives. As a father of two young children, it is the stories of survivors and their resilience that have stayed with me and motivated me to do this work.

Let me give an example of a survivor I was thinking about today as I came to Capitol Hill for this hearing. In 2015, we learned of Amy (not her real name), a 15-year old girl in Oakland who met her trafficker online and struck up a friendship. One day after school, she agreed to meet him in person and runaway. As soon as they were alone together, the man revealed he was a pimp and that Amy had to now sell herself for sex, otherwise he would beat her. He sexually assaulted Amy and forced her to start posting her own ads on online escort sites.

Several days later, law enforcement officials were able to locate Amy and set up a "date." Once in the room, they revealed they were law enforcement and there to help her. She said she wanted to go home and she helped the officers arrest her pimp. He is now facing over 40 years in prison. Amy is back home with her family and receiving services.

Sadly, Amy's story is not an isolated instance. It occurs every day, not just in this country, but all around the world. These are horrible situations and every situation is different.

One thing that is unique about Amy's story is the short amount of time it took officers to find her. While our goal is that no one falls prey to trafficking ever, if and when they do, we must have a rapid response. When children are being trafficked and exploited, time is of the essence. There is not a moment to waste. And this is where technology can help.

In the past, a typical trafficking case could take months, if not years, to identify and locate a minor victim due to the volume of escort ads posted daily in the United States. Our data points to over 150,000 escort ads posted every day that are constantly being taken up and down on various sites. This reality, in combination with the fact that traffickers move victims from city to city, makes it extremely difficult to find and identify any individual.

Our solution to this challenge is Spotlight. Spotlight is a web-based application we built with our partners (Digital Reasoning, the McCain Institute, Google, and others) to improve trafficking investigations and increase the number of victims identified and connected with help resources.

While I can't disclose exactly how it works since it is utilized by law enforcement across the country, I can say it draws from publicly available data and using natural language processing and machine learning to help surface likely minors being sold online. This technology has existed for years, and yet now we are putting it to work for some of our most vulnerable children.

And is it working? Yes. We know this because more than 4,000 officers from over 900 agencies across this country are using it and getting real results. In the last twelve months, it's helped identify over 6,000 trafficking victims in the U.S., 2,000 of which were minors. It has also led to the identification of over 2,200 traffickers.

Before Spotlight, if officers were lucky, they may have found Amy in a few months. With Spotlight, it took 3 days. This is where technology can be instrumental—in shrinking the time it takes to reach the victims in these situations.

Amy's story shows us the power of using technology in the fight against trafficking:

1. Technology Means Faster Identification. While invest in trafficking prevention is paramount, we also need the tools to identify victims when trafficking occurs. Amy is one person, but she is not alone. Technology allows for first responders to move faster and reach more victims in half the amount of time. Our users report that Spotlight has reduced investigative time by up to 60%. This means officers can spend more time away from a computer and out in the field trying to make contact with those who may want help.

2. Technology is adaptable. One of the things we know about all types of trafficking, is how quickly the landscape changes. This is particularly true online, and can put law enforcement at a disadvantage to tech savvy perpetrators. One site goes down, another one pops up in its place.

However, technology is nimble and can adjust to these kinds of changes in a matter of seconds, ensuring we don't miss a beat. We also run our nation wide survivor survey, where we ask survivors of trafficking to describe what role technology played in their exploitation to better understand where the points of intervention are and how we can improve our response. In this way, we are getting the full picture of how technology is being used to exploit these victims, so we can create effective tools to fight back.

3. Technology is scalable and inexpensive to replicate globally. If you build a viable tool, you don't have to be constantly re-inventing the wheel, making it is relatively easy to adapt and scale globally. For us we've seen this both on the Spotlight, and with our work on the Dark Web. Spotlight is now being used in Canada, and we have great interest from the UK. Separately, our dark web tool (which I will discuss later) is being utilized by an international working group who focus on Child Sexual Abuse Material investigations in the Dark Web (over 40 users from 8 countries).

Using technology to fight the sexual exploitation of children is what we aim to do at Thorn, a nonprofit organization I co-founded several years ago. We made a commitment to innovate, to develop new technology tools to better respond to and address these problems, and then to put those tools in the hands of those best positioned to use them.

I refuse to live in a world where any person must remain in a heinous abuse situation simply because existing technology hasn't been utilized to find them.

This model has taught us a lot about what we need to be effective but we still have a lot to learn. Spotlight is just one example of our commitment at Thorn to bring new, cutting-edge tools to the fight against modern slavery and human trafficking. Let me mention one more.

DARK WEB

In the mid-1990s, the United States Naval Research Laboratory created a new tool, which enabled political dissidents and journalists to use the internet anonymously, thus avoiding retaliation by repressive regimes. This was done for high-minded and noble reasons.

Yet, as with so many other innovations, there have been unintended consequences. Political dissidents are not the only ones using the internet anonymizing tools we created. They are also being used by criminals and exploiters, including human traffickers, weapons traffickers, drug traffickers, child exploiters and many others.

As a result today, the anonymous Dark Web has become the open market for the trading of the worst of the worst child sexual abuse content. And there is no way to "shut it down." Now that the technology exists, it will also be out there.

Therefore, the way you have to attack this problem, is by matching the level of technical sophistication with your response. Initially, the primary investigative techniques were either infiltration or waiting for offenders to make a mistake. At Thorn, we are changing this paradigm by enlisting the best and brightest minds in technology to help us get out in front of these perpetrators instead of always playing catch up.

Working alongside some of the top minds in technology, as well as law enforcement, we

have developed a Dark Web investigations tool that can aid investigators in identifying and rescuing victims in the Dark Web faster than ever before.

Just in the first six months of testing our beta tool, it has helped identify 37 children from around the world who were victims of child sexual abuse and whose abuse material has been shared in communities on the Dark Web. A number of these children were under 5 years old.

RECOMMENDATIONS

Our efforts to help solve the complex problems of human trafficking and child sexual exploitation have taught us some powerful lessons. I'd like to offer three recommendations:

1. More public-private partnerships are needed (Investment in Technology). At Thorn, we are a concrete example of what working with the public and private sector looks like. We've benefited from the expertise of leading technology companies like Google, Facebook, Microsoft, and AWS. We've also had the privilege to work with law enforcement and other government agencies at the local, national, and international level that are on the frontlines and are eager to improve their technical tools. We need support from both industry and government to keep doing this work.

Our tool Spotlight is a great example of a public/private partnership. Because of the McCain Institute's initial investment in Spotlight, we were able to partner with Digital Reasoning, (a technology company based in Tennessee), to build the tool and get it in the hands of officers across the country. Our grassroots work with law enforcement has helped us bring Spotlight to over 4,000 law enforcement agents in over 1,000 agencies in all 50 states.

A detective in New Mexico wrote us, "I cannot overstate the importance of Spotlight in these investigations. Due to caseloads, we would be unable to identify most of these victims by manually searching their information due to time constraints."

While this approach of private and nonprofit funding allowed us to build the tool, it is not sustainable over time. We need government to join us as investment partners and support the ongoing innovation needed to stay ahead of perpetrators as well as invest in the technical support for law enforcement agents that are working to protect our kids.

The End Modern Slavery Initiative Act, championed by Chairman Corker and this Committee, shows how the US government can be a leader on this issue. Through this initiative, the US government can actively invite the best and brightest in the technology field to join us in this fight and open a dialogue towards identifying and implementing technical solutions around the world. And, by demonstrating your financial commitment, this Committee is showing the world that the United States is serious about ending slavery in our lifetime.

2. We must address the "pipeline" and aftercare: We need to even better understand how children become vulnerable to this crime in the first place. For instance, if you want to think about preventing domestic sex trafficking in the U.S., you must examine the foster care system and the data around the correlation between foster care and trafficking. It is absolutely dismal. Many organizations, agencies, and reports have documented the intersection between involvement in the child welfare system and child sex trafficking; between 50 and 98 percent of identified child victims of commercial sexual exploitation have previously been involved with the child welfare system. Therefore if we are to address trafficking in the U.S., we must look hard at the foster care system as a place of critical intervention.

And while our tool helps identify victims who are being exploited, what happens to these survivors once they are out of that abusive situation? All too often trafficking survivors find no options for rescue and rehabilitation. We must change that. There are some remarkable non-profits and government programs that offer direct services to survivors in the U.S., and all of them operate on a shoestring budget. Robust aftercare services prevent re-victimization and can be a critical investment of the End Modern Slavery Initiative Act as you seek to measurably reduce the prevalence of slavery around the world.

3. We must address demand, the buyers. Human trafficking and modern slavery are such large problems today for a basic reason. They are low-risk and highly profitable. In the fight against sex trafficking, the perpetrators are often the unsuspected man next door. We have to create real deterrence and reduce demand by holding the customers accountable. And in regards to labor trafficking, we need more transparency in business supply chains and accountability for companies that are sourcing supplies and labor unethically. Members of this Committee have helped advance efforts to protect victims of labor trafficking by regulating foreign labor recruiters and introducing legislation to hold companies accountable. President Obama's Executive Order seeking to eliminate trafficking in federal contracts showed us that change is possible, but we have more work to do.

CONCLUSION

Thank you for holding this hearing on this issue. Too often it is ignored and it takes courage to confront an issue that represents the worst of humanity.

However, in working together to "End It" we also see the best sides of humanity. Because this committee has worked in a bipartisan way, the End Modern Slavery Initiative Act has now been signed into law by President Obama. I congratulate you on putting the interests of vulnerable children and adults ahead of politics.

Mr. Chairman, thank you for your leadership. And thank you for the opportunity to appear before you today and to add my voice and that of Thorn to your historic effort to end modern slavery and touch the lives of millions of children and adults around the world. We stand ready to assist.

Thank you.

The CHAIRMAN. Thank you so much. Thank you.

Elisa?

STATEMENT OF ELISA MASSIMINO, PRESIDENT AND CHIEF EXECUTIVE OFFICER, HUMAN RIGHTS FIRST, WASHINGTON, DC

Ms. MASSIMINO. Thank you, Chairman.

Wow. I am just digesting all of that incredible passion and intelligence and purpose from you and feeling regretful that I have to follow it.

[Laughter.]

Ms. MASSIMINO. But thank you also, Ashton, for turning your talent, your profile, your smarts to this important issue.

Thanks to this committee and particularly thank you to you, Mr. Chairman, for your outstanding leadership on this issue. We are so grateful for your efforts to promote a stronger American leadership in this fight.

Slavery is a devastating assault on human dignity. Perpetrators prey on the most vulnerable among us, refugees, children, the poor. It is a pressing global problem that affects and implicates the United States. It involves multinational supply chains, criminal enterprises, and the very terrorists and extremists that our Nation has vowed to combat. It tests our country's willingness to uphold fundamental rights at home and to challenge other governments to do the same.

Our country is both a source and destination country for trafficking victims. And traffickers earn an estimated $150 billion annually in illicit profits, while NGOs like ours and governments worldwide spend only about $124 million each year to combat it. That is simply not a fair fight. Meanwhile, American workers are forced to compete against free labor as companies take advantage of the global failure to enforce anti-slavery laws.

Increasingly organized crime rings and international terrorist organizations traffic in human beings to accumulate wealth and power. And when refugees fleeing violence in Syria, Iraq, and other regions plagued by terrorism and political instability do not have pathways to safety, they become easy marks for extremists to exploit.

Congress and the administration ought to deepen their commitment to combating slavery not only because of the moral and economic implications, but also because of the national security risks posed by corruption, terrorism, and organized crime.

At Human Rights First, our mission is to foster American global leadership on human rights. We believe that standing up for the rights of all people is not only a moral obligation, but it is a vital national interest and that our country is strongest when our poli-

cies and actions match our ideals. For nearly 40 years, we have worked to ensure that the United States acts as a beacon on human rights in a world that sorely needs American leadership.

American efforts to end modern slavery are critical not only to prevent human trafficking here at home, but also to ensure that our country sets an example for others. That is why we need to work harder to eliminate slave labor from the supply chains of American companies and to empower federal law enforcement agencies, which have deep expertise in prosecuting cross-border organized crime, to focus greater attention on ending impunity for traffickers and their enablers.

Right now, slavery is a low-risk enterprise for the bad guys. According to the State Department's most recent Trafficking in Persons report, there were just over 6,600 trafficking convictions globally in 2015, and only 297 of those were in the United States. Now, that might sound like a lot, but when you consider that there are nearly 21 million people enslaved around the world today, that is a pitifully small number. We have to do better.

The United States has made important progress in the fight against modern slavery, and this committee has really been a key driver of that progress. The bipartisan cooperation and concern that has been demonstrated by this committee is a model for the future of our country.

Today Human Rights First is releasing a new congressional blueprint for action to dismantle the business of modern slavery in which we detail additional measures that Congress should take. Modern slavery is a complex global crime, and we have to tackle it using a range of strategies. In my written testimony, I detail our recommendations, and they include using the funds authorized by the End Modern Slavery Act to combat trafficking globally and to attract new resources from other governments and private donors, bolstering the Trafficking Victims Protection Act to ensure that law enforcement and prosecutors have adequate resources to hold traffickers accountable, intensifying enforcement of the Tariff Act's ban on importation of goods made with slave labor, fully leveraging the power of the U.S. Government contracting to make sure we are not purchasing goods and services made with slave labor, and shielding the TIP report from political influence by passing the bill recently introduced by Senator Menendez and Senator Rubio.

