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Hearing on Domestic Minor Sex Trafficking
House Subcommittee on Crime, Terrorism and Homeland Security
Testimony of Rep. Chris Smith (NJ-04)
September 15, 2010

Domestic Minor Sex Trafficking

Good afternoon. I would like to thank the Chairman and the Ranking Member for calling for this extremely important and timely hearing on the trafficking of our very own American children within our very own borders.

In my Trafficking Victims Protection Act of 2000, severe forms of human trafficking was defined to include “sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age.” Any person under the age of 18 and involved in commercial sex acts of any kind is a prima facie trafficking victim.

At the time of the first trafficking law, we had little idea how many domestic victims this would include. The excellent work of Linda Smith of Shared Hope International, here with us today, and researchers at the University of Pennsylvania have numbered domestic trafficking victims at 100,000—and this is the most conservative estimate.

Driven by demand and fueled by the ease and secrecy of the internet, we are facing a crisis of child exploitation in this nation.

The FBI has coordinated the Innocence Lost Initiative with local law enforcement, state prosecutors, and social service providers since 2003 to fight domestic minor sex trafficking. Using this framework, the FBI has conducted at least four Operation Cross Country raids to catch pimps and rescue child victims working the streets, casinos, truck stops, motels, and the internet.

In 2009 alone, Operation Cross Country rescued over one hundred child victims ranging in age from 5 to 17 years old, and caught 124 pimps. Over 1,600 law enforcement officers from 120 federal, state, and local agencies participated. Between June 2003 and October 2009, the Innocence Lost program rescued nearly 900 children.

I heartily applaud the hard work and remarkable coordination of state and federal resources to stop domestic minor sex trafficking. But there is a huge gap in the numbers we rescue versus the estimated 100,000 victims out there.

To win the fight for our children we must wage war on the pimps and hold the johns accountable.

I have a bill sitting in the Senate as we speak, the International Megan's Law, H.R. 5138. We know that sex offenders in the U.S. applied for passports to travel abroad, with over 4,000 receiving passports according to the GAO, and we have no doubt that foreign sex offenders are traveling to the U.S. to exploit American children. This bill would create an alert system so that the U.S. would know when a dangerous sex offender is intending to come to the U.S., empowering law enforcement to protect our children and deny him entry.

Tragically, homegrown demand, enabled by the misuse of the internet drives much of the domestic minor sex trafficking in the U.S.

The internet has opened a whole new front in the war with human trafficking—allowing demand to run free without practical obstacles. We must develop more effective safeguards and enforcement of existing laws to ensure that neither obscenity nor child pornography is protected speech, therefore we must stop the criminal misuse of the internet for human trafficking and child pornography.

Technology can help us, if properly employed. Such mechanisms include common sense measures that help law enforcement and deter traffickers from using social networking sites, Craigslist and adult services sites to sell trafficking victims. We can take action, including: Digital tagging of adult sections of websites; community flagging of website postings reasonably believed to be advertising a trafficking or child pornography victim; use of manual and regularly updated electronic screening for criminal postings; telephone and credit card verification on all posts, which enables the website to block from use a person who has previously posted a trafficking or child pornography victim; trafficking and child pornography reporting hotlines; and an ongoing dialogue with law enforcement.

The Attorney Generals of 43 states tried this approach with Craigslist, but it seemed that Craigslist did not participate at a level that would make the measures effective. Instead, the charge for posting turned into a \$36 million profit for Craigslist, and the selling of young girls continued seemingly unabated.

To its credit, as of September 4th, Craigslist has since blocked the adult services section in the United States. Speech in the form of postings that incite violence against children is not protected speech. It is not censorship to demand an end to such speech.

Craigslist is a community website with a community mission. Taking down an adult services section it could not effectively police was the responsible thing to do for the sake of the children in the community.

American Airlines has show tremendous corporate responsibility, reminding us all that we can each do something to stop trafficking. After a briefing this summer on the use of airlines in trafficking, American Airlines acted quickly and of its own volition to ensure that their flight crews were trained to recognize the signs of human trafficking and respond appropriately—saving lives. In July of this year,

the Parliamentary Assembly of the Organization for Security and Cooperation in Europe (OSCE) accepted my resolution calling on the 56 nations of the OSCE to adopt similar protocols.

Ambassador Mark Lagon is working with Lexis Nexis, which has admirably taken up the cause of coordinating corporate responsibility on all sorts of human trafficking. Business and civil society are starting to the tremendous need. Domestic minor sex trafficking is too big of a problem to be left to the government alone. In the words of Deborah Sigmund of Innocents at risk, we must turn a million eyes on the problem, with each of us doing our part.