

**THE GLOBAL FIGHT TO END  
MODERN SLAVERY**

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**HEARING**

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS  
UNITED STATES SENATE**

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## CONTENTS

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	Page
Corker, Hon. Bob, U.S. Senator From Tennessee .....	1
Menendez, Hon. Robert, U.S. Senator From New Jersey .....	2
Prepared statement .....	3
Richmond, Hon. John Cotton, Ambassador-at-Large, Office to Monitor and Combat Trafficking, U.S. Department of State, Washington, DC .....	4
Prepared statement .....	6
Grant, Natalie, Co-Founder, Hope for Justice, Nashville, Tennessee .....	19
Bader-Blau, Shawna, Executive Director, Solidarity Center, Washington, DC .	21
Prepared statement .....	23
ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD	
Responses of Ambassador John Cotton Richmond to Questions Submitted by Senator Robert Menendez .....	37



## **THE GLOBAL FIGHT TO END MODERN SLAVERY**

**WEDNESDAY, NOVEMBER 28, 2018**

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

The committee met, pursuant to notice, at 9:33 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Bob Corker, chairman of the committee, presiding.

Present: Senators Corker [presiding], Menendez, Risch, Cardin, Shaheen, Coons, Flake, Gardner, Young, Udall, Kaine, and Markey.

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

The CHAIRMAN. The Foreign Relations Committee will come to order. Today we will once again shine a light on the global fight to end modern slavery. This could be my last legislative hearing as chairman, and of all the work that we have done together on this committee, the fight against modern slavery stands out.

I am proud that Senator Menendez and I worked to pass legislation with the entire committee, establishing the global fund to end modern slavery that has finally launched a truly global effort to end it, with major contributions from the United States, the United Kingdom, and now private donors and others. I will say that amount has now reached over \$110 million in a global public-private partnership, something that I think this committee and our country should be very proud of.

All of the senators on this committee have helped to lead this work, and we are hopeful that what we have done will make a big difference in the lives of so many people who suffer in bondage throughout the world.

As I turn the gavel over to my successor here in the next few weeks, I only ask that you all continue to carry on this fight with us and those who are appearing before us today on this committee. And I know John is very committed to this effort, and has been involved personally for many, many years in this same effort.

Our time this morning will be short. We have another commitment at 11:00. I know that Senator Menendez and I both want to be there before it begins for many reasons. And so we probably will cut this hearing a little bit short to make sure that occurs.

We have two distinguished panels. We welcome first Ambassador John Richmond, who was just sworn in by Secretary Pompeo as the new ambassador-at-large to monitor and combat trafficking in per-

sons. Again, we thank you for your commitment to this effort for a lifetime, and what you are bringing to this office.

We are thankful for the important role you will play in continuing U.S. leadership to eliminate slavery wherever it is occurring around the world.

Our second panel, we are pleased to welcome Natalie Grant and Shawna Bader-Blau. As one of our state's most talented singer/songwriters, Natalie needs no introduction, except to say that as part of her personal calling she has been a tireless leader in the battle against modern slavery.

Shawna equally has been a powerful voice for workers' rights, and in the movement to end all forms of modern slavery, especially forced labor. Welcome back, Shawna.

With that, I ask Senator Menendez, my friend, if he wishes to offer any opening comment.

**STATEMENT OF HON. ROBERT MENENDEZ,  
U.S. SENATOR FROM NEW JERSEY**

Senator MENENDEZ. I do, Mr. Chairman. Thank you very much, Mr. Chairman.

Mr. Chairman, since I believe this will be your last hearing, let me thank you for your dedication to this issue. I believe it is a legacy item for you, and fitting and appropriate. I think all of us on the committee recognize that without your clarity of vision about confronting the—that is modern slavery, it would never have received the amount of attention it truly deserves, both in this body, and I believe as a policy initiative of the State Department.

You have been a great partner on this issue. Your leadership will be sorely missed, but we will try to keep the flame burning, as I—

The CHAIRMAN. I have no doubt you will keep a flame burning. [Laughter.]

Senator MENENDEZ. Hopefully, it will not torch anything along the way.

[Laughter.]

Senator MENENDEZ. Okay. This is one of the reasons I am going to miss you.

Human trafficking in the form of sexual exploitation, forced labor, and forced marriage, is a moral stain on our collective conscience, and one of the greatest challenges of our time. The International Labor Organization estimates that as of 2016 over 40 million people were victims of human trafficking around the world, 10 million of whom were children. Despite efforts by the United States, and steadfast and dedicated individuals and organizations exploitation of the less powerful continues.

Forty percent of these victims were subjected to forced labor in the private sector, coerced or threatened into making electronics, clothing, and food that are traded across borders, and end up on store shelves across our country.

An additional 4 million trafficking victims were forced to work by their governments, governments that should be protecting and empowering the most vulnerable members of society, instead of exploiting their sweat and toil.

It is estimated that forced labor alone generates over \$150 billion in profits annually, making it the second largest income source for international criminals, next to the drug trade. Sadly, it still remains far too profitable for traffickers to trap innocent people striving for a better life in labor or sexual exploitation.