Each of those measures is critically important, but we also have to pay attention to prevention. Traffickers are ruthless and opportunistic. They are drawn like sharks to those in distress, and it is hard to imagine people in more distress today than refugees. In fact, with the possible exception of Vladimir Putin, nobody benefits more from the refugee crisis than those in the business of modern slavery. The truth is we simply cannot combat slavery without attending to those most vulnerable to it. And today, more than ever, that means helping refugees.

As the State Department explained in last year's TIP report, refugees are, quote, prime targets for traffickers and refugee camps are ideal locations for them to operate. The majority of the world's refugees are women and children, and the U.N. Special Rapporteur on Trafficking reports that since 2011, thousands of them—thou-

sands—have disappeared, presumably abducted for purposes of trafficking-related exploitation.

The U.N. Rapporteur also concluded that one of the primary causes of the rise in trafficking worldwide is increasingly restrictive and exclusionary immigration policies. According to the U.N. High Commissioner for Refugees, 10 percent of the world's refugee population is in urgent need of resettlement. Yet, last year only 1 percent were moved to places of safety.

In light of this crisis, the recent executive order blocking the resettlement of Syrian refugees and reducing refugee admissions and halting the entire refugee resettlement program for the foreseeable future is particularly cruel. Turning our backs on the people most vulnerable to slavery, the very people this committee has worked so hard to help, not only breaks faith with our most cherished ideals, but it is a gift to those who profit from human misery. As a Nation that once pledged to stand firm for the non-negotiable demands of human dignity, I think it is unconscionable. It is not who we are. It is not what we stand for.

Time and again, national security leaders from Republican and Democratic administrations have testified that protecting refugees does not put Americans at risk. On the contrary, accepting Syrian and other refugees actually makes us safer. By helping them, the U.S. safeguards the stability of our allies that are hosting the vast majority of refugees, counters the warped vision of extremists that we are somehow at war with Islam, and strengthens our moral credibility, credibility that can be leveraged on other issues.

Thirty-two of our Nation's most prominent national security leaders, retired flag officers, former government officials, including the former Secretary of Homeland Security Michael Chertoff, former National Security Adviser Steve Hadley, and former Director of the National Counterterrorism Center said in this statement—and I quote—despite America's role as the global leader in resettling refugees, many voices call for closed doors rather than open arms. To give in to such impulses would represent a mistake of historic proportions.

[The information referred to can be found at the end of the hearing.]

The so-called extreme vetting that is sought by the administration is already happening. It takes place over many months. It involves multiple law enforcement and intelligence agencies, and the blanket ban that has been proposed would not block terrorists. Our Nation's national security officials already do that. But it would block people forced to flee because of persecution and violence inflicted by repressive regimes and terrorist groups. And it will block people that are vulnerable to the parasitic criminals and violent extremists who profit from the global slave trade.

Mr. Chairman and members of the committee, I know how deeply you care about ending the scourge of modern slavery, and I urge you to allow your compassion for its victims to inform your position on refugees. Anyone who seeks to deprive traffickers of their ability to prey on vulnerable people cannot in good conscience slam the door on refugees. We are counting on you to fight any executive ac-

tion that would sacrifice more innocent women and children to the global slave trade.

In particular, I urge you to support Senator Feinstein's bill that would rescind the executive order. In the midst of the biggest refugee crisis since World War II, the world is really watching what we do. If we want our country to be a global leader in the fight against modern slavery, we cannot turn our backs on the very people most likely to become its victims.

Thank you.

[The prepared statement of Ms. Massimino follows:]

THE PREPARED STATEMENT OF ELISA MASSIMINO

I. INTRODUCTION: THE PROBLEM OF HUMAN TRAFFICKING

Chairman Corker, Ranking Member Cardin, and Members of the Committee: thank you for the invitation to be here today to discuss strategies for ending modern slavery. The scope and gravity of this problem demands our attention. We are deeply grateful, Mr. Chairman, for your outstanding leadership in raising the profile of this often-hidden crime and your persistence in ensuring that our country does all it can to end it.

The United States abolished slavery with the ratification of the 13th Amendment over 150 years ago. Yet the International Labor Organization reports there are more than 20 million people enslaved today—about double the number in bondage during the transatlantic slave trade. Slavery is a devastating assault on human dignity. Fundamentally, it is about exploitation of vulnerable people for profit.

This is a pressing global problem that both affects—and implicates—the United States. It involves multi-national supply chains and global criminal enterprises. It tests our country's willingness to uphold fundamental rights at home and to challenge other governments to do the same.

The United States is both a source and destination country for human trafficking victims. Traffickers earn an estimated $150 billion annually in illicit profits, while NGOs and governments worldwide spend only about $124 million each year to combat it. That's not a fair fight. Meanwhile, American workers are forced to compete against free labor as companies take advantage of the global failure to enforce anti-slavery laws.

Increasingly, organized crime rings and international terror organizations traffic in human beings to accumulate wealth and power. Congress and the new administration must continue their commitment to addressing the problem of slavery, both for its moral and economic implications, and also because of the national security risks associated with corruption, terrorism, and organized crime.

This committee has done important work in this regard, and I want to thank Senators Corker and Cardin for your continued leadership on this issue.

As you said at this hearing last year, Senator Corker, the stark reality of modern slavery is unconscionable, and it demands that we make a commitment to end it for good.

At Human Rights First, our mission is to foster American global leadership on human rights. We believe that standing up for the human rights of all people is not only a moral obligation; it is a vital national interest. Our country is strongest when our policies and actions match our ideals. For nearly 40 years, we have worked to ensure that the United States acts as a beacon on human rights in a world that sorely needs American leadership.

American efforts to end modern slavery are critical, not only to eliminate human trafficking here at home, but to ensure that the United States sets an example for other nations. We need to make sure we are doing everything we can to eliminate slave labor from the supply chains of U.S. companies, and that our powerful federal law enforcement capabilities, which have deep experience and expertise in prosecuting cross-border organized crime, turn their attention to the crime of human trafficking.

To that end, we have supported anti-trafficking legislation and increased funding for anti-trafficking programs, both at home and abroad. And we have spotlighted how traffickers and their enablers worldwide, including in the United States, too often operate with impunity.

According to the State Department's most recent annual Trafficking in Persons report, in 2015 there were just over 6,600 convictions globally, and only 297 convictions for human trafficking here in the United States. That may seem like a lot,

but when you consider that there are nearly 21 million people enslaved around the world today, it is pitifully few. We have to do better.

These statistics also show that the people trafficked for labor have been especially neglected. An estimated 68% of trafficking victims worldwide are trafficked for labor, yet only 7% of convictions worldwide, and only 4% of human trafficking-related convictions in the United States, are labor trafficking cases.

Boosting domestic prosecution of human trafficking is critical, both to eliminating the problem here in the United States and to setting an example for other countries on how it can be done.

Human Trafficking and Refugees

Traffickers are opportunistic and ruthless, and they are drawn like a magnet to vulnerable people. Because refugees are separated from their economic and social support structures and have limited ways to provide for their families, they are particularly vulnerable to exploitation by traffickers. This is especially true for unaccompanied minors and women and girls.

Those who fall victim to human trafficking are among the most vulnerable people in the world, such as the nearly 5 million refugees who have fled Syria. About three-quarters of these refugees are women and children. A third of them are under 12 years old. These people are in grave danger of falling prey to human traffickers. Human Rights First has been assisting refugees seeking asylum in the United States, and encouraging global adherence to the international refugee convention, since our founding in 1978. As you said recently, Mr. Chairman: "[T]he United States is at its best when it leads. And that leadership is particularly important in a crisis." We could not agree more.

The U.N. High Commissioner for Refugees has described the current situation as the "biggest humanitarian and refugee crisis of our time." Host countries' infrastructures are buckling under the strain, forcing refugees to rely on smugglers and treacherous migrant routes and border crossings as they search for protection. Even if they finally land in a refugee camp, these people remain at high risk for being trafficked. The U.N. High Commissioner for Refugees has stated 10% of the world's refugee population is in need of resettlement, yet less than 1% are resettled.

As the U.S. State Department explained in its 2016 TIP report:

Camps for refugees and internally displaced persons are prime targets for traffickers. The concentration of vulnerable, displaced people, combined with a lack of security, services, and oversight typically found in such camps, make them ideal locations for traffickers to operate. In long-standing camps, traffickers are able to build relationships with corrupt camp officials and establish trafficking rings. Human trafficking is frequently overlooked in crises and omitted from formulations of humanitarian and emergency response policies. Trafficking operations can flourish amidst international reconstruction efforts where there are few government institutions or rule of law. The international community and individual countries must recognize labor and sex trafficking as a common occurrence during conflict and include anti-trafficking strategies in humanitarian responses.

We must recognize the close link between human trafficking and the refugee crisis. If we want to end modern slavery, we should be doing everything we can to reduce the vulnerability of the refugee population.

II. SUCCESSES AND RECOMMENDATIONS

The United States has made some important progress in its attempts to combat human trafficking, and this committee has played a key role in making that happen. Today Human Rights First is releasing a new congressional blueprint for action to dismantle the business of modern slavery in which we detail additional measures that Congress should take.

A. End Modern Slavery Initiative Act

Senator Corker introduced bipartisan legislation designed to bring much-needed resources to this global fight. The End Modern Slavery Initiative Act of 2015 was critically important legislation seeking to leverage foreign aid and galvanize support from the public and private sectors internationally to focus resources to fight slavery.

Programs that receive funding under the act are required to contribute to the freeing and recovery of victims, prevent future enslavement, and enforce laws to punish perpetrators of modern slavery. They must develop clear and measurable goals and outcomes; and achieve fifty percent reduction of modern slavery in targeted populations. These are all extremely important measures.

Now we need to ensure the funds authorized by the act and already appropriated will be used to leverage further resources from governments and private donors. En-

gaging other governments is key to addressing the cross-border aspect of slavery and ensuring that shutting down slavery in one place doesn't just force it over to somewhere else. Similarly, we have to engage the private sector to address slavery in supply chains. Additionally, this fund should bolster law enforcement in select geographic areas with a goal of reducing the incidence of slavery by at least fifty percent during the duration of the project. This concentrated investment in key geographic areas is crucial to identifying the most successful methods of increasing the risk to traffickers, which can then be scaled up and replicated in other countries.

B. Trafficking Victims Protection and Reauthorization Act

Amendments to the Trafficking Victims Protection and Reauthorization Act (TVPRA) have also been critical to enabling prosecutors to bring traffickers and their enablers to justice. Although we still see only a small number of human trafficking prosecutions, both worldwide and in the United States, we have learned that targeting funding to encourage coordination among federal agencies, such as through Enhanced Collaborative Model Human Trafficking task forces, has been extremely helpful to the U.S. government's ability to detect and respond effectively to human trafficking. It is important for Congress to continue to support these prosecutions, through additional targeted funding for training of prosecutors, investigators, and service providers, and through legislation that provides designated prosecutors with the resources necessary to focus on prosecuting slavery.

Domestic prosecutions of human trafficking send an important signal to other countries we are trying to enlist in this fight. Better coordination of domestic law enforcement also supports international prosecutions of global trafficking rings, which is a growing area of concern.

Refugees, and particularly children, are especially vulnerable to these organized criminal syndicates. Last year, Interpol, along with the European Union's criminal intelligence agency, released a report documenting that at least 10,000 unaccompanied child refugees had disappeared after arriving in Europe. Many were feared to have fallen into the hands of organized criminals engaged in human trafficking. These international law enforcement agencies found that longstanding criminal gangs known to be involved in human trafficking were now engaging in migrant smuggling and were targeting refugees for human trafficking. U.S. law enforcement agencies must have the resources and training to coordinate with our allies and help combat this global scourge.

The TVPRA has also provided important protections for unaccompanied children who arrive at the Southern border and are at risk of human trafficking. The 2008 TVPRA mandated that Customs and Border Protection (CBP) immediately transfer unaccompanied children from non-contiguous countries to the Department of Health and Human Services Office of Refugee Settlement custody, where appropriate care and screening can take place with child welfare professionals. The TVPRA also mandated that unaccompanied children from Mexico or Canada be screened for risk of trafficking or fear of persecution before they are removed or returned, and that any unaccompanied child found to be at risk be immediately transferred to the Department of Health and Human Services Office of Refugee Settlement custody. Congress should ensure that these provisions in Section 235 of the TVPRA are maintained. These protections guarantee that unaccompanied children speak to individuals trained to recognize the signs of trafficking and who have expertise in child welfare and development. If unaccompanied children who have been trafficked are to be protected, they must speak with the proper people with the proper training. Recognizing that unaccompanied children are at risk of being trafficked ensures that the government is keeping the child's best interest and human rights in mind.

Furthermore, how the U.S. Government responds to the crisis of unaccompanied child refugees and their risk of being trafficked has implications beyond our borders. If the United States does not adequately respond to this crisis, it loses the moral authority to ask other nations to work harder to identify and protect trafficked and persecuted children.

C. Tariff Act

Another important success in the past year was the amendment of the Tariff Act to close the consumptive demand loophole that for too many years prevented meaningful enforcement of the ban on importation of goods made by slave labor. We commend the bipartisan efforts of this committee for its leadership in closing that loophole.

