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DEAN, NEW JERSEY DELEGATION

Combating Human Trafficking
It's Everyone's Business

U.S. Rep. Chris Smith (NJ-04)
Author of the landmark Trafficking Victims Protection Act of 2000
Chairman of the Congressional Human Trafficking Caucus
Heritage Foundation's "Combating Human Trafficking" Event
March 3, 2015

In January of 2000, I received actionable information that eight Ukrainian women were being exploited by sex traffickers in two bars in Montenegro. The women had been lured there with promises of legitimate work, then forced into prostitution. One desperate victim, however, called her mother for help using the phone of one of the men exploiting her.

When informed, I immediately called the Prime Minister of Montenegro, Filip Vujanovic, who personally ordered an immediate raid on the bar. As a result, seven of the eight women were rescued and returned to their families in Ukraine. Tragically, the eighth woman was trafficked to Albania prior to the raid.

Combating modern-day slavery is everybody's business. We are all in this together. Cooperation and coordination are key to mitigating—and someday ending—the cruelty of human trafficking. Best practices need to be shared and implemented to the widest extent possible. As with the rescue of the Ukrainian women, actionable information needs to be acted upon without hesitation or delay.

Significant progress has been made since I authored landmark legislation—the Trafficking Victim's Protection Act of 2000 (TVPA)—to combat sex and labor trafficking in the United States and globally.

Though seldom remembered today, significant portions of the TVPA were strongly opposed by the Clinton Administration, including targeted country-specific sanctions, the tier system, expanded reporting requirements—the Trafficking In Persons (TIP) Report—and the TIP office itself.

Eventually, we overcame those and other objections.

The Trafficking Victims Protection Act of 2000 launched a bold strategy that included sheltering, political asylum, and other protections for the victims; long jail sentences and asset confiscation for the traffickers; and tough sanctions for governments that failed to meet minimum standards prescribed in the TVPA.

In 2002, I asked the Department of Defense Inspector General (IG) to conduct a worldwide assessment of U.S. military complicity with trafficking with a particular focus on Bosnia and South Korea. The IG audit demonstrated significant abuse of women by service members. In response, President Bush reformed the Uniform Code of Military Justice (UCMJ) to make trafficking and prostitution an actionable offense and initiated best practices, including putting brothels off limits and anti-human trafficking training.

The Defense Department announced in early January that awareness of slavery and human trafficking issues is paying off significantly because of mandatory employee training. Surveys indicate a jump in DOD workforce awareness of slavery and human trafficking issues, from 72 percent in 2008 to nearly 90 percent today. Some 92 percent of service members are now aware of bars placed off-limits because of connection to trafficking and prostitution compared to 52% in 2003.

Today, we need to craft additional tools spearheaded by both the government and the private sector to combat human trafficking. No state or country and few industries are untouched by this pervasive human rights abuse. Traffickers use airlines, trains and buses to move their victims, hotels as a venue to exploit them, and unsuspecting buyers to pay for goods that have been made with raw materials tainted by forced and bonded labor. It is estimated that there are approximately 21 million sex and labor trafficking victims in the world at any given time. Some estimates are far higher.

According to the Polaris Project, the three most commonly cited venues for sex trafficking were: Commercial-Front Brothels, Internet-Based/Online Advertising, or Hotel/Motel-Based commercial sex.

We know that organized crime, street gangs, and pimps have expanded into sex trafficking at an alarming rate. It is an extremely lucrative undertaking: a trafficker can make hundreds of thousands of dollars a year off just one victim. Unlike drugs or weapons, a human being can be held captive and sold into sexual slavery over and over again. Pornography and the devaluation of women is helping drive demand.

The International Labor Organization (ILO) estimates that countries import and export billions of dollars' worth of goods made by labor trafficking victims. Unsuspecting buyers purchase these goods, perpetuating the profits of traffickers and the misery of the victims.

The three most commonly cited industries for labor trafficking according to Polaris Project were: Domestic Work, Door-to-Door Sales Crew, or Restaurant/Food Service.

Of particular interest are the evolving roles of public-private partnerships. In the past few years, several effective initiatives that aim to prevent trafficking and assist victims have been undertaken by the private sector. The Radisson and affiliated chains, as well as Hyatt and Hilton, have taken the lead in developing best practices for the hotel industry, which includes training employees to recognize and report suspicious activities to law enforcement.

Airline Ambassadors, a non-governmental organization, has identified numerous ways to mitigate trafficking on airlines, and some, including Delta and Jet Blue, have actually put them into practice.

While much of the TVPA is permanent law, some provisions have to be periodically reauthorized so in 2003, we began making improvements to the statute. In addition to elevating the TIP Director to Ambassador-at-Large, I included procurement reform to terminate US government contracts to businesses that are found to be complicit in human trafficking.

A further strengthening of those safeguards was contained in the 2013 National Defense Authorization Act.