Ending modern slavery demands a multifaceted thoughtful response from businesses, foreign governments, and civil society. Ending modern slavery also requires strategic policies from this administration, rather than policies that effectively provide opportunities for traffickers.

President Trump's unconscionable immigration policies, separating children and parents, forcing undocumented workers underground, making victims of violence fearful of law enforcement officials, are putting people at greater risk for abuse, forced labor, and human trafficking.

Many trafficking victims fear that they may be at risk for deportation, even if they are working legally in the United States, are now too frightened to call the police, report labor abuses, or sexual assault, other authorities. Calls to the National Human Trafficking Hotline have fallen.

So these are just some of the issues I look forward to discussing with Ambassador Richmond. I ask that in the interest of time my full statement be included in the record, Mr. Chairman.

[The prepared statement of Senator Menendez follows:]

PREPARED STATEMENT OF SENATOR ROBERT MENENDEZ

I want to thank the Chairman for calling this hearing and for his unending dedication to this important issue. Human trafficking—in the form of sexual exploitation, forced labor, and forced marriage—is a moral stain on our collective conscience and one of the greatest challenges of our time.

The International Labor Organization estimates that as of 2016, over 40 million people were victims of human trafficking around the world—10 million of whom—were children.

Despite efforts by the United States and steadfast and dedicated individuals and organizations, exploitation of the less powerful continues.

Forty percent of these victims were subjected to forced labor in the private sector—coerced or threatened into making the electronics, clothing, and food that are traded across borders and end up on store shelves across our country.

An additional 4 million trafficking victims were forced to work by their governments—governments that should be protecting and empowering the most vulnerable members of society instead of exploiting their sweat and toil.

It is estimated that forced labor alone generates over 150 billion dollars in profits annually . . . making it the second largest income source for international criminals next to the drug trade. Sadly, it still remains far too profitable for traffickers to trap innocent people striving for a better life in labor or sexual exploitation.

Ending modern slavery demands a multi-faceted, thoughtful response from businesses, foreign governments, and civil society. Ending modern slavery also requires strategic policies from this administration, rather than policies that effectively provide opportunities for traffickers.

President Trump's unconscionable immigration policies—separating children and parents . . . forcing undocumented workers underground . . . making victims of violence fearful of law enforcement officers. . . . are putting people at greater risk for abuse, forced labor, and human trafficking.

Many trafficking victims who fear they may be at risk for deportation, even if they are working legally in the U.S., are now too frightened to call the police, or report labor abuses or sexual assault to other authorities. Calls to the National Human Trafficking Hotline have fallen.

The Trump administration's policy on Notices to Appear (NTAs), has made applying for a T-visas too risky for even trafficking victims. We also know from experts that trafficking victims are far less willing to report to law enforcement, terrified by the administration's anti-immigrant rhetoric. Sadly, these policies diminish the

United States and our legal system as exemplars of effectively confronting trafficking around the world.

Ambassador Richmond, we discussed the NTA issue at your confirmation hearing. I look forward to hearing from you today what you have done—or will do—and soon—to address this administration policy that is driving victims of human trafficking further underground. This new policy threatens to undo nearly two decades of anti-trafficking progress in our country.

In confronting global human trafficking, the Trump administration has walked away from a number of vital global commitments, institutions, and initiatives that provide opportunities to effectively counter modern slavery. For example, the Trump administration announced in December 2017 that the U.S. would withdraw from the U.N.-led Global Compact for Safe, Orderly and Regular Migration. The non-binding compact directly addressed ways in which governments can combat modern slavery.

Ending modern slavery demands a multi-faceted response from businesses, foreign governments, and civil society. But there are a few things that we in Congress can do right now.

We must continue to insist that the State Department honestly evaluate government action to combat human trafficking, and I thank the Chairman for working with me to ensure that the rankings determined in the Trafficking in Persons Report are based solely on the facts.

We have to hold businesses accountable when forced labor is discovered in their supply chains. Earlier this month, an investigation published by The Guardian revealed that electronics factories in Malaysia still present signs of labor trafficking, years after these abuses were first uncovered. We owe it to American workers and the victims still toiling in slavery to eradicate abusive labor practices and remove any incentives that encourage forced labor.

We have to be prepared to fight a new front on the war against modern slavery taking place on social media. Last week, press reported that the father of a 16 year-old South Sudanese girl used Facebook to auction off his daughter as a child bride. Although the offending post went live on October 25th, Facebook didn't take action until November 9th, by which time the girl had already been married. Social media firms like Facebook need to be more forthcoming and proactive about stopping trafficking on their platforms.

Finally, but equally as important, we need to raise awareness—with foreign governments, businesses, and the public at large—about the pervasiveness of modern slavery.

This hearing helps raise that awareness . . . With that, I thank the Chairman for calling it, and I thank him for his steadfast commitment to this issue.

And, Mr. Chairman, since I believe this will be your last hearing, let me again thank you for your dedication to this issue. I think we all on the committee recognize that without your clarity of vision about confronting the pure evil that is modern day slavery, it would never have received the amount of attention it truly deserves. Both in this body, and I believe, as a policy and mission of the State Department.

You have been a truly great partner on this issue, and your leadership will be sorely missed.