The Obama administration slowly began to enforce this legislation, but we need to see significantly more effort from the new administration on enforcement of the law, and more oversight from Congress. I encourage this committee to press the Customs and Border Protection agency to play a more aggressive enforcement role,

and to ensure that all CBP agents who may encounter slave-made goods have the training and resources to effectively respond. Barriers to the import of goods made with slave labor is, of course, consistent with the new administration's emphasis on encouraging American-made products and on creating a level playing field in the market for U.S. manufacturers.

This new Tariff Act provisions also provide an important opportunity for Congress to encourage American companies with global supply chains to work with the U.S. government, and with other governments where their supply chains extend, to ensure that their suppliers are complying with the requirements of U.S. law and not creating unfair competition for American workers by using slave labor. Increasingly, the private sector will need to coordinate and share information with governments if our efforts to end modern slavery are to succeed.

D. Leveraging the Power of Government Contracting

Congress and this committee have also taken important steps toward ensuring that the government itself is not relying on goods or services provided by forced labor.

Following President Obama's 2012 executive order, "Strengthening Protections Against Trafficking in Persons in Federal Contracts," Congress passed the End Trafficking in Government Contracting Act, as Title 17 of the National Defense Authorization Act for 2013. That led to amendment of the Federal Acquisition Regulations (FAR) to strengthen protections against human trafficking in federal contracts, which went into effect March 2, 2015.

FAR subpart 22.17 codified trafficking-related prohibitions for federal contractors and subcontractors, requires contractors and subcontractors to notify Government employees of violations, and notifies parties that the Government may impose remedies, including contract termination, for failure to comply with the requirements.

The Executive Order and statute created a stronger framework for preventing trafficking by prohibiting contractors and subcontractors from engaging in practices such as destroying, concealing, confiscating, or otherwise denying access by employees to their identity or immigration documents; using misleading or fraudulent recruitment practices; charging employees recruitment fees; and providing or arranging housing that fails to meet the host country's housing and safety standards. The Executive Order and statute also extend anti-trafficking requirements to contracts performed outside the United States that exceed $500,000, including a requirement for a compliance plan and annual certifications.

These laws have now been in effect for two years, but unfortunately we've seen little enforcement. The Executive Order banned contractors and their sub-agents from charging workers recruitment fees, because these fees often leave workers indebted and vulnerable to abuse. However, the term "recruitment fee" has not yet been clearly defined in the regulations. A draft definition was released last summer for public comment, but it has not been finalized. Robust enforcement of this important provision hangs on the ability of both government contractors and contracting officers to know what constitutes a recruitment fee. The definition should be broad enough to encompass anything of value, so that recruiters aren't continuing to charge these fees under another name—for example, calling them travel, medical or equipment expenses, a practice that has become quite common.

Congress should support a mechanism of high-level oversight by creating positions of Human Trafficking Compliance Advisors who will work within government agencies to ensure everyone involved in the contracting process is trained on these new laws and brings allegations of human trafficking to the appropriate counsel's office. Currently, the legislation relies on contractors to self-report violations, which has not been an effective means of enforcement.

E. TIP Report

Finally, I'd like to highlight the importance of the Trafficking in Persons (TIP) report, which has been a critical tool for grading countries on their efforts to eliminate human trafficking and pressuring them to improve. When countries are ranked appropriately, the TIP report has been an important diplomatic tool for the United States in addressing this global problem. Where politics has taken priority over trafficking concerns, however, it has been less effective.

That is why we strongly support a bill recently re-introduced by Senators Robert Menendez and Marco Rubio, which would help to shield the report from political influence.

A new provision of that bill would leverage the role of multilateral institutions, as called for by the United Nations' Sustainable Development Goals, by making it more difficult for the World Bank to lend to countries who receive a Tier 2 Watch

List or Tier 3 ranking by requiring these countries to first participate in a human trafficking risk assessment.

III. REFUGEE CRISIS & HUMAN TRAFFICKING

A. Overview

The world is facing the worst refugee crisis since World War II. One cannot effectively address the scourge of modern slavery without recognizing our duty to assisting those most vulnerable to it. Especially now, that means assisting and welcoming Syrian refugees.

In this context, the president's recent Executive Order indefinitely suspending the resettlement of all Syrian refugees is particularly cruel and unconscionable. The United States must be concerned with national security and preventing terrorism. But it is nonsensical to ban, even temporarily, the most vulnerable refugees, who are only accepted for resettlement here after a rigorous cross-border, multi-agency screening progress that can take up to two years.

Over and over again, national security leaders from both Republican and Democratic administrations have explained that protecting refugees does not put us at risk. On the contrary, accepting Syrian and other vulnerable refugees makes us safer, by burnishing our global reputation as a humanitarian leader and supporting our allies in the Middle East who are struggling to host huge numbers of refugees within their borders.

Last year, a bipartisan group of former national security officials and retired military leaders issued a Statement on America's Commitment to Refugees, noting how critical it is to our identity as a nation that we accept refugees fleeing persecution and violence:

For more than two centuries, the idea of America has pulled toward our shores those seeking liberty, and it has ensured that they arrive in the open arms of our citizens. That is why the Statue of Liberty welcomes the world's "huddled masses yearning to breathe free," and why President Reagan stressed the United States as "a magnet for all who must have freedom, for all the pilgrims from all the lost places who are hurtling through the darkness."

Unfortunately, by temporarily banning all refugees, indefinitely banning all Syrian refugees, and cutting the number of refugees resettled to the U.S. by 60,000, the president's Executive Order on Immigration means that the United States is turning its back on the very individuals who are the most vulnerable to the scourge of modern slavery this committee has been working so hard to end.

In June 2016, the UN Special Rapporteur on Trafficking in Persons, Especially Women and Children, reported:

People fleeing conflict [are] constantly exposed to the risk of trafficking any time during their journey. For such migrants, internally displaced persons, refugees and asylum-seekers, the clandestine nature of their journey, the often unscrupulous and corrupt conduct of their facilitators, and the extent to which some States will go to prevent their departure, transit or arrival, all operate to create or exacerbate opportunities for traffickers who prey on their precarious situation. Therefore, even if they were not trafficked from the very beginning of their journey, they can become victims of trafficking at some point in their journey or at their intended destination.

The journey of female migrants and unaccompanied children is particularly hazardous, he noted. "Thousands of such women and children have disappeared, presumably abducted for purposes of trafficking related exploitation."

In addition, the U.N. Special Rapporteur found that since 2011, "an increased number of Syrian refugees have been trafficked for purposes of labor exploitation in the agricultural industry, manufacturing, catering and informal sectors in Jordan, Lebanon and Turkey."

Sudanese and Somalian refugees and asylum seekers, including many unaccompanied children, have been kidnapped or lured from refugee camps or while traveling, sold and then held captive for exploitation.

There has also been a high incidence of trafficking and exploitation among poorly-educated Afghan, Syrian and Iraqi men and boys traveling alone.

People of the Rohingya Muslim minority fleeing persecution in Myanmar were being smuggled across borders and trafficked to fishing boats and palm oil plantations. Others were held captive and abused in Malaysia.

The causes of this growth in modern slavery, the Special Rapporteur explained, include: "increasingly restrictive and exclusionary immigration policies, including criminalization and detention of irregular migrants, insufficient channels for regular migration and family reunification and lack of regular access to the labour market for asylum seekers, refugees and migrants." (UNSR, June 2016)

B. Recommendations

The refugee crisis is, of course, a multi-faceted problem, and not one that Congress can solve on its own. However, there is a good deal this Congress and this committee can do to champion the resettlement of refugees, provide information to trafficking victims, maintain critical safeguards, and train U.S. officials who may encounter trafficking victims and refugees about how best to ensure their protection.

1. Rescind Provisions of the Executive Order on Immigration

a. We strongly support Senator Dianne Feinstein's bill, S.274, rescinding the provisions of Executive Order 13769. There is no need to issue a blanket ban on entry of individuals from the seven specified countries (Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen), and even less reason to halt the U.S. refugee program. As we and many others have explained, refugees resettled in the United States already face "extreme vetting" and are actually the most carefully screened of anyone who arrives here. Accepting refugees is also widely seen as helpful to U.S. national security.

b. In addition to rescinding the order, we urge Congress to maintain current funding levels for the refugee resettlement program.

c. We also support Senator Kamala Harris's bill, S.349, to clarify that all persons who are held or detained at a port of entry or at any detention facility overseen by U.S. Customs and Border Protection (CBP) or U.S. Immigration and Customs Enforcement (ICE) are allowed access to counsel. This is particularly important for women, children and others vulnerable to trafficking, who are often unaware of their rights at the border.

2. Ensure Vulnerability Remains the Criteria by Which Refugees are Prioritized for Admission, not Discrimination Against Specific Refugee Populations

In addition to financial support for particular programs to help identify and protect refugees who have suffered or are at risk of trafficking, it is critical for the United States to lead globally again on resettling vulnerable refugees, without regard to religion or nationality, and respecting the human rights and refugee protection treaties that are so essential to global stability.

Those treaties rightly mandate that people should be protected from religious persecution. Yet the Trump administration's proposed policy of allowing Christians into the United States while barring Muslims is itself a form of religious discrimination. Religious tests like the one embedded in President Trump's executive order are illegitimate and inconsistent with our values as a nation.

To aid trafficking victims in particular, we also urge the issuance of humanitarian visas, increased flexibility in the family reunification processes, launch of a program to allow for private sponsorship of refugees by Americans, and student scholarship programs to reduce the incentive for victims to turn to smugglers or traffickers.

The United States must also lead by example at home, making sure that refugees and those at risk of trafficking, including children, have access to protection at our borders.

Finally, when it comes to child refugees, who face the greatest risk of trafficking, the best interests of the child should be paramount. The United States should not force children to return to the societies they fled, where they may be recruited by military groups and end up alone and isolated from their families and communities, leaving them especially vulnerable to trafficking.

CONCLUSION

These are difficult times for millions of people living in poverty and conflict around the world. The rise of modern slavery is one of the tragic consequences of these intractable problems, but it is one that this Congress can do something about. This committee has taken important steps to end modern slavery through the legislation and oversight. But it is not enough. The scope of this problem demands that we tackle it at the roots. At its core, slavery is about exploitation and dehumanization of vulnerable people. If our country is to be a global leader in the fight against human trafficking, we cannot turn our backs—at a time when they most need us—on the very people most likely to become its victims.

Thank you.

The CHAIRMAN. Thank you.

Ashton, I was going to ask you a different question, but after hearing your opening comments, I am going to reframe it. I think you shared how you became involved in this and your compassion and passion for ending it. And we thank you for that.

We have embarked on a program now that is a public-private partnership of major proportion. It is where the U.S. would lead. We would get other governments to help on a two-to-one basis and the private sector to help on a three-to-one basis to put in place an effort that would have metrics, an effort where we would be able to measure results, measure the problem, measure results. And I just wondered, based on the experiences that you have had in the private sector establishing metrics and models to end this scourge on mankind, what kind of advice would you give us as we set up this international effort that is based here but led by the United States?

Mr. KUTCHER. I think my first piece of advice would be to lead with compassion as you approach these private sector companies. These companies have customers and they care about their customers and they want their customers to know that they are doing the right thing. And I think great companies have a conscience that promote them to actually do the right thing.

The second thing—I mean, you basically said it in your question to some degree, which is you have to be able to measure results. And I oftentimes believe that if you cannot measure it, you cannot improve it, and if you cannot improve it, you are working blindly.

But also what I would encourage is to ensure that whatever buckets of capital are being deployed to actually deploy that capital in a way where there is not a risk aversion in shooting for the fences. If what it is that you are trying to apply to the issue does not have a potential 10X outcome but also the same potential to fail, you may not get the results that you want. And as I work with entrepreneurs across the country, the extraordinary thing about the entrepreneurs I work with in Silicon Valley is that they are not afraid to fail. It is unbelievable. As a kid from Iowa that was taught to be responsible with everything and make sure every dollar counts, they just go for it like full-blown. And so if you deploy the capital in a way that allows people the opportunity to fail but also massively succeed, you may find that you have much greater outcomes than what you do by making the safe choices with the deployment of the capital in large chunks into some—well, obviously, that is the good feel. Oftentimes the greatest idea comes when those people are not afraid to fail. And so giving them permission to shoot for the fences I think is an important piece of the puzzle.

The CHAIRMAN. I am going to turn to Senator Menendez. These people are coming back, by the way. We have got a vote that is underway. I think we are going to try to time it where we do both at one time.

Senator Menendez, do you want to go and come back?

Senator MENENDEZ. Yes, Mr. Chairman. I think there is only 2 minutes left on the vote. So I do intend to come back notwithstanding the caucus.

The CHAIRMAN. So here is that we are going to do and this is strange, but we are going to recess for just a moment until the next person comes back and we will resume. And I apologize for this, but I am sure lots of people would like to have their photograph taken.

Mr. KUTCHER. I prefer not to talk to no one.

[Laughter.]

The CHAIRMAN. We will be back.

Mr. KUTCHER. Although I do it quite often.

The CHAIRMAN. We are in recess until someone returns. Thank you.

[Recess.]