And beginning yesterday—March 2—new regulations went into effect that will penalize businesses and individuals that:

- Destroy, conceal, remove, confiscate, or otherwise deny an employee access to that employee’s identity or immigration documents without the employee’s consent;
- Fail to abide by any contractual provision to pay return transportation costs upon the end of employment for the purpose of pressuring an employee into continued employment;
- Purchase commercial sex;
- Solicit a person for the purpose of employment, or offers employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment;
- Charge recruited employees unreasonable placement or recruitment fees, or any such fee that violates the laws of the country from which an employee is recruited.

The TIP Report clearly shows the nexus of missing women and girls and the exponential rise of sex trafficking in and to China.

The 2013 TIP Report for example said “The Chinese government’s birth limitation policy and a cultural preference for sons, create a skewed sex ratio of 118 boys to 100 girls in China, which served as a key source of demand for the trafficking of foreign women as brides for Chinese men and forced prostitution.”

In her book, *Unnatural Selection: Choosing Boys Over Girls, and the Consequences of a World Full of Men*, Mara Hvistendahl traces the sordid history of sex-selection abortion as a means of population control and I would add, the consequence of increased sex-trafficking. “By August 1969, when the National Institute of Child Health and Human Development and Population Council convened another workshop on population control, sex selection had become a pet scheme... sex selection, moreover, had the added advantage of reducing the number of potential mothers... if a reliable sex determination technology could be made available to a mass market” there was “rough consensus” that sex selection abortion “would be an effective, uncontroversial and ethical way of reducing the global population.”

Hvistendahl writes that today “there are over 160 million females “missing” from Asia’s population. That’s more than the entire female population of the United States.

In the *Global War Against Baby Girls* renowned AEI demographer Nicholas Eberstadt wrote in *The New Atlantic* last Fall; “over the past three decades the world has come to witness an ominous and entirely new form of gender discrimination: sex-selective feticide, implemented through the practice of surgical abortion with the assistance of information gained through prenatal gender discrimination technology. All around the world, the victims of this new practice are overwhelmingly female—in fact, almost universally female. The practice has become so ruthlessly routine in many contemporary societies that it has impacted their very population structures, warping the balance between male and female births and consequently skewing the sex ratios for the rising generation toward biologically unnatural excess of males.”

The missing women are a key source of demand, and an engraved invitation to traffickers to turn women into commodities for sale.

Finally, in late January, after months of planning, Majority Leader Kevin McCarthy made history by scheduling 12 new bipartisan anti-human trafficking bills for consideration and passage by the House. Speaker Boehner dubbed the week of January 26— “An End to Sex Trafficking.” The Senate is scheduled to take up many of the initiatives soon.

I worked closely with Holly Burkhalter and International Justice Mission (IJM) to craft the Human Trafficking Prioritization Act which among other things elevates the TIP office to a “bureau” with additional gravitas inside the far-too-often adversarial culture of the State Department.

Bills passed the House in January seek to protect runaways, strengthen the child welfare response to trafficking, increase law enforcement resources and criminalize advertising for the commercial exploitation of children.

A bill to educate healthcare professionals on how to assist—and help law enforcement liberate—trafficking victims was propelled by new data showing that most trafficking victims utilize health care while enslaved, including 63 percent, who were taken to a hospital/emergency room. Laura Lederer and Christopher Wetzel’s landmark study found that 88 percent of victims had contact with a health care provider.

A bill I have sponsored for eight years, the International Megan’s Law to Prevent Demand for Child Sex Trafficking, passed for the third time in the House in January. The bill seeks to protect children from child sex tourism by notifying destination countries when convicted pedophiles plan to travel. And to protect American children, the bill encourages the President to use bilateral agreements and assistance to establish reciprocal notification—so that we will know when convicted child-sex offenders are coming here.

I actually got the idea of International Megan’s Law in a conversation with a Trafficking in Person’s delegation from Thailand during a meeting in my office in 2007. I asked what Thai officials would do if we were to notify them of travel by a convicted pedophile. Each of the dozen officials said they would bar entry into their nation of such a predator.

Child predators thrive on secrecy, a secrecy that allows them to commit heinous crimes against children. In 1994, a young girl in my hometown was lured into the home of a convicted pedophile who lived across the street from her. Megan Kanka, seven, was raped and murdered.

No one, including Megan Kanka’s parents, knew that their neighbor had been convicted of child sexual assault. The outrage over this tragedy led to enactment of Megan’s Law—public sex offender registries—in every state in the country.

A deeply-disturbing 2010 report by the Government Accountability Office entitled “Current Situation Results in Thousands of Passports Issued to Registered Sex Offenders” found that at least 4,500 U.S. passports were issued to registered sex offenders in fiscal year 2008 alone.

International Megan’s Law also directs the President to include guidance in diplomacy, training, and technical assistance abroad on how other countries can create their own public or private sex offender registries similar to what we have in the United States—and how they can use these registries to alert the United States when a child—sex offender is intending to travel here.

Israeli Prime Minister Netanyahu warned a Joint Session of Congress—and by extension the world—earlier today of the existential threat posed by a nuclear Iran.

Tens of millions of the most vulnerable in society—especially women and children—face another albeit less visible existential threat to their welfare, well-being and lives, posed by the cruelty of modern day slavery.

By the grace of God we can stop it. We must stop it.