The CHAIRMAN. Without objection. And thank you so much.

Our first witness is Ambassador John Richmond, our newly sworn-in head of the State Department Trafficking in Persons. You have been introduced now about four times this morning. Again, we thank you for your service, and if you will go ahead with your testimony, we would appreciate it.

**STATEMENT OF HON. JOHN COTTON RICHMOND, AMBASSADOR-AT-LARGE, OFFICE TO MONITOR AND COMBAT TRAFFICKING, U.S. DEPARTMENT OF STATE, WASHINGTON, DC**

Ambassador RICHMOND. Thank you.

Chairman Corker, Ranking Member Menendez, members of the committee, it is my pleasure to appear before you today. I have a tremendous amount of respect for this committee and the work you have done to shine a light on this important issue.

I would also like to thank the two witnesses that will appear on the second panel for their contributions to this movement.



I have only been in my new position for a little over a month, but I am excited about the team at the State Department's expertise, and I have hit the ground running. With that, estimated 24.9 million people trapped in modern slavery around the world today, one could feel paralyzed by the enormity of the crime. But I think it is important to step back and remember how far we have come.

The modern anti-trafficking movement launched globally just 18 years ago, with the passage of the Trafficking Victims Protection Act, followed by the United Nations Palermo Protocol. And as we approach the 20th anniversary, we must recognize the tremendous successes that we have achieved so far.

A hundred seventy-three nations have now ratified the United Nations Palermo Protocol. Government statutes criminalizing human trafficking have increased from just 33 in 2003, to 158 in 2016. Understanding has increased on the importance of victim-centered and trauma-informed approaches, and not punishing trafficking victims for the crimes their traffickers require them to commit.

Finally, the anti-trafficking community itself has grown exponentially. We now see new stakeholders taking action, including survivor leaders, the private sector, investigative journalists, and academics. And in part, due to these achievements, understanding of the realities of trafficking around the world continues to grow, and yet needs continue to outpace the resources.

Traffickers rake in huge profits, while facing little risk of being held accountable. We lack quality data on sector-specific prevalence, and on the impact of the field's anti-trafficking efforts. We lack sufficient global resources to combat this crime. And in many places, governments still lack the capacity and even the political will to combat trafficking effectively.

One critical tool in eliminating these gaps is the effective use of partnerships, known to be a force multiplier in the anti-trafficking field. And the partnership I would like to discuss in detail today is the Executive-Legislative partnership to combat trafficking.

Bipartisan leadership in Congress has played an enormous role in raising the profile of human trafficking, beginning with the passage of the Trafficking Victims Protection Act. And today, our most high-profile and significant programs owe their existence to leaders in Congress who have the vision to see real change.

Let me mention just a few. The Trafficking in Persons report itself, mandated in the original Trafficking Victims Protection Act in 2000, has become a symbol of United States global leadership on trafficking. The recommendations outlined in the report form the backbone of our year-round diplomatic engagement.

And as I understand it, many in Congress use the recommendations to inform their engagement with foreign leaders. This alignment holds great potential for further impact, and I look forward to working with this committee to continuously refine the report's effectiveness as a diplomatic tool.

The United States Advisory Council on human trafficking is another congressionally created initiative that has become integral to anti-trafficking work of the federal government. The council is comprised of survivor leaders appointed by the president, who provide input on federal anti-trafficking policies and programs. And in my

short time at the Department of State, I have already met with the advisory council, and I look forward to their next report.

Another instrumental program is the Child Protection Compact partnerships. Due in large part to the efforts of former Senator Barbara Boxer, this program represents a unique foreign assistance and diplomatic tool that actually requires foreign governments to invest in their own anti-trafficking programs. And to date, the Trafficking in Persons Office has used this program to form partnerships with four governments, Ghana, Jamaica, Peru, and the Philippines, and they are showing positive initial results.

And finally, thanks to the leadership of Chairman Corker and the support of the members of this committee, and the Appropriations Committee, and many others, the program to end modern slavery has been funded with a total of \$75 million to date. And this groundbreaking public-private partnership seeks to pair funding with a metrics-based approach, including extensive monitoring and evaluation, with the goal of measurably reducing the prevalence of human trafficking.

To date, 46 million has been awarded under this program to the Global Fund to End Modern Slavery, and 4 million to the University of Georgia's research foundation. One key component of the program is leveraging additional resources, including 20 million pounds already contributed by the United Kingdom. If executed well, the Program to End Modern Slavery could have a massive measurable impact on this global crime.

And I mention these important initiatives, not just to commend Congress, I mention them to—because they exemplify the potential for progress when the Executive Branch works hand in hand with the Legislative. We are hopeful that lawmakers will continue to make this issue a priority, and to champion it, and to make sure critical resources are available.

I also encourage members to travel, and when you travel to raise the issue of trafficking in persons with your counterparts in other governments. I would like to have an open and regular dialog. In short, I want to be partners with you in this fight, because I am confident that together, through a sustained, focused, and strategic effort, we can stop traffickers, care for survivors, and bring an end to systemic human trafficking.

I look forward to your questions.