Senator YOUNG [presiding]. I want to thank our witnesses very much. As you are well aware, we have votes going on right now. But with the chairman's guidance, we shall continue here out of respect for your time.

We will begin with my own questions. As other members roll in, we will entertain those.

But, Mr. Kutcher and Ms. Massimino, thank you so much for your leadership. This is such an important area. We are shining a national spotlight on the importance of it, and I am just so grateful for your efforts.

Do you both agree, as you work on this issue, that the State Department's annual Trafficking in Persons report is a valuable resource in your efforts to fight human trafficking and the scourge of modern slavery?

Mr. KUTCHER. Yes.

Ms. MASSIMINO. Yes, absolutely we do. I do.

Mr. KUTCHER. And presumably you cannot solve the problem if you do not know how big it is.

Senator YOUNG. That is right. So presumably we want that report to be as accurate and as comprehensive as possible. Right?

Ms. MASSIMINO. We do.

Mr. KUTCHER. Yes.

Senator YOUNG. These are what we call leading questions. Right?

[Laughter.]

Senator YOUNG. So tomorrow I plan to introduce a piece of legislation called the Department of State and United States Agency for International Development Accountability Act of 2017. The legislation is needed to provide this committee greater transparency regarding the more than 180 General Accountability Office recommendations for the departments and USAID that have not been fully implemented. And among the recommendations are at least two or three recommendations pertaining to this very area, about which you and so many others are passionate.

The legislation will enable Congress and this committee to conduct even more effective oversight, something we can always improve upon. It would require State and USAID to provide a timeline for implementation of these anti-trafficking proposals, as well as other proposals. And it would ensure that any GAO recommendation that is not implemented—we are certain as to why that is, given some rationale for that.

So given the large number of open recommendations, it would be my hope that most would be implemented and that we can get bipartisan support for this effort.

So I am inviting members of both sides of the aisle to work with me on this legislation. We will be dropping it tomorrow.

I would like to ask both of our witnesses about the growing impact of sexual exploitation, forced labor, what we generally call modern slavery here in our own country. Some of my thinking on this issue is informed by good work that has been done in my own

State of Indiana. With the leadership of the Indiana Attorney General, our former U.S. Attorney, and now so many other stakeholders in our State, we have put together a report in our State, the 2016 Indiana State Report on Human Trafficking.

Typically, we ask for unanimous consent to enter this into the record. I consent to have it entered into the record.

[The material referred to above can be accessed at the following url:]

https://www.in.gov/attorneygeneral/files/ht%20report%202016.pdf

Senator YOUNG. I think this will be instructive to further your efforts and those of others who are working on this issue.

This was the product, this report and the related initiatives in my own State of Indiana. It was a product of a public-private partnership to address the unique challenges that our State and others are facing.

The report indicates that the coalition of service providers served 178 trafficked youth in 2016 alone. 178 people in my home State of Indiana. Of those youth under age 21 served by Indiana providers statewide in 2016, nearly all were girls, 94 percent. As a father of three young girls, I feel particularly passionate about the need to address this, but I note that this is something that afflicts both genders as well.

The report found nearly 30 percent of those impacted are 15 or younger, and more than 10 percent are between the ages of 12 and 14. All of my children are younger than that. In Indiana, victims were as young as 7 when first trafficked.

These statistics are, of course, heartbreaking. They speak to the broader challenges we face nationally and internationally. If you could each speak to whether the trend lines in the State of Indiana are reflective of your findings across the country, the ages, the gender.

Mr. KUTCHER. So most studies have found that the average age of entry into sex trafficking is about 12 years old. I think most of the numbers that you are finding in your State are accurate.

Relative to the legislation that you were alluding to earlier, I would like to ask, then what? So we measure it and we know it is a problem, but then what? And what are the consequences if the reporting is not there, and what is the consequences if they do not use the tools, if the tools are being used? I am just curious about that relative to that legislation.

Senator YOUNG. I would be happy to indulge that question. So working with the chairman and the ranking member and people on both sides of the aisle, I think we should make every effort to make sure that the State Department has a specific, concrete plan of action comprehensive in nature that would arrest this problem internationally since that is the focus of the State Department. We also need to have a domestic range of solutions to this. And then we need to resource. We need to resource our action plans at the State level, at the federal level. I know that has been a point of emphasis in your own testimony.

Here on this committee, perhaps the first step is to see that members on both sides of the aisle continue to work to push an authorizing bill, something the chairman has really shown some lead-

ership on recently, and to the extent we can include human trafficking and other things moving forward on that, that is a part answer to your question.

So, Ms. Massimino, do you have additional thoughts on the trend lines in Indiana versus the country?

Ms. MASSIMINO. I do. I do think those are reflective of what we see.

I also want to say I think it is really important, the State level focus on trafficking. This, as I said, is a big global problem, very complex, and there are lots of different ways we need to tackle it. But it is really quite important. That sounds like extraordinary leadership at the State level to be tackling these issues really kind of close to home.

One of the things that you heard from both of us is the importance of—you know, reporting is for the purpose of being able to measure progress—right—and to get data so you know what strategies are working. One of the things that Human Rights First has been really focused on is making sure that State and federal law enforcement have the resources that they need to go after higher up in the food chain, if you will, of these criminal enterprises that are exploiting people, both on labor and sex trafficking.

You know, labor trafficking cases are a much smaller percentage of the overall prosecutions that happen, but there are a greater percentage of victims that are in the labor trafficking area. They are much more complex and expensive cases to bring, but they are really important.

I think Congress should pay particular attention to making sure that these human trafficking prosecution units are well funded and can work in coalition at the State and local and federal level law enforcement to integrate the solutions to those problems.

You also mentioned the public-private partnership piece.

Senator YOUNG. I did and that was my next question. So thank you for anticipating it, but I do not have to cut into the chairman's time now that he has reentered the room. Maybe you could speak to the importance of that, each of you. I know, Mr. Kutcher, you mentioned it in your testimony as well. IPATH is the Indiana State report on human trafficking and the entity it created to help fight this scourge in our own State. It is a not-for-profit initiative. There are over 75 organizations statewide focused on collectively addressing this issue, and perhaps you could speak to the importance of these sorts of public-private partnerships in addressing modern slavery, each of you. Thank you.

Mr. KUTCHER. Just to touch on the point that Elisa is making, I think another thing that should not be lost is the focus on demand prosecution in the space. These are victims. You said it yourself. These kids are 12 years old, 13 years old. That is not a criminal. That is a victim of a crime. And if we are not prosecuting the buyers, if we are not prosecuting the traffickers not just for trafficking, but that is statutory rape and it should be treated as statutory rape and prosecuted as rape. And I do not think that we do a good enough job yet of addressing that issue in that way.

Senator YOUNG. Do either of you have thoughts on what we might do to bring more of these individuals to justice to prosecute them?

Mr. KUTCHER. Well, it is my understanding that there is an initiative underway currently that will address this within the judiciary system. And I think the best thing that we can do is to support that initiative.

Senator YOUNG. Continue to support that.

Ms. MASSIMINO. I think also making sure that these safe harbor provisions that have had so much bipartisan support here in Congress that would treat victims like victims are very, very important.

The public-private partnership aspect of this I think is absolutely key. You know, there is a lot that government can do and should be doing, that all governments globally should be doing and collaborating together on this. But as Ashton pointed out, the supply chain issue, the pipeline into slavery—we have to be looking at that.

So I would say there should be kind of 3 P's in this public-private partnership. It should be also the private sector companies, American companies in particular. You know, when I talk about American leadership on this issue, I do not just mean the American Government. I mean all of us. And in many places in the world, American companies are the American brand. So making sure that we enlist those companies, especially now that you all have passed legislation that amends the Tariff Act which for decades allowed for this importation of child-made and slave-made labor through this consumptive demand loophole that was in existence. You have closed that loophole down, and that is a potentially transformational thing in the world of human trafficking.

Now we have to make sure that it is enforced, that the Department of Homeland Security enforces it, that companies understand what they need to do. Most companies do not want anything to do with slavery, but many of them do not understand what they need to do to look at their supply chains and make sure that there is no forced labor in there and no child labor. So we have to come together to talk about that.

And one of the things that you all could do—a report was due to you from the Department of Homeland Security I think back in August on how they are implementing this very important new provision that you passed, and it has not been submitted yet. So I would urge you to ask for that, and we would love to come in and talk with you about it.

Senator YOUNG. Well, thank you. Thanks for your ideas and, again, for your counsel on this. And we will continue to stay vigilant even when the klieg lights are off, and that is really the important thing with respect to our oversight role. And thank you so much for this opportunity.

Mr. Chairman?

The CHAIRMAN [presiding]. Thank you very much for coming back and filling in that way. I very much appreciate it.

I have had two experiences I guess that had a big impact on me. One was hearing the statement of someone in the audience, Louie Giglio, speaking to his congregation saying, if not you, who? And I think we all know what that means. And we together who hear that message need to be the people who involve ourselves in ending this.

The other was an experience in a group of about 20 young ladies in the Philippines going to the police department there, seeing what a U.S. private entity was doing to teach them about prosecution, seeing how this is a crime of opportunity. Most people think this is largely the mafia, and they definitely are involved. But it is really, as you both know, a lot of small business people that take advantage. They have dominion over people and they use this to make money.

But part of our efforts—and we need to measure this and we need to end it, and that needs to be our focus. Part of the effort also has to do with what we do with victims after they have been victimized. And one of the efforts that to me was so impressive was seeing how these young ladies who maybe were 13 or 15 and maybe they were in the rural part of the Philippines and maybe a gentleman came by and said, hey, how would you like to go to Manila for the day and they find themselves in Malaysia in a brothel for 7 or 8 years or they find themselves in a place that they cannot get out of. But they also have to have a place to go. They have to have a place to be protected from people who otherwise would kill them for testifying against them. They have got to have a way of coming back into society.

Could you speak to personal experiences there and what we need to do as a nation working with others to address that component also?

Mr. KUTCHER. Sure. This is the pipeline out. There are four or five organizations domestically that I think are doing extraordinary work. There is an organization called My Life My Choice, Journey Out, Courtney's House, Rebecca Bender Initiative, and GEMS. I have had the privilege to spend some time with GEMS and look at the organization and sort of assess the effectiveness of it. They do extraordinary work. They recognize these victims as victims. They do the best they can to rehabilitate them.

I think one of the things that we can definitely do is look across that sector of NGOs and find the ones that are the most effective and then try to assess what the best practices of each one of those individual organizations are and then replicate that and grow it.

You know, as you have said, as I said, I think there has to be accountability in our spending relative to this, but there are some simple low-hanging opportunities within these organizations that I actually think the private sector can come in and be drastically supportive. I mean, the administration roles within these organizations are being done a lot of times on these kinds of books. And I think that there is the enterprise software that could be given away for free by many private companies and that could create massive efficiencies inside of these organizations.

But at the end of the day, you have to have a place to keep these people.

You know, I was in Russia and the girls that were getting let out of the orphanages all get let out at about at the same age. And the traffickers would circle the orphanages waiting for those girls to hit that prime age where they could use them.

So if people do not have a place to go, if they do not have an environment of love and support and then the expertise to help them with the mental health issue of the abuse that they have endured,

they do not get better. So I think mental health is a gigantic issue in this country in a lot of ways, and I think that we need really look at this not only as a slavery issue but as a mental health issue and ensure that the finances and the support is going into that arena as such.

Ms. MASSIMINO. This is a problem globally as well. It is very similar. We have worked closely with many Yazidi women. We gave our human rights award last year to a Yazidi woman activist. She and her husband are rescuing women who have been abducted and are being held in sexual slavery by ISIS. And these women are so traumatized. They are now barred from coming here under this order. But they have said if you cannot save us from this, then just bomb us because we cannot survive this.

You know, one of the things that I think the United States could be doing there—they need mental health services desperately even if they cannot come here to get them. And I think there is more that we could be doing to fund organizations that can provide those kinds of services to women who have suffered just unspeakable horror. Many of them are children.

The CHAIRMAN. Thank you.

Senator Menendez is back, and he was the lead other sponsor of this legislation and has been my friend and certainly an advocate for victims and human rights. So I thank you and look forward to your questions.

Senator MENENDEZ. Thank you, Mr. Chairman.

First, I would ask to submit into the record Human Rights First's blueprint for Congress, how to dismantle the business of human trafficking.

The CHAIRMAN. Without objection.

[The information referred to can be found at the end of the hearing.]

Senator MENENDEZ. Mr. Chairman, first of all, let me say that my experience in the Senate—I was speaking with Senator Young yesterday about the difference between the House and the Senate where we both have served—is the fundamental difference is that one Senator committed to an idea or an ideal and willing to fight for it can create change. And you did that in the context of human trafficking. You made it a singular issue. You were focused on it like a laser beam. I am glad to have worked with you on it, but clearly you deserve the credit. And it is the embodiment of what you can do in the Senate when you choose to do so. I want to salute you on that.

I have listened to both of your testimony with great interest. And we are having a major caucus on Russia right now, but this is important. So I have questions for both of you and I hope to get to it in my time. Maybe the chairman will be a little generous with the time.

The CHAIRMAN. Take as much time as you wish.

Senator MENENDEZ. All right. Thank you. I appreciate it. I will not do that, but I do have some questions.