[The prepared statement of Ambassador Richmond follows:]

#### PREPARED STATEMENT OF AMBASSADOR RICHMOND

Chairman Corker, Ranking Member Menendez, Members of the Committee, it is a pleasure to appear before you today to speak about the global fight to stop human traffickers and end modern slavery. We in the anti-trafficking community have tremendous respect for this Committee and the work you have done to shine a light on the offence of human trafficking, one of the most compelling human rights and criminal justice issues of our time. I would also like to thank the two witnesses you have invited to testify on the second panel for their contributions to this movement. I am honored to share this platform with them today. I have only been in my new position at the helm of the State Department's Trafficking in Persons Office for a little over a month, but I have to say I am excited by the team's enthusiasm and the challenges ahead, and have hit the ground running.

With an estimated 24.9 million people trapped in modern slavery around the world today, one could feel paralyzed by the enormity of this crime and cynical about the chances for ending it. But, it is important to remember how far we have come. The modern anti-trafficking movement launched globally only 18 years ago

with the adoption of the U.N. Palermo Protocol and the enactment of the United States' Trafficking Victims Protection Act (TVPA). As we approach this movement's 20th anniversary, we must recognize the tremendous successes it has achieved so far:

- 173 parties have ratified the Palermo Protocol.
- The number of governments that have statutes criminalizing human trafficking increased from 33 in 2003 to 158 in 2016.
- Since 2009 human trafficking prosecutions globally have increased 118% and convictions 166%.
- International organizations and regional bodies are developing international norms and policies, and providing technical assistance to governments.
- Understanding has sharply increased regarding the various forms of human trafficking, as well as the importance of victim-centered and trauma-informed approaches, and not punishing trafficking victims for crimes their traffickers forced them to commit.
- Human trafficking, once a stand-alone issue, is now being integrated into other types of policy work, including national security, human rights, violence against women, refugee protection, and business responsibility.
- And, the anti-trafficking community has grown exponentially: we now see new stakeholders taking action including survivor leaders, the private sector, investigative journalists, filmmakers, and academics.

Understanding of the realities of human trafficking around the world continues to grow due, in part, to these achievements, however, needs outpace resources. Traffickers rake in huge profits while facing little risk of the improved laws holding them accountable. Several notable gaps make the challenging task of combating trafficking in persons even more difficult.

Human trafficking is an incredibly difficult crime to measure and many traffickers make it difficult to identify victims. We lack quality data on sector-specific prevalence and on the impact of the field's anti-trafficking efforts. We also lack sufficient global resources dedicated to combating the crime. And, in many places, governments still lack the capacity and even political will to combat trafficking effectively.

One critical tool to eliminating these gaps is an effective use of partnerships focused on achieving specific goals. Such partnerships have shown to be a force multiplier in the antitrafficking field, encouraging the sharing of best practices, leveraging the benefits of comparative advantage, encouraging innovative solutions, and building consensus and momentum.

One notable partnership I would like to discuss in detail today is the executive-legislative partnership to combat trafficking.

Bipartisan leadership in Congress has played an enormous role in raising the profile of human trafficking in the United States and abroad, beginning with the passage of the Trafficking Victims Protection Act and creation of the Trafficking in Persons Office in 2000. Today, our most high-profile and significant programs owe their existence to leaders in Congress—from both sides of the aisle—who had a vision to see real change. I am eager to work hand-in-hand with Congress to implement these programs in my new role as Ambassador-at-Large to Monitor and Combat Trafficking in Persons. Let me mention a few here:

#### TRAFFICKING IN PERSONS REPORT

Perhaps the most well-known of congressionally created anti-trafficking tools is the annual Trafficking in Persons Report. Mandated in the original TVPA, the report has become a symbol of U.S. global leadership on human trafficking and is the gold standard around the world for assessing government efforts to combat human trafficking crimes. The recommendations outlined in the Trafficking in Persons Report form the backbone of our year-round diplomatic engagement. And, as I understand it, the recommendations are used by many in Congress to inform their engagement with foreign governments on human trafficking. This cooperation and alignment holds great potential for further impact, and I look forward to working closely with this committee to continuously refine the report's effectiveness as a diplomatic tool.

#### PRESIDENT'S INTERAGENCY TASK FORCE

The original TVPA created the President's Interagency Task Force to Monitor and Combat Trafficking in Persons in 2000. This Cabinet-level task force now consists of 15 agencies across the U.S. government responsible for coordinating efforts to

combat trafficking in persons. Using a multidisciplinary approach, the task force focuses on victim-centered enforcement of criminal and labor law, development of trauma-informed protection measures, support for innovations in research and public awareness, and coordination of federal anti-trafficking programs and procurement policies.

On October 11, 2018, the administration convened the latest meeting of the PITF. President Trump's participation in the meeting, along with Vice President Pence, Secretary Pompeo and several senior White House officials, underscored the administration's commitment to combat this crime, and Cabinet members demonstrated their commitment to continue to chart a strong course forward.

#### U.S. ADVISORY COUNCIL ON HUMAN TRAFFICKING

Established by Congress in 2015, the U.S. Advisory Council on Human Trafficking is another congressionally-created initiative that has become integral to the anti-trafficking work of the federal government and serves as a model to other governments and NGOs alike. The Council comprises survivor leaders appointed by the President who provide input on federal antitrafficking policies and programs. As Ambassador, I have already met with the Council and I look forward to their insights on how to combat this crime.