Ms. Massimino, as you know, there have been serious questions both from the Foreign Relations Committee and civil society organizations regarding the integrity of the past 2 years' Trafficking in

Persons report. To me, that report is the gold standard, and I want to show why it is so important. Mr. Kutcher said the reports are important, but what do we do with them? He is right.

The reports have a template for how we judge countries in the world.

The amendment that I got into law, which now denies a country who is in Tier 3 of trafficking any preferential access to the United States in terms of any trade agreement, is incredibly important, a powerful tool. But, of course, we need the right type of reporting to ensure that those who are in that category do not get arbitrarily and capriciously removed from that category unless they have done the things that are necessary to, in fact, be removed from it, which would be good for the victims of trafficking in their countries because that means they will have improved their standards.

Now, I introduced legislation, bipartisan legislation, with Senator Rubio and Senator Kaine and Senator Gardner that makes sweeping reforms to restore the integrity to the Trafficking in Persons ranking process. I know and I believe there is bipartisan consensus that reforming the ranking process is a priority that we should address early in this Congress.

Can you speak to, number one, your organization's reactions to the 2015–2016 TIP report, and what damage, if any, do you think that created, and to the importance of the integrity of the TIP report as a foundational issue for us globally to challenge countries in the world to do what we think they should be doing to end modern day slavery?

Ms. MASSIMINO. Yes, absolutely. And thank you very much for your leadership on that legislation and on the TIP report.

Human Rights First has focused a lot of attention over many years on reports coming out of the State Department that have been mandated by Congress and why it is important for those reports to be basically just the facts, you know, not colored by political considerations. For many years, the State Department country reports annually—we did a critique of those because we felt there was too much political influence across administrations from different parties, but there was too much political influence and other concerns going into kind of shading the facts in those reports. So we have been very vigilant. Actually we stopped doing that critique because we felt that the State Department country reports had improved significantly and were much more objective.

The point of reports like that is really to provide a baseline for policy. They are not policy, but they are to provide a baseline for policy. And that is why it is so important that reports like the State Department country report and the TIP report are just the facts and really have integrity.

So we were very concerned, as many were, that there appeared to be movements of some countries up on the scale without any demonstration or transparency about what the reasons were for that.

You know, the TIP report has actually been a really important tool for diplomats and others to use. We have instances where countries have really been pressured to actually improve their performance as a result of the ranking process. So it is really important to have transparency about how those rankings are made and

to make sure that countries do not get a free pass just because we have other business to deal with.

Senator MENENDEZ. That is a concern. This is as important as this committee has dictated in a bipartisan way, which means that you cannot subvert its importance because you have economic reasons with a country, maybe to some degree even security reasons with a country because when you do that, then you undermine the essence of the importance and the integrity of trying to end human slavery.

In that regard, my legislation requires TIP rankings to be contingent on concrete actions taken by a country in the preceding reporting period and that the State Department must specify how these actions or lack thereof justify the ranking. A recent GAO study highlighted this is a major gap in the existing TIP ranking process.

Would you support such changes?

Ms. MASSIMINO. Yes, we would.

Senator MENENDEZ. Mr. Kutcher, let me ask you. Extraordinary work. And I heard, just before I had to leave to go vote, your answer to the chairman about having the freedom to go big and take a risk to develop the technology that might be the next cutting edge on how we further help law enforcement and other entities both capture those—reclaim those lives that have been lost to human trafficking, capture those who were the traffickers themselves, prevent efforts on trafficking.

I sit on another committee here on the Finance Committee which deals with all tax trade and incentives. If there was a way to incentivize that effort by you and others similarly situated, is there a specific way beyond letting you go big? Are there tax incentives? I think about already the systems you have, and I think about other countries. Maybe one of the requirements we should have is that other countries should use the best available technology at the time, something that we do not have a requirement to, and an estimation as to whether they are moving in the right direction on human trafficking. Can you help me a little bit on that on how we take what you have done and create a greater opportunity for its deployment?

Mr. KUTCHER. Yes. I think at its core, the reason why most of our partners, private company partners, in the space are technology companies is that they are naturally incentivized to actually do something about this. So for the most part, there is a CDA 230—these companies want to perform—they want their tool to be used in the right way. Right? And they do not want their tool to be regulated because then it regulates the potential of the tool for good. And I happen to support that notion that it is user that is the malicious actor. But in order for these companies to maintain that stance, it is my belief that they have to support efforts in technology to actually grow tools that fight against these types of atrocities that are happening on their platforms. Therefore, we have had extraordinarily willing participants in that effort.

I think we have also launched a best practices guide for companies relative to trafficking because I think that when your employees are involved in this space or your company in some way, shape, or form touches this space, I think it actually affects the quality

of your company and the performance of your company in the long term. And so I think having companies become aware of these best practice guides——

But I think there is also a larger issue relative to what we call modern slavery, and I think it is actually just in the nomenclature of calling it modern slavery. It is slavery. It is just slavery. I think we do a disservice to the people that were slaves in this country for so long and the oppression that they felt in the years following by not calling it what it is. And if we just call it slavery from a nomenclature perspective and acknowledge the fact that just because a person is of a different nationality or that they are being sold for sex makes it something different so that we can pat ourselves on the back and say, well, we have abolished this and we have already done all that we can, I think that will have a giant impact because I think it motivates people emotionally to actually build things.

On the other side, I think that these tools are best built in the private sector, and the reason why I think that they are best built in the private sector is we are willing to take those risks and we are willing to create that accountability.

Now, when we get to the level of where it is becoming a fundamental institution to solving the problem and we have 4,000 law enforcement officials and 900 agencies using the tool, well, now we have shown its effectiveness. We have shown that it can be measured. We have shown that it can be improved. And at that point in time, I think it becomes incumbent upon the public sector to step up. We give our tools away for free. They are 100 percent free. I look at it like Facebook. We grow, grow, grow, grow, grow, and at some point in time, we can turn on a revenue model that creates sustainability within our organization.

So I think they are best incubated in the private sector, but at a certain point, the public sector needs to recognize that tool works, we need that tool, it is effective, and we can leverage it domestically and internationally to behoove everyone.

Senator MENENDEZ. Thank you.

And finally, Ms. Massimino, let me ask you. Your testimony noted a new provision in the bill that myself, Senator Rubio, and others have introduced that requires the multilateral development banks to conduct a human trafficking risk assessment for projects in Tier 2 watch list or Tier 3 countries as a condition of U.S. support.

Now, it is my hope that these assessments can draw together a wide variety of stakeholders from international civil society organizations, local communities, law enforcement, and others to ensure that development bank projects work to combat human trafficking wherever possible. And I hope that as part of that, organizations such as yours would be called upon by the multilateral development banks.

But it seems to me that we have done a few things here that are important, but we have a lot more tools at our disposition that we can use in the multilateral development banks, having a strong TIP report, thinking about how we incentivize the technology either by allowing it to be free, as you suggested, in terms of its ability to go big, thinking about there are privacy elements so that we

ultimately do not constrain it in a way that is unnecessary and maybe even looking at other countries and saying one of the ways in which we will test whether or not you are moving in the right direction is are you employing the latest available technologies that can help you.

And so I appreciate what we have gleaned from both of your testimony and look forward to continuing to work with you.

Do you have a comment?

Ms. MASSIMINO. I just want to underscore that I think this provision that you have talked about with requiring an assessment of implementation of anti-trafficking with the development banks I think is just part of what we have been talking about how you take the data and use it to leverage change. I completely agree with you, Senator, that we have a lot of tools that are not being fully used to tackle this big problem. And a lot of what you all have done here has moved the ball forward between the federal acquisition regulations and the statute, seeking to implement that, making sure that the changes to the Tariff Act get implemented. There is a lot that this body can do to take those tools and make sure that they are being fully exploited for good. And that takes a lot of attention. It sometimes takes money. But if we can pull this all together, I think that is the way that we are really going to make a dent in this problem.

Senator MENENDEZ. Thank you. I see my colleague is here who helped me write the bill, and I appreciate his support alongside of me.

Senator RUBIO. Thank you both for being here. I am sure the chairman told you he had to go vote. He will be back any minute now.

I know you have talked about the integrity and the Trafficking in Persons report, and I do not know what has been discussed already. But one of the points I have made—this is always an issue when it comes to human rights, and that is the balance between our geopolitical relations and information about potential allies that is embarrassing. And I think you would both concur that, first of all, the Trafficking in Persons report—a lot of people think about it as just a piece of paper the U.S. Government publishes. But it has in fact been impactful. Part of our role here is to shame those who are less than cooperative in the efforts to tackle this, including people here at home but also in governments abroad.

And I just think I want to reiterate what appears to have already been discussed: how critical it is that this report be free from political interference. And to be blunt, the notion that someone could come in and say to the State Department, look, I do not want to change the tiering of a country because we have got a good thing going with them on some other foreign policy issue and we do not want to offend them—and it is my feeling that that occurred in the last report. That cannot happen again. And so our hope is to prevent that from happening, and I would imagine every advocate out there believes that as well, especially since we as a nation are also, hopefully, being honest about our own internal problems with regards to that.

The first thing I want to talk about, Mr. Kutcher, is the Thorn website. And, again, you may have talked about this already. It

may have been asked and I apologize. But the website talks about people using the Internet to share child abuse material are doing so with seemingly low risk of getting caught.

So I am interested in learning how Thorn collaborates with law enforcement in the United States and around the world, especially with countries that have weak criminal justice systems, to change the sort of behavior with impunity of this criminal activity and at the same time using that also as a tool to, hopefully, train law enforcement agencies about victim-friendly procedures. There are places around the world—quite frankly, there have been jurisdictions in the United States that if, for example, someone is being trafficked into prostitution, they are arrested for the crime of prostitution and treated as a criminal as opposed to as a victim. And we have had arguments with law enforcement about that, some of whom argue to us that is the appropriate way to do it. That is the only way to break them free from the endeavor. In other cases, I have had some disagreements with regard to that.

But is Thorn working to kind of end that cycle of impunity where people think we can do whatever we want, the chances of getting caught are very low, and quite frankly, the penalties in some places are not very high?

Mr. KUTCHER. Thank you for the question.

You know, at its core, one of the issues with sex trafficking, specifically domestically and most certainly internationally, is the lack of attention that it actually gets from law enforcement—resources I should say. You know, most trafficking divisions in police departments across this country are maybe one or two people, and they are understaffed and under-financed. When we first went in, we were looking at the tools that they were using, and they were going into chat rooms and trying to strike up conversations with traffickers or trafficking victims in order to get leads on an investigation.

We saw, specifically relative to minors, that if we could create a platform or a tool that helped them prioritize their caseload by understanding what we call a maturity score of the victim, we could help get the victims as early as possible out of the system and as young as possible out of the system first. So we have created this prioritization tool. I would be happy to show you Spotlight at some point in time. I do not want to reveal too much about it because I do not want to risk the enduring power of the platform. But we help them prioritize their caseload.

And basically what we are doing is just taking this Internet, which is largely anonymous in many ways, and making it far less anonymous. We can track victims as they get trafficked across State lines. We have investigation tools that allow us to understand the full picture, the full story of the trafficking victim over time and the trafficker over time, which is admissible in court and which is really good evidence in order to prosecute these cases.

Senator RUBIO. And this question is for both of you. It is one of the things that you hear a lot about, which I find to be one of the most grotesque and outrageous things I have seen, and that is the conduct of BackPage.com. There was a recent article in the Miami Herald that talked about a local organization that is filing a federal lawsuit against BackPage.com, and it found that in my hometown

of Miami-Dade, over half the adult victims in human trafficking cases and 40 percent of minor victims were being advertised on BackPage.com. As you are probably aware, the Senate has also conducted an investigation with regards to that and issued a report.

So following that report, BackPage has closed the adult section in which advertisers solicited services. However, it has been reported that the ads are now running on the dating section, and some are now asserting—and I agree—that this is nothing more than a publicity stunt. And I would welcome both of you to comment on that change. In the end, did they not just change the name of the same activity?

Mr. KUTCHER. So this has been happening long before BackPage. I think 6 years ago, I started going after the Village Voice for advertising sex on their platform, and actually the way I went after them is I went after their advertisers and said, hey, do you know that this is happening? And the advertisers quickly pulled back and the Village Voice started to have some issues relative to that.

I talked to the founder and CEO of BackPage 5 years ago and said we are watching. We know what is happening. I know you know what is happening. You can either join us in the fight against it or you are going to become the tool for it. And they really sort of did not want to hear about it.

Craigslist, on the other hand—the founder, Craig Newmark, was very willing and interested in fighting this and was actually distancing himself from what was happening on his platform. We watched. We technically watched the traffic move from the adult section to the women seeking men section. We watched it. We analytically watched it happen moments after it was shut down. Moments.

So you look at it and you go it is a game of whack-a-mole. Right? And the only question that we have is not relative to censoring it. It is not relative to shutting down the Internet. It is relative to can we build the tools that are better than their tools to fight what is happening. There are sites in the United States that do this other than BackPage—a lot of them, in fact. There are sites internationally that are doing this that are other sites. It is happening all over the place. It has been happening for decades in print media. We are now just recognizing it for what it is, and I think that that is the most important part. And secondarily to that is let us build the tools and let us finance the tools and let us deploy the tools to fight back.

Ms. MASSIMINO. So I think that BackPage has to be held accountable for what they are doing, and one of the things that they are doing right now—there is evidence that shows that they have been doctoring the ads, up to 80 percent of their ads, to conceal the underlying transaction, meaning that when they do that, they should not be protected by the law. Current law—and there are some good reasons for it—says that Internet sites that allow third parties to post are not responsible for the content of that post. But you do not have to change that law to go after what BackPage is doing right now. It appears that they are intentionally altering ads to make underage people look like they are consenting adults, and that is despicable and wrong and they should be held accountable for that.

The CHAIRMAN. Thank you so much. Thanks for being here.

Before turning to Senator Coons, Jean Baderschneider is here. She is the lady sitting up front. She has been an operational leader here. She, years ago in an airport in another country, saw a young lady that she thought was being trafficked. She went to talk to officials. She came back. She was gone. And it haunted her, and she has committed her life to dealing with this issue. So we thank you for that. We thank you for helping us be in the place that we are today, ready to launch what is happening.

And with that, Senator Coons?

Senator COONS. Senator Corker, I just want to thank you. I want to thank you for taking the experiences that others have brought to you and applying your skills, your leadership, and your passion to mobilizing this committee to engaging in a bipartisan way on legislation, to fighting tirelessly for funding, and to empowering organizations that have got the skills, the tools, the passion to now go out and make a difference. And I am excited about the opportunity to continue working with you in this critical fight to end human slavery in the modern era. Thank you for your leadership on this, Chairman Corker.

There are other great folks on this committee who have also been leaders on it, Senator Cardin, Senator Menendez, many others. As some of you may know, I have spent a lot of my time in Africa as a member of this committee, as the former chairman of the Africa Subcommittee. It is tragic what we know happens to people who are victims in this country and in countries around the world.

So I mostly just want to thank you. Ashton Kutcher, thank you for your leadership and your innovation. I am excited to see your tool and how it works and to better understand what Thorn is deploying here in the United States. And you have got some terrific people working with you, Julia and others, who help make this real each and every day.

And to Ms. Massimino and Human Rights First, thank you for also providing the analysis and the support. There are a lot of great organizations in this space. We need many, many more. The scope of this problem dwarfs the resources we currently have deployed against it. But, you know, look, there are days here that are somewhat partisan and where it is somewhat frustrating, and we do not get as much done as we would like. This is a moment that is worth focusing on because it is a moment where we can recognize significant progress.

I am the co-chair of the Law Enforcement Caucus, and given what I read in your testimony and what I have heard, I hope we have a chance to talk further about exactly how we get U.S. law enforcement better funded, better engaged, better equipped to deploy this tool and these resources, better trained. In my previous life, I was responsible for a county police force, and I am confident that they do not have as much in the way of resources as they would need. And we were a county that was bisected by I–95. And on a regular basis, we had homeless and runaway kids. We had victims of domestic violence and I am certain of trafficking as well and yet could have done much more with more resources. We had one officer who did what you are talking about, went into chat rooms, tried to gather evidence, tried to help pursue and prosecute

child prostitution, child pornography cases, a very dedicated, very loyal, very skilled officer. There are a few more resources today, but still far below what it should be.

So I just have three questions, if I might. First, I am interested in how we can expand Thorn's model globally because I think you have made a significant impact so far. But if you look at the level of resources and training and access in U.S. law enforcement—as we all know, in the developing world, law enforcement, courts, transparency are significantly less resourced.

So I would be interested in hearing how you think further investment by the United States Government in the End Modern Slavery Initiative might inspire engagement from our private sector. And I think it is exciting, the digital partners and the information technology partners, Susan and others, that you have brought to the table here. How might more investment in our appropriations leverage significant increased resources from the private sector?

And then second, what are the limits to Spotlight internationally? What are the challenges you face in trying to really scale this up? But in countries where mobile technology is now widely available but where the transparency, reliability of the law enforcement system is significantly below what we would hope and expect.

And then on a personal enthusiasm, a whole group of us worked together last year, Senators Flake and Menendez and Portman and Merkley, to pass the End Wildlife Trafficking Act. Wildlife trafficking is often viewed separately from human trafficking, but it is really not. And the criminal networks that benefit from wildlife trafficking, from killing and then selling parts, whether it is rhino horn or elephant tusk or pangolins—there are many others—are often the exactly the same criminal networks that are involved in trafficking people. And so how could we reinforce those two efforts which at times engage completely separate NGOs but really with the same goal, which is to end grotesque criminal activity that destroys and denigrates wildlife and whole communities and enslaves people?

Ashton, to the first questions about how we might invest more and extend the reach.

Mr. KUTCHER. Sure. So we have two tools that I talked about today that are built and several others that are built and already deployed. As I mentioned, the heavy lifting, to a certain extent, is done.

The key to the ongoing success of the tools is continuing to iterate on those tools and make them better over time. Senator Rubio mentioned BackPage. They shut down one section of their site and another section pops up. It is incumbent upon us having a malleable tool that can effectively work in all markets.

But now that the database is built and the algorithm is built, relative to the contextual understanding of this content, our expansion internationally is relatively simple insomuch as we just need to find the environments that are being utilized for trafficking in those spaces and put them into our engine.

Now the trick, which you alluded to, relative to the limits on that is there are some countries where this platform probably will not work. But it is incumbent upon us to build the next tool that will work there. You know, a lot of this trafficking and the exchange—

the advertisement of sex slavery happens online. In some sense there is a benefit to that—right—because in some ways it can be tracked, but building the tool relative to that specific market is not trivial.

We are currently working with international partners. Canada is using our Spotlight tool. We are talking to the UK about using our Spotlight tool. We think it will be very effective in those markets. And our Solace Dark Web tool is being used in international spaces I will just say by several people and has proven to be very effective because the same Dark Web tool, TOR, which was created by the Naval Research Lab, is the same tool that is used internationally. So really just training our database to have an understanding of variable languages and things like that is fully doable.

The limits? The real limit is the fact that we are only sitting at the identification barrier. Right? That is the limit. We can identify these people. I can identify all the people in the world. Right? But if we do not have the right resources on the inbound side and on the outbound side, it is just going to be a cycle. I think having a holistic understanding of the issue and approaching it from that perspective is essential to actually solving the problem.

And relative to the wildlife piece, definitely on the Dark Web, our tool could be repurposed for specifically that. If somebody was so interested and passionate about that issue in the same way as I am passionate about solving sex trafficking, our tool could essentially be repurposed for something like that if need be.

Senator COONS. That is an intriguing conversation I would love to follow up on.

Ms. Massimino?

Ms. MASSIMINO. So I think the big picture issue here is around the risk/reward equation. You know, how do you keep people from going into the business of exploiting others through slavery? And right now, this is, as I said, a very low risk enterprise for the bad guys and high reward. So how to flip that? You have to increase the risk. That includes through law enforcement, through reputational and other damage to companies that do not do a good job of getting rid of slavery in their supply chain, and decrease the reward. So we have to tackle both sides of that.

And as you keep hearing, some of the pieces of this problem really can be solved or significantly advanced through increased resources. So on the close-to-home kind of perspective, in the TVPRA reauthorization, for example, it would be really good to have designated human trafficking prosecutors. You know, there were only 297 of these prosecutions last year. If there were a provision that authorized human trafficking prosecutors in key U.S. attorneys' offices, I think that number would go up, and they could be responsible, kind of the hub, the point person for cultivating the relationships with all the different agencies that deal with this. We have seen jurisdictions with that type of collaboration increase their cases filed by 119 percent and defendants charged up by 86 percent. So some of this really is a resource question.

You know, I mentioned the federal acquisition regulations, again another, like the Tariff Act, potentially transformational change in the way we do business—we, the United States, do business. I think if we were to fully implement those regulations—we need to

authorize human trafficking compliance advisors in the counsels' offices of all these agencies, DOD, Labor, GSA, all of these places, who would work with the contracting officers and make sure that this is really being taken seriously. So there is a lot of potential here right now that is not being fully implemented, and with congressional oversight and attention on all of those—you all started a lot of that. Now to follow it through making sure it is fully implemented, I think those could be transformational.

Senator COONS. Ms. Massimino and Mr. Kutcher, to you and your organizations and everybody who supports them and volunteers with them, I will just close by saying sexual slavery, human trafficking is some of the darkest activity that happens in the world. It thrives in dark places. It feeds on dark aspects of human nature. And I am really grateful for your work and, Mr. Chairman, for your leadership in shining light on this problem and on bringing to all of us not just hope but confidence that we can solve this, we can address this by appealing to the light within all of us and by coming together in a way that actually brings light to this darkest of subjects. Thank you for your work.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much for your leadership on this issue and so many others.

I know that we have got a meeting after this to build on this and look at some of the tools in private that are being utilized. But I want to thank you both for outstanding testimony, for committing your lives to this issue, for being examples and bringing notoriety, bringing awareness, if you will, to this issue that plagues us all.

There will be some follow-up questions. I know you have got a couple of day jobs and you do too, but there may be some follow-up questions afterwards. And we will try to keep those to a minimum, knowing that you have got other things that you do in life.

But this has been an outstanding hearing. We apologize for—there is a lot happening up here on the Hill, as you know and has been reported, and it is taking people in a lot of different directions right now. But this has been a very impactful hearing, and we look forward to building upon it.

One of the things that I do wish we could have touched more on is—I know you alluded to this, Ashton, but the sexual piece and the day labor piece—there are lot of differences that exist too and just some of the cultures that we deal with in other parts of the world and the collection of passports. I know when we visit countries now, it is one of the first things that we bring up. I am heading to that part of the world this weekend, but there are cultural aspects that are barriers. And people again unwittingly think they are going to a country for a particular job for a period of time and end up being entrapped there. And so there may be some questions in that regard too.

But, again, the lives that you are leading and the example that you are setting for us, your willingness to come here and go right back to other work is deeply appreciated. I do not know if either one of you—this is a rather informal hearing—wish to say anything in closing, but you are welcome to if you wish.

Mr. KUTCHER. I would just like to say thank you. As I mentioned before, this is one of the greatest honors of my life. And I know the

work that you all do is rife with conflict and headlines that dominate your time and pull you in directions that oftentimes you do not even want to go. But if we really care about ending slavery, if we really care about doing the right thing here, we will realize that there will be negative repercussions of our actions.

And I think the biggest thing that I got out of being here today—I got reminded of a story a friend of mine told me about a rabbi named Hillel who was asked to explain the Torah while standing on one leg. And he said love thy neighbor as thyself. Everything else is just commentary.

The CHAIRMAN. Elisa?

Ms. MASSIMINO. Thank you. Well, I also want to say thank you so much to you in particular, Mr. Chairman, who have really have put this issue on the map in the United States Congress in a way that it has never been before and now using that awareness, that growing awareness that we all have to end modern slavery.

I think it was Senator McCain who said this is not a pretty topic and a lot of people, particularly Americans, do not like to think about it, do not want to talk about it and would rather pretend that it does not exist and particularly do not want to see the ways in which we are all complicit in this problem. So you have made that harder for people, and I want to thank you and all the members of the committee who have done so much to make people uncomfortable about this issue. And that is where it starts. So thank you very much.

The CHAIRMAN. Thank you both. You have been outstanding.

We are going to walk across the hall I think and view how some of this that you have developed works so well. We thank you for that.

The meeting is adjourned.

[Whereupon, at 11:52 a.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

RESPONSES OF ELISA MASSIMINO TO QUESTIONS SUBMITTED BY SENATOR EDWARD J. MARKEY

Funding Restrictions in Tier 3 and Child Soldier-Using Countries

Question. We have laws about restricting funding to countries that are either Tier 3 or that are known to recruit or use child soldiers. However, there are serious questions about the effectiveness of these laws, given that provisions through which the President can waive such restrictions. During the Obama administration such waivers were given to multiple countries known to use or recruit child soldiers including Burma, the Democratic Republic of Congo, Iraq, Nigeria, Rwanda, Somalia, South Sudan, and Yemen. From your perspective how do such waivers effect the will of governments to enforce laws against Trafficking in Persons?

Answer. Routinely waiving these restrictions undermines the ability of the United States to pressure governments into prioritizing the fight against human trafficking and child exploitation. Much like questions about the objectivity of the TIP report rankings, overuse of the national interest waiver weakens American credibility in demanding action.

When our government raises the ranking of a country from Tier 3, unjustifiably and without evidence of significant efforts to eradicate modern slavery, it renders prohibitions virtually meaningless, not only in that country, but across the globe. Failing to follow through on restrictions against countries that are ranked Tier 3 or that use child soldiers sets a stage for all countries to disregard U.S. prohibitions and sanctions in favor of what is easier—continuation of profitable and exploitative practices.

If the United States is to be successful in the fight against modern slavery and the exploitation of children, it must be credible and consistent. But that is not happening. For example, approximately 17,000 children have been recruited to fight in South Sudan since the conflict there began in 2013. However, our government has withheld only about four percent of all taxpayer-funded military aid to countries like South Sudan during that time. Waiving these restrictions leaves vulnerable populations open to exploitation and undermines the U.S. government's power to promote better anti-trafficking policies in countries where there is forced labor and where children are forced to take up arms.

Question. A year ago, there were only 23 countries on Tier 3. Now there are 27. How can we encourage states to move out of Tier 3?

Answer. Encouraging states to take the steps that would move them out of Tier 3 will require collaboration and strong leadership from the United States.

Effectively implementing programs and providing grants, such as the recently passed End Modern Slavery Initiative, are key to encouraging this movement. Programs that leverage funding from other governments to invest alongside the United States in anti-trafficking programs will help target specific geographic regions and gain buy-in from foreign governments. To promote better policies, programs like this one take a multi-stakeholder approach involving civil society organizations, governments and the private sector all working together to identify victims, prevent future enslavement, and increase law enforcement efforts.

In addition to promoting American leadership and funding to encourage states to raise the issue of trafficking, we should leverage bilateral agreements to increase information sharing about best practices and resources to combat trafficking. The United States should use its diplomatic relationships as the basis for raising awareness of the problem of modern slavery, and work with diplomatic partners to address the specific trafficking concerns in their regions. Raising modern slavery as a key issue in these important conversations—including in trade negotiations—will encourage states to adopt more stringent laws and policies.

Fishing Industry and TPP

Question. The Trans-Pacific Partnership agreement contained a provision that required member states to provide fishing subsidies to reduce overfishing and to agree to cooperative measures designed to reduce IUU fishing. The U.S. International Trade Commission n, in its report on the expected effects of the TPP, predicted that "the United States needs to help other TPP parties to build enforcement capacity."[1] With the demise of the TPP, what are other ways the US can influence the fishing industry to stop using what is essentially slave labor to obtain and process seafood?

Answer. The United States already has laws in place that could be leveraged to encourage better practices in the fishing industry, but we need to better enforce these to see their success. In February 2016, Congress amended Section 307 of the Tariff Act to eliminate the consumptive demand loophole, a broad exception that allowed goods made with forced labor to be imported if the demand in the United States exceeded domestic production capacity. Now, the Department of Homeland Security Customs and Border Protection (CBP) is tasked with investigating allegations of forced labor in the manufacture or production of goods imported into the United States.

The United States imports over $1 billion worth of seafood from Thailand, so enforcing this law could have a significant impact on seafood industry labor practices. To establish accountability and ensure that the civil ban is being fully enforced, Congress should insist that CBP report on their enforcement activities. CBP should report not only on the merchandise denied entry, but on the number of petitions filed which allege forced labor and the result of those petitions. This report is required by statute; the first report was due in August 2016, but CBP failed to submit it.

Question. With the collapse of TPP, many observers predict that China could have a greater opportunity to influence the rules of international trade in Asia, including on issues like labor standards. How do you think this would affect efforts to combat modern slavery in the seafood industry?

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[1] https://www.usitc.gov/publications/332/pub4607.pdf.

Answer. Enforcing the Tariff Act will help ensure that seafood caught with slave labor does not find its way into American markets. But unfortunately, no other country has a similar law. The U.S. government should leverage its bilateral relationships to encourage other countries to follow its lead, so that if a shipment of goods is turned away from the U.S. border because it was made with forced labor, there won't be another market easily available. If all countries banned the import of goods made with forced labor, this collaborative approach would encourage countries to strengthen labor standards. A cooperative global response could have the negative economic effects needed to counter any influence that China stands to gain.

STATEMENT OF PRINCIPLES ON AMERICA'S COMMITMENT TO REFUGEES
SUBMITTED FOR THE RECORD BY ELISA MASSIMINO

STATEMENT OF PRINCIPLES ON AMERICA'S COMMITMENT TO REFUGEES

The world today is gripped by the worst refugee crisis since World War II. Some sixty million people - half of them children - have fled persecution and violence, the highest number ever recorded. From Syria to Burma to Eritrea, desperate people are seeking freedom from brutal regimes, lawless militias, and genocidal terrorist groups. Thousands have died trying to find safety and millions are struggling to survive.

The United States has long been a refuge for those seeking safety and freedom, and for a simple reason: Americans believe their compassion and openness are sources not of weakness but strength. The demonstration of these qualities accords with the core ideals on which our nation was founded, and on which our greatness rests. For more than two centuries, the idea of America has pulled toward our shores those seeking liberty, and it has ensured that they arrive in the open arms of our citizens. That is why the Statue of Liberty welcomes the world's "huddled masses yearning to breathe free," and why President Reagan stressed the United States as "a magnet for all who must have freedom, for all the pilgrims from all the lost places who are hurtling through the darkness."

Today there are many hurtling through that darkness.

Yet despite America's role as the global leader in resettling refugees, many voices call for closed doors rather than open arms. To give in to such impulses would represent a mistake of historic proportions. Now is the time for the United States to reaffirm its commitment to protecting refugees.

Americans are rightly concerned not only for the security of refugees but their own as well. For this reason, refugees are vetted more thoroughly than any other category of traveler seeking to arrive in the United States. The security process includes screenings by national and international intelligence agencies, fingerprint and other biometric data checks against terrorist and criminal databases, and multiple rounds of interviews.

As we ensure the safety of our own citizens, we should recognize that refugees serve as a source of national renewal. Fleeing horrors today, they will tomorrow emerge as patriotic citizens who give back to the country that welcomed them in their time of desperation. And accepting refugees demonstrates, at a time when it is so sorely needed, that America leads the world in marching toward a better future.

We believe:

- The United States should provide refuge to those fleeing violence and persecution, consistent with our nation's founding ideals.
- Accepting refugees, and encouraging other countries to do so, advances U.S. interests by supporting the stability of our allies struggling to host large numbers on their own.
- Welcoming refugees, regardless of their religion or race, exposes the falseness of terrorist propaganda and counters the warped vision of extremists.
- The United States must not abandon those targeted by terrorists because they worked with American troops and diplomats in support of our missions in Iraq and Afghanistan.
- Religious bans and tests are un-American and have no place in our immigration and refugee policies.
- American leadership is essential in addressing the global refugee crisis.

Sincerely,

(Names in alphabetical order)

Madeleine K. Albright
Former Secretary of State

William J. Burns
Former Deputy Secretary of State

Michael Chertoff
Former Secretary of Homeland Security

Derek Chollet
Former Assistant Secretary of Defense for International Security Affairs

Henry Cisneros
Former Secretary of Housing and Urban Development

William S. Cohen
Former Secretary of Defense and U.S. Senator

Ryan C. Crocker
Former U.S. Ambassador to Afghanistan, Iraq, Pakistan, Syria, Kuwait, and Lebanon

Tom Daschle
Former U.S. Senator

Michele A. Flournoy
Former Under Secretary of Defense for Policy

Richard Fontaine
President, Center for a New American Security

Robert S. Ford
Former Ambassador to Syria and Algeria

Stephen J. Hadley
Former National Security Advisor to President George W. Bush

Chuck Hagel
Former Secretary of Defense and U.S. Senator

General Michael V. Hayden, U.S. Air Force, (Ret.)
Former Director, Central Intelligence Agency

Fred C. Hof
Former U.S. Ambassador & Special Advisor for transition in Syria

Robert Kagan
Co-Founder, Project for the New American Century

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Former Assistant Secretary of State for Democracy, Human Rights, and Labor

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Leon E. Panetta
Former Secretary of Defense and Director, Central Intelligence Agency

William J. Perry
Former Secretary of Defense

Thomas R. Pickering
Former Undersecretary of State for Political Affairs

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Former Deputy Director for Policy Planning, U.S. State Department

Randy Scheunemann
Former Director, Project for the New American Century

Eric Schwartz
Former Assistant Secretary of State for Population, Refugees, and Migration

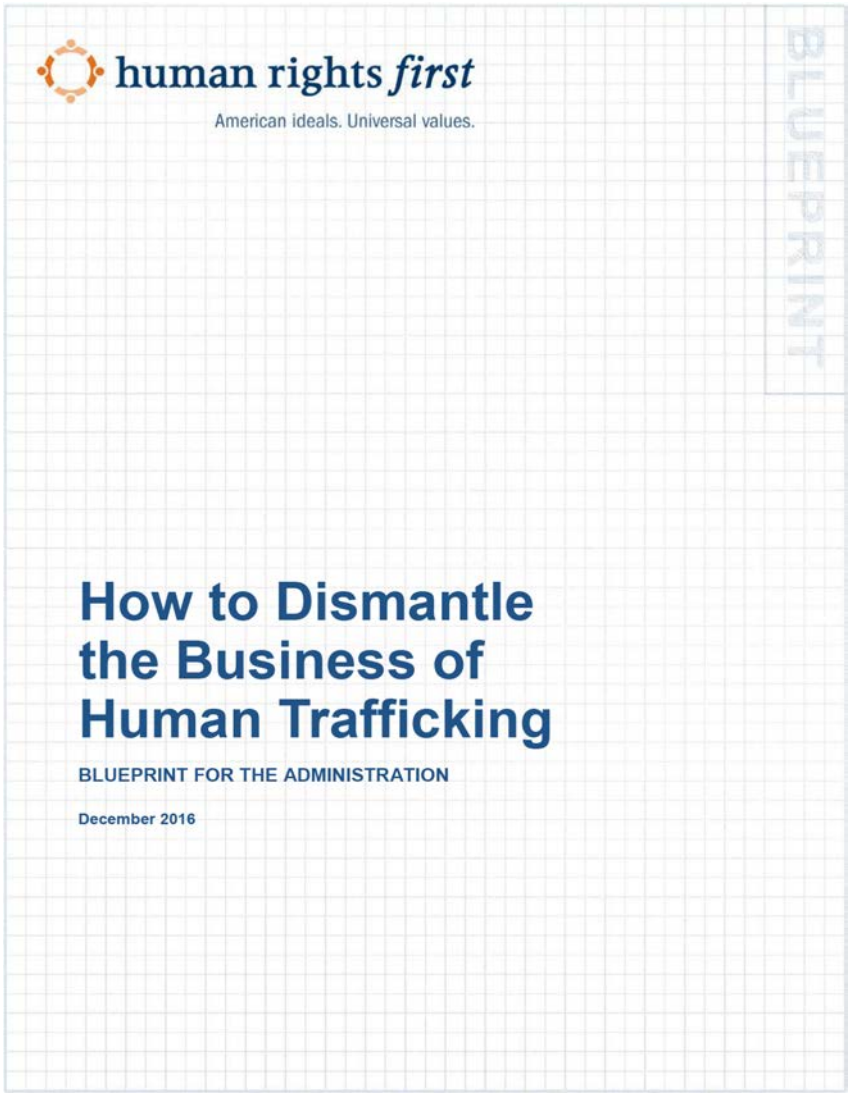
John Shattuck
Former Assistance Secretary of State for Democracy, Human Rights and Labor and U.S. Ambassador to Czech Republic

Admiral James G. Stavridis, U.S. Navy (Ret.)
Former NATO Supreme Allied Commander
Former Commander, U.S. Southern Command

Frances F. Townsend
Former Homeland Security Advisor to President George W. Bush

Paul D. Wolfowitz
Former Deputy Secretary of Defense

HUMAN RIGHTS FIRST SUBMITTED FOR THE RECORD
BY SENATOR ROBERT MENENDEZ



Human Rights First

American ideals. Universal values.

On human rights, the United States must be a beacon. Activists fighting for freedom around the globe continue to look to us for inspiration and count on us for support. Upholding human rights is not only a moral obligation; it's a vital national interest. America is strongest when our policies and actions match our values.

Human Rights First is an independent advocacy and action organization that challenges America to live up to its ideals. We believe American leadership is essential in the struggle for human rights so we press the U.S. government and private companies to respect human rights and the rule of law. When they don't, we step in to demand reform, accountability and justice. Around the world, we work where we can best harness American influence to secure core freedoms.

We know that it is not enough to expose and protest injustice, so we create the political environment and policy solutions necessary to ensure consistent respect for human rights. Whether we are protecting refugees, combating torture, or defending persecuted minorities, we focus not on making a point, but on making a difference. For over 30 years, we've built bipartisan coalitions and teamed up with frontline activists and lawyers to tackle issues that demand American leadership.

Human Rights First is a nonprofit, nonpartisan international human rights organization based in New York and Washington D.C. To maintain our independence, we accept no government funding.

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"As I have seen firsthand, the stark reality of modern slavery is unconscionable, demanding the United States and civilized world make a commitment to end it for good."

Senator Bob Corker
February 24, 2015

Introduction

The United States abolished slavery with the ratification of the 13th Amendment over 150 years ago. Yet according to the International Labor Organization, there are still more than 20 million slaves around the world today—about double the number of people in bondage during the transatlantic slave trade.

The United States continues to be both a source and destination country for human trafficking victims. Traffickers earn an estimated $150 billion annually in illicit profits, while NGOs and governments worldwide spend about $124 million annually to combat this crime. Meanwhile, American workers are forced to compete against free labor, as companies take advantage of the global failure to enforce anti-slavery laws.

To thwart the national security threats posed by human trafficking, the Bush and Obama Administrations supported anti-trafficking legislation, increased funding for anti-trafficking programs, and focused on addressing slavery both here at home and around the world.

Increasingly, organized crime rings and international terror organizations traffic in human beings to accumulate wealth and power. Trafficking is a lucrative crime that undermines government rule of law. A continued commitment to addressing slavery will help eliminate the national security risks associated with corruption, terrorism, and organized crime.

Traffickers utilize modern day slavery to exploit global markets and undermine the stability of free markets. As the largest single purchaser of goods and services in the world, the U.S. government is in the position to protect world markets and can do extensive work to stop enabling slavery.

The United States has a zero-tolerance policy regarding trafficking and government employees and contractors engaging in any form of it. This policy sets the stage to continue strengthening protections for trafficked persons and continue ensuring American tax dollars are not given to federal contractors that enslave people. Keeping slavery out of the supply chains of companies that sell goods in the United States helps us to protect vulnerable individuals and protect the integrity of workers, businesses, and international markets.

White House Recommendations

To stop traffickers from exploiting new victims, the U.S. government must be strategic about deploying its limited resources. **The best way to do this is for the White House to appoint a Senior Advisor to coordinate a national strategy to guide the U.S. government's response to human trafficking, both at home and abroad**. A White House Senior Advisor should be responsible for coordinating the development and implementation of a comprehensive strategy focused on holding traffickers accountable for their crimes while drying up the profits that drive them.

The State Department Office to Monitor and Combat Trafficking in Persons currently manages the President's Interagency Task Force, the cabinet level interagency working group, and the Senior Policy Operating Group (SPOG), the senior staff level interagency working group. When these groups were created, the U.S. government was focused almost exclusively on combating trafficking overseas, but now, fifteen years later, the

federal government spends equal amounts on domestic and international programs. It is therefore **essential to centralize these efforts under a Senior Advisor with a broader view who is responsible for implementing a government-wide strategy that addresses both domestic and foreign slavery.**

In this role, the White House Senior Advisor should:

Prioritize Human Trafficking in Diplomatic Engagements

For this effort to have any real impact, fighting slavery must be a priority at the highest levels of the administration and an important factor in all bilateral and multilateral relationships. A White House Senior Advisor on human trafficking should be at the table for diplomatic strategy and policy development meetings to ensure the United States is using every opportunity to leverage its influence and relationships—such as potential trade deals—to persuade other countries to significantly boost their efforts to combat trafficking. The Senior Advisor would also be responsible for promoting an international discussion of best practices for eliminating trafficking around the world.

Share Data and Information

U.S. government efforts to combat human trafficking would benefit from a centralized office to collect data as well as to share best practices. Existing statistics and figures are often speculative, with varying organizations and agencies conducting isolated research and data collection, which often lack transparency. The White House Senior Advisor should encourage effective information-sharing and collaboration to effectively address the problem of human trafficking.

Continue Survivor Engagement

The U.S. Advisory Council on Human Trafficking launched in January 2016 and is comprised entirely of survivors to provide counsel on federal anti-trafficking policies and programs, including advising the President's Interagency Task Force as well as the SPOG. Engagement with this group is critical to informing both domestic and international efforts to combat trafficking. This **council should therefore be coordinated by the White House Senior Advisor.**

Establish Anti-Trafficking Compliance Advisors

The U.S. government must enforce Title XVII of the National Defense Authorization Act of 2013 and Executive Order 13627, which require U.S. government contractors with contracts exceeding $500,000 to have compliance plans protecting vulnerable workers from being trafficked. The Federal Acquisition Regulations released new rules on January 29, 2015 and contractors have been responsible for implementing these changes since March 2, 2015 when the rules went into effect.

The White House Senior Advisor should appoint a senior level staff person within key agencies (e.g. Department of Defense, Department of State, and USAID) to support procurement officials on how to best implement these regulations, as well as to provide high-level oversight and monitoring. These advisors should be managed within the Procurement Working Group of the SPOG and be coordinated by the White House Senior Advisor.

Office of Management and Budget

The State Department's most recent annual Trafficking in Persons report shows there were 6,609 convictions globally and only 297 convictions for human trafficking here in the United States in 2015. When compared to the estimated 20.9 million victims enslaved globally, it's clear that most traffickers operate with relative impunity.

It is essential to increase the legal risks to traffickers if the U.S. government is going to begin to make a dent in this problem. As things stand now, every victim rescued—a vital part of government efforts—is simply replaced with a new victim. Increasing accountability is an essential element to disincentivizing perpetrators and slowing the growth of this crime.

Increase Funding for the Human Trafficking Prosecution Unit

Within the Department of Justice's (DOJ) Civil Rights Division, the Human Trafficking Prosecution Unit (HTPU) has seen a 62 percent increase in cases filed in the last five years (FY 2011-2015) over the previous five years (FY 2006-2010). Despite this significant increase in case load, funding for HTPU has remained stagnant at only $5.3 million since FY 2010.

- Based on the number of victims provided with services last year, HTPU needs an increase of $6.881 million to keep pace with the increasing workload and to ensure that the office can take on more complex cases. With an increase of $6.881 million (up to $12.181 million total) in funding, HTPU could hire an additional forty-seven attorneys, which could increase the number of trafficking cases filed by 37 percent and the number of trafficking defendants charged by 73 percent based on the estimates in the FY 2015 DOJ Congressional Budget Justification.

Increase Funding for DOJ's Civil Rights Division's Anti-trafficking Efforts

- Just four percent of DOJ's human trafficking caseload last year were labor trafficking cases, while labor trafficking represented 49 percent of DOJ's human trafficking caseload in 2009. There has been a steady decline in the number of labor trafficking cases filed, in part because prosecutors are overwhelmed by their current trafficking caseloads and are unable to prioritize labor trafficking cases. This is partially because labor cases usually take longer to investigate and prosecute than sex trafficking cases and require more coordination between agencies. **Providing designated human trafficking prosecutors in each U.S. Attorney's Office across the country, with training specific to both sex and labor trafficking, would ensure dedicated attention and expertise is brought to these cases, increasing accountability for traffickers that are enslaving workers across the United States.** OMB should increase funding by $13.6 million for the U.S. Attorney's offices to support specialized prosecutors and training in human trafficking, and necessary support staff, in each of the 93 districts.

FAR Regulations Amendment

The Federal Acquisition Regulations at 48 CFR Part 22, Subpart 22.17, Combating Trafficking in Persons, and the associated clause at 48 CFR 52.222-50 that were added as a result of Executive Order 13627, ban the use of

recruitment fees in federal contracting and sub-contracting in order to protect vulnerable workers from unscrupulous labor recruiters. However, the definition of a recruitment fee remains unclear, making this provision difficult for contractors to implement and challenging for the U.S. government to enforce.

- OMB should adopt the broadest definition of a recruitment fee—including anything of value—to ensure that all federal contracts are free of this unscrupulous labor practice, which frequently leads to a form of indentured servitude.

U.S. Trade Representative

- The United States, the world's largest importer, brings in over $2 trillion worth of goods each year, made with labor from every part of the globe. That fact makes the United States one of the most coveted trade partners worldwide and **presents a powerful opportunity for the United States to leverage trade relationships to press partner nations to meet human rights benchmarks**, including the promotion of stronger international efforts to combat modern slavery. These efforts would be a powerful tool in protecting vulnerable workers, reducing trafficking, and creating a level playing field for U.S. workers. They would also be a boon to responsible companies that are working hard to eliminate forced labor in their supply chains.
- The U.S. government should increase monitoring and enforcement efforts to ensure U.S. trade partners are upholding agreed-upon labor standards and robustly pursuing efforts to combat trafficking in their countries.
- The U.S. government should ensure that strong labor protections, anti-trafficking measures, and enforcement efforts are included in any future trade agreements.
- The U.S. government should not enter or expedite any trade relationship with countries that fail to meet minimum standards in their efforts to combat trafficking as reflected by a Tier 3 ranking in the Department of State's annual Trafficking in Persons (TIP) report.

Agency Recommendations

Recommendations for the U.S. Department of Homeland Security

In 1930, the United States banned the import of goods produced with forced labor; however, the statute included an exemption for goods where the demand domestically exceeded the production. As a result, the United States currently imports **over $100 billion worth of goods that are likely made with forced or child labor,** based on USTR import data and the DOL List of Goods Produced with Child or Forced Labor.

This exemption, commonly known as the "consumptive demand loophole," was closed in February 2016 with the enactment of legislation that amended the Tariff Act. With the loophole in place, enforcement of the ban on importing goods made with forced labor was almost non-existent. In the past eighty-five years, Customs and Border Protection (CBP) has taken just 41 enforcement actions, issued only six detention orders and two findings. Closing the loophole provides a critical opportunity for the United States to ensure it is no longer supporting slave

labor by robustly enforcing this ban on foreign goods made with slave labor.

- To begin enforcing the Tariff Act, as amended, CBP should self-initiate investigations of goods imported that are suspected of being produced with forced labor.
- CBP should be more transparent about the enforcement actions that it is taking, including disclosing the number of petitions filed with CBP, how many of those petitions resulted in investigations, Withhold Release Orders issued, findings, and any criminal prosecutions and convictions related to activities prohibited under Section 307 of the Tariff Act.
- CBP should continue and expand ongoing consultations with industry and civil society members to ensure that this new provision is adequately enforced and forced labor imports no longer find their way into American markets.

Recommendations for the U.S. Department of Justice

Sixty-eight percent of the estimated 20.9 million victims worldwide are labor trafficking victims. However, the 2016 State Department TIP report states that of the 6,609 trafficking-related convictions in 2015, only seven percent (456) were labor trafficking cases.

The U.S. Department of Justice (DOJ) reported 297 convictions in the United States in 2015, two percent of which were labor trafficking cases. There has been a steady decline since 2009 **when labor trafficking cases constituted 49 percent of the DOJ's human trafficking prosecutions.**

Increasing Prosecutions

Prosecutors are overwhelmed by the amount of human trafficking cases they confront. The U.S. government needs to commit more resources to law enforcement and to strategies that have proven effective in prosecuting this crime.

Anti-trafficking Coordination Teams (ACTeams) comprised of representatives of the DOJ, the Department of Homeland Security (DHS), and the Department of Labor (DOL) have successfully built interagency coordination on anti-trafficking cases that take a proactive approach to investigations.

These teams were piloted in six districts from 2012-2013, which saw a 119 percent increase in cases filed, compared to only an 18 percent increase outside of ACTeam districts during the same period. Similarly, human trafficking defendants increased by 86 percent in ACTeam districts compared to only a 14 percent increase outside of ACTeam districts. DOJ, DHS, and DOL launched phase II last June and added six additional teams.

These teams have been successful in part because of the increased interagency coordination and in part because they are designed to proactively investigate cases.

Additionally, the DOJ funds Enhanced Collaborative Model Task Forces which take a comprehensive and proactive role in investigating cases of human trafficking through a multi-disciplinary approach linking law enforcement and NGO partners from local, state, tribal, and federal levels. Trafficking is a complex crime that is not widely understood at all levels of law enforcement and this coordination goes a long way towards improving the success of investigations and prosecutions in specific jurisdictions. Federal funding is key to

ensuring cooperation amongst all relevant agencies as well as consistent data reporting.

- DOJ should designate human trafficking prosecutors with specialized training in investigating and prosecuting labor trafficking to ensure dedicated attention to forced labor cases in the 93 U.S. Attorney's offices across the country.
- DOJ should expand collaboration between federal agencies in key districts similar to the ACTeams initiative, as well as between federal and local law enforcement similar to the Enhanced Collaborative Model Task Forces to increase coordination across the country. These partnerships require resources and training so that prosecutors and law enforcement at all levels can work together along with service providers to ensure successful prosecutions that bring traffickers to account.

Mandating Training

In order to achieve consistent investigations and prosecutions of human trafficking cases, law enforcement, prosecutors, and judges must fully understand the nature of this crime, victim needs, and the applicable law. The Justice Department should also enhance understanding of civil labor law addressing a broader array of worker exploitation practices, which share common root causes with labor trafficking, and may, in some cases, lead to trafficking.

- The U.S. government should continue providing and expand training for law enforcement, prosecutors, and judges. Training is especially needed for labor trafficking, as there is less understanding about how to recognize, investigate, and prosecute this crime.

Victim-Centered Approach

Law enforcement investigations strongly rely upon the testimony of trafficked victims to secure evidence against traffickers. Trafficking victims have often been traumatized and mistrust authorities, and are therefore frequently reluctant to cooperate with investigators and participate in prosecutions.

- To gain trust, ensure trafficked persons' protection, and prevent further traumatization, all law enforcement and criminal justice procedures should follow a victim-centered approach that prioritizes victims' needs. This not only helps victims but encourages them to help investigators and prosecutors.

Recommendations for the U.S. Department of State

Combating trafficking should be a priority of U.S. diplomacy that is not superseded by other U.S. economic, political, and security interests in foreign relations. It should always be treated as an essential issue to be addressed in bilateral and multilateral discussions. The U.S. government should also engage the expertise of private sector companies with global supply chains to work together to develop technologies for monitoring supply chains for forced labor and to work with other governments to create sustainable supply chain solutions.

The State Department's TIP report, which ranks a nation's efforts to combat human trafficking, is an important diplomatic tool in pressing all countries to adopt robust measures against modern slavery. The TIP report is only useful, however, if its report on a country's progress is not compromised by U.S. diplomatic interests unrelated to trafficking, which in the past have reportedly inflated rankings for some countries.

The State Department needs to make sure that the TIP report is objectively reporting on actual trafficking conditions and anti-trafficking efforts, and is not compromised by other interests.

To ensure credibility in the rankings, the State Department should increase transparency in how it determines the rankings for each country.■