Building on the lessons learned from the Council and from Congress's leadership, Secretary Pompeo recently announced a groundbreaking initiative for the State Department called the Human Trafficking Expert Consultant Network. The Network will allow us to meaningfully incorporate survivor input into our anti-trafficking work while also compensating expert consultants for their time and expertise.

#### CHILD PROTECTION COMPACT PARTNERSHIPS

A lesser known program that has become instrumental to the Trafficking in Persons Office's anti-trafficking diplomacy and programming over the years is the Child Protection Compact Partnership program. Created in large part due to the efforts of former Senator Barbara Boxer, the Child Protection Compact Partnerships represent a unique foreign assistance and diplomatic tool. A partnership is a multi-year plan, developed jointly by the United States and a foreign government, that documents the commitment of the two governments aimed at strengthening the country's efforts to prosecute and convict child traffickers, to provide comprehensive trauma informed care for child victims, and to prevent child trafficking in all its forms. These Partnerships require foreign governments to make their own investments in their anti-trafficking programs. To date, using foreign assistance resources the TIP Office has used this unique tool to forge strong partnerships with four governments—Ghana, Jamaica, Peru, and the Philippines—that are showing positive initial results. I am committed to continuing to strengthen this model of engagement.

#### PROGRAM TO END MODERN SLAVERY

Last, but not least, I would like to talk about an initiative of this Committee that I feel has huge potential to transform the battle against modern slavery. Thanks to the leadership of Chairman Corker and the support of the members of this Committee, the Appropriations Committees, and others, the Program to End Modern Slavery has been funded with a total of \$75 million to date. This groundbreaking public-private partnership supports transformational anti-trafficking programs. Specifically it seeks to pair funding with a metrics-based approach, including extensive monitoring and evaluation, all with the goal of measurably reducing the prevalence of human trafficking in targeted populations in specific countries or regions. This approach is important to me personally and something I focused on both in my hearing as a nominee and during my swearing-in ceremony: a dedication to policy rooted in data and measurable impact.

The first award under this program was made in 2017 in the amount of \$25 million to the Global Fund to End Modern Slavery, followed by a second award of \$21 million to the Global Fund this past September. The Office made a third award of \$4 million, also in September, to the University of Georgia Research Foundation to develop innovative research methodologies to measure the prevalence and impact of human trafficking in two target countries in Africa. To date, we are optimistic about the work of the Global Fund, particularly its work to leverage U.S. investments to secure additional international funding. By year three, the Global Fund expects to have mobilized \$150 million in further funding from other governments and private stakeholders. For instance, U.K. Prime Minister May pledged €20 million to the Global Fund at last year's U.N. General Assembly session. I believe the keys to success of the Program to End Modern Slavery include: continued support from Con-

gress, an emphasis on other countries and private entities contributing funds, and a focused, strategic approach. If done well, the Program to End Modern Slavery could have a massive, measurable impact on this global crime.

I mention these important initiatives not just to commend this Committee and others in Congress for their leadership. I mention them because they exemplify the potential for progress when the executive branch works hand-in-hand with the legislative branch—working together to create tools, secure resources, and share insights. We are hopeful lawmakers will continue to make this issue a priority and champion the critical resources that make this work possible.

For my part, I am excited to take on this new challenge along with my colleagues in the Trafficking in Persons Office and look forward to working in close partnership with this Committee. I want to encourage Members to travel and raise human trafficking with other governments. I want to ensure our congressional reports are providing you with actionable information, and I want to have an open and regular dialogue. In short, I want us to be partners in this fight.

We have an exceptionally talented group of dedicated professionals working year round to fight human trafficking around the world. Together, we are all excited to work with you, exploring new and creative partnerships to combat human trafficking around the globe.

The CHAIRMAN. Thank you for that great testimony, and I will defer, as always, to Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman.

Ambassador, we are glad to see that you are one of the few that have made it to the committee, and actually got confirmed. So we are grateful for your work.

I agree with you that when the Executive and Legislative branch work together we are a more powerful force in this regard. So let me turn to the Trump administration's policy on notices to appear, now apply to even humanitarian visas, TU and VAWA, has made applying for a T visa risky for trafficking victims. Experts anticipated the number of T visa filings to drop, in light of the administration's policy.

In addition, experts report that trafficking victims are far less willing to report to law enforcement, terrified by the administration's anti-immigrant rhetoric. These policies diminish the United States as an anti-trafficking leader in the world.

What will you do to curb the damaging NTA policy, which threatens to undo nearly two decades of anti-trafficking progress?

Ambassador RICHMOND. Sir, I appreciate the question, because the T visa program, as well as the continued presence program, these two pillars of the way that we can make sure that victims who are not lawfully present in the United States, or undocumented, receive the rights and protections that they are entitled to under the law.

The Continued Presence program offers a legal way to stay in the country while the United States continues to investigate the crime. It allows a work permit while they do that. It can be renewed from year to year as the investigation continues. It is an essential tool of law enforcement. And the issuance of Continued Presence should be encouraged in every case.

The T visa program is unique, because unlike the Continued Presence program, it is a self-petitioning visa, and victims of trafficking should be encouraged to apply for it. It does not require the endorsement of law enforcement in order to be granted. Although, additional benefits may be—

Senator MENENDEZ. I do not mean to interrupt you, but my time is limited. I appreciate your knowledge of the different visas I am

talking about. What I am talking about, though, is the concern that those who now have to appear in person may very well be a barrier to seeking the very visas that you so aptly describe are necessary tools. How are we going to mitigate that?

Have you talked to the administration? Are you engaged? I know you just got there. Are you going to be engaged in having a conversation that maybe this is a universe that does not necessarily have to be an appearance in person?

Ambassador RICHMOND. Senator, I look forward to the inter-agency process, and through working with colleagues at the Department of Homeland Security, and the FBI, as well as the Department of Justice, to discuss these issues, and to make sure that victims of trafficking are able to receive T visas as well as Continued Presence.

Senator MENENDEZ. I hope you will make that case.

Now you believe, as I do, I think, that trafficking, wherever it takes place, and for whatever purposes people are trafficked, is something that needs to be fought, right?

Ambassador RICHMOND. Absolutely.

Senator MENENDEZ. Regardless of where it takes place.

Ambassador RICHMOND. Yes.

Senator MENENDEZ. So you are just recently back from Saudi Arabia, I understand.

Ambassador RICHMOND. I am.

Senator MENENDEZ. Saudi has a horrendous record on human trafficking, particularly as it relates to domestic workers. They recently beheaded a domestic worker from Indonesia, who was convicted of murdering her employer, though allegedly died in defense, when he was trying to rape her. There are 18 Indonesian migrant workers on death row in Saudi, according to press reports, and that is just one of many.

Are we going to hold the Saudis accountable, as well as everybody else?

Ambassador RICHMOND. Sir, I appreciate the question about Saudi Arabia. It was one of my first trips, out of serious concerns for their implementation of anti-trafficking efforts. Not just to protect domestic workers, which gets quite a bit of attention, but I was concerned about the lack of sex trafficking prosecutions in the country, as well as internal trafficking that does not involve any cross-border movement.

I wanted to make sure that I could see for myself what was going on, to meet with officials, to sort of ground truth claims that I had been hearing, and will continue that process over the next several months as the ratings period continues, to make sure that Saudi Arabia's narrative in the Trafficking in Persons' report is grounded in fact, and that it is accurate, and evidence-based, and that their ranking appropriately reflects what—

Senator MENENDEZ. And if all of those things that you just described—I think you have perfected the State Department's ability to speak at length, without giving me a direct answer. If all of those things apply, will the TIP Report show Saudi Arabia to be a country that has a problem in terms of human trafficking.

Ambassador RICHMOND. The TIP Report will accurately reflect what the conditions are on the ground regarding Saudi Arabia's approach to trafficking.

Senator MENENDEZ. All right. Thank you.

The CHAIRMAN. Thank you. Senator Risch.

Senator RISCH. Thank you.

Ambassador Richmond, thank you for your service, first of all, and your commitment to this important cause. I think, and sometimes in this committee we do have a tendency to politicize everything, and this is a cause that really is not political. There is not anybody on this committee that can claim to have a stronger feeling about it than any other member of the committee. This is an awful, awful enterprise, and we are all committed to see that it be done differently.

So in that regard, the statistics that you have laid out, and that we are all familiar with, and have read in the TIP Reports, and all that sort of thing, give us the statistics of the problems.

I realize you are new on the job. How are you going to give us some metrics as to how we are doing? This is a difficult thing to undertake. It is a difficult thing to fix, but we really cannot do it unless we actually see what is working, what successes we might have. We are all familiar with the usual kinds of things that we do. It seems to me this calls for much different approaches than the kinds of things we ordinarily do when we are trying to manipulate a country to do things different, when they are doing bad things. What are your thoughts on that?

Ambassador RICHMOND. Yes, sir. I very much appreciate the question about metrics. I think that it is a critical question. There are a few things that we could do as approaches. And one is to recognize there are different types of metrics.

One is we can measure what we are actually doing. That is clear law enforcement data to know how many people are being arrested, how many convictions, what are the sentences. We can also address how many victims have been identified, how many are receiving services. We can measure what is actually occurring. And I think that that can be dramatically improved.

The more challenging metric is what is the prevalence of trafficking. And I think that is an area that has plagued this issue for many years, and we need to improve upon it.

To improve upon it, we are undertaking several initiatives. One is within the Program to End Modern Slavery we are trying to make sure that there is a prevalence estimate, and the University of Georgia Research Foundation, as well as the Global Fund, are working hard to determine how could we have good modelling for prevalence metrics. To do that I think we have to look deeper than just a country-wide prevalence metric, to an industry-specific and geographically restrained prevalence metric, one that is focused on what is the prevalence of domestic servitude in this city, or what is the prevalence of agricultural labor that is forced labor, not what is the prevalence of trafficking in the entire country. That would be like asking what is the prevalence of economic crime, when it can vary from securities to fraud, to a con artist. We want to focus on different types, so we can measure against it, and determine if our interventions are working.

I would also say that we do not want to stop our work while we are waiting on a good prevalence estimate. We do not ask for prevalence estimates in all types of crime. No one asks how many gigabytes of child pornography exist, and so we just know that we need to fight against it. Nobody asks how many kilos of cocaine exist in the world. We just know we need to fight against it.

We know that there are victims of trafficking around the globe and here in the United States that need help, and while we are working on better prevalence estimates, we want to make sure that we are doing everything we can to restrain the traffickers that are exploiting them.

Senator MENENDEZ. Thank you. I appreciate that. And I think the prevalence estimates are going to be just that, estimates, because getting the exact metrics, or even close to exact metrics are going to be a real challenge, because how this flies under the radar, and frequently it is supported and covered by government agencies that are supposed to be in the job of determining metrics.

Thanks for your work. We look forward over the years to hearing good reports from you, and particularly we want to hear what it is we can do that works. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Cardin.

Senator CARDIN. Well, Mr. Ambassador, first, thank you very much for your willingness to take on this extremely important position. I also want to acknowledge the extraordinary leadership of Senator Corker and Senator Menendez, and the members of this committee, to make it clear we will not tolerate modern day slavery. And we are prepared to give you all the tools you need in order to fight that.

So I want to take my cue from our chairman, who is always very direct with our witnesses, to say I was not satisfied with your response to Senator Menendez. I expect you to be an advocate in regards to this issue. There is a perception out there today that if you are a victim of trafficking, and you come forward with law enforcement, and you come forward to seek the T visas, and you are not successful, or it is not immediate, that there is fear that you are going to get a notice to appear, and be deported.

We need to dispel at its source today, so that we understand that those who have been the subject of trafficking are victims, we need their cooperation with law enforcement. We do not want them to go underground because of fear that they are going to be deported. And we need your office to make that very, very clear in this environment, in which immigration issues are certainly far from being a void from politics in this country.

So I am going to give you another chance to respond to this committee, as to your commitment to be the representative on those who have been victimized by trafficking, to know that they will be protected here in the United States, so that we can, in fact, bring successful legal action against the perpetrators, and we will protect them as we have in the past, so that they know that they are safe here in America.

Ambassador RICHMOND. Senator, I appreciate the question. I am committed to making sure that the law is clearly enforced. And the



law provides for the Trafficking in Persons visa, the T visa. And I want to make sure that that T visa is available to anyone who is entitled to it, that people can apply for it, that they are encouraged to apply for it without fear, and be glad to use my role at the Trafficking in Persons' office, my role on the interagency courting mechanism that I get to lead, as well as conversations with my colleagues and other departments to make sure that individuals can apply for a T visa, and will receive Continued Presence without any sort of fear.

Senator CARDIN. So will you get back to this committee as to, at least what we have been told, that there is concern within this community that if they cooperate and go forward with law enforcement, and they do seek a T visa, that they run a risk today, because of other agency's priorities, that there may be a notice to appear for their deportation? Can you assure that you will advocate on behalf of the victims to make that clear, that they are safe here in America?

Ambassador RICHMOND. I look forward to a continued conversation with this committee, both formally and informally, and make sure that those concerns are addressed. I will definitely be raising these issues, and look forward to making sure that the—that all the individuals who are trafficked in this country, whether they are U.S. citizens or they are without papers, are able to avail themselves of all the benefits and services that they are entitled to under the law.

Senator CARDIN. It is not quite as clear as I would like to see it. I will take it, and move on. I say that because there are counter-currents here in this country on immigration, and we know the fear factors that are in the community today.

We also understand that if victims go underground, we are in trouble. And we need to have an advocate who is going to recognize that those who have been targeted of traffickers are victims. And that is why we pass laws to give them those rights. They are not quite as sophisticated to understand the differential between coming forward to help and a notice to appear, where they are going to be threatened with deportation. And those who are sophisticated in the system, want to protect the trafficker, will use that to their advantage to get the victims to go underground and not cooperate with us. I hope you understand that.

Ambassador RICHMOND. Sir, I do understand that. I have worked with many trafficking victims, including victims who have received Continued Presence, victims that I have assisted in getting T visas. I am well aware of the concerns that victims have, and the wide variety, as they present with different personalities, different situations. And there is nothing that I will be a part of that is going to serve to protect traffickers. Quite the opposite. We want to hold traffickers accountable, and make sure that victims are protected.

Senator CARDIN. I look forward to working with you on this.

The CHAIRMAN. Thank you.

Senator Shaheen.

Senator SHAHEEN. Thank you, Ambassador, for being here, and for your ongoing work to address this issue.

Can you talk about how the role of the United States in setting an example for other countries on the importance of ending trafficking, and what that means?

Ambassador RICHMOND. Senator, I appreciate the question.

In our bilateral relationships I think the role of the United States, and the policies, and the best practices that we have developed can often be of great benefits in our bilateral diplomatic relationships. The fact that the United States has a robust victim protection system, the fact that it has been aggressive at prosecuting trafficking, that it has been emphasizing labor trafficking, as well as sex trafficking, that it wants to fight trafficking in all its forms, that it wants to make sure that we do not prosecute victims for anything their traffickers required them to do.

All these aspirational goals are being put into place, perhaps not as well in every circumstance. We have a lot of room to improve and to grow. But as we succeed, and have successes, as we have our challenges, we are able to dialog one on one with countries about each of those, and discuss how things can improve in their country as well.

Senator SHAHEEN. So are you concerned about the President's failure to talk about human rights, and the signal that that sends to those countries who we are trying to get to address human trafficking?

Ambassador RICHMOND. Senator, I know that this administration has been quite vocal in its fight against human trafficking, from the earliest days of the administration.

Senator SHAHEEN. I understand that. I am not asking about the policies of the administration. I am asking about the President's words, his language that he uses, what he says on the world stage.

Ambassador RICHMOND. Senator, the President has used very strong language to condemn human trafficking, and to commit his administration to fighting it in all of its forms. He has been very clear that human trafficking is a human rights abuse, and that it must end, and that we want to bring the full weight of the U.S. government to bear against traffickers.

Senator SHAHEEN. And does it send a mixed message to those countries that we are trying to get to live up to that standard when we fail to take action on human rights abuses in other areas?

Ambassador RICHMOND. Senator, the office that I get to serve in is focused on human trafficking. Obviously, there are other human rights abuses at play as well, and they are critically important. We want to make sure that all human rights are protected in every country around the world, including the United States. I think a clear message against human trafficking can be a leader in that fight.

Senator SHAHEEN. Well, I will tell you that a number of the world leaders who I have met with are very confused sometimes about what our message is on this issue, because of some of the President's statements.

I want to go back to—and I am sorry I missed your testimony, because as I looked at it, you did address the Program to End Modern Slavery in it. But to follow-up on Senator Risch's question about metrics, can you talk more specifically about what other metrics you can use to address the effectiveness of the grants that

have been awarded most recently? I appreciate that we can keep the numbers of, you know, how many people participated, what kind of research was done, but how do we determine whether it is really effective in getting at the root causes?

Ambassador RICHMOND. Senator, I appreciate the question about metrics. Monitoring and evaluation of our programs is incredibly important. It is an area of growth for this movement. I think for far too long the anti-trafficking movement has been driven by passion and emotion, as opposed to metrics and data, and we want to move in that direction.

There are a number of different monitoring and evaluation tools that we can use. The grants that have been given out, or the sub-grants that have been given out by the global fund under the Program to End Modern Slavery are brand new. They may be, in a sense, too early to measure, because those announcements have just been made. But there is a measurement component and requirement in each of those, and—

Senator SHAHEEN. I am sorry to interrupt. I am not trying to be critical here. I am trying to better understand the kinds of tools that you are using to measure the effectiveness. You know, I get the numbers and the statistics that we keep, but how do we address some of those other aspects of this problem?

Ambassador RICHMOND. I think the key way to measure this is to have good industry or sector-specific prevalence estimates, to do an intervention, and then measure the prevalence of trafficking in that sector, has it decreased? And that is what we want to move towards in this movement, to make sure that our interventions are actually having a direct response—

Senator SHAHEEN. Right.

Ambassador RICHMOND.—to stop traffickers, and to care for survivors.

Senator SHAHEEN. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Coons.

Senator COONS. I am here for two purposes, one, of course, to question our very capable witness, but also to thank you for your tireless work leading the charge, fighting modern slavery, for the hard work that you have done that I think has made an enormous difference, both here in the Senate and around the world. And to thank you and Ranking Member Menendez for the hard work you have both done to make sure that our Trafficking in Persons reports are substantive and meaningful, that have real metrics, and have a real impact around the world.

And I look forward to continuing to work with you after this Congress in sustaining your ongoing leadership in this field. I am so grateful for your leadership at this committee. It has been remarkable. And I am hopeful that we will continue to have good, and powerful, and regular hearings when Chairman Risch takes over the next Congress, and that we will continue to do strong and good things together.

But I just could not let this hearing pass without thanking you—

The CHAIRMAN. Thank you.

Senator COONS.—for what you have done as chairman of this committee.

So if I could then, Ambassador Richmond, it is of genuine interest, I think, too all of us to know more about your recent visit to Saudi Arabia. I understand Ranking Member Menendez was focusing on the Saudi Kingdom's poor record on human trafficking. It seems important to me to know whether or not you agree with an argument made by Secretary Pompeo and President Trump that our relationships with Saudi Arabia that are economic in nature are too important for us to risk downgrading that alliance by focusing on human rights. In fact, I think Secretary Pompeo has an editorial to that effect today in the Wall Street Journal.

Do you think promoting human rights is in line with promoting our security interests, and how does your office contribute to balancing those two things?

Ambassador RICHMOND. I appreciate the opportunity to answer that question, Senator. I think that human rights are the fundamental underlying pillar beneath the anti-trafficking movement, and beneath the Trafficking and Victims Protection Act.

The entire reason trafficking is wrong is because individuals have inherent value, and traffickers deny them that value, deny them that liberty to work where they want, to get up when they want, to control who touches their bodies. And we need to make sure that their human rights are protected.

The Trafficking in Persons Office, where I get to serve now, that I get to lead, will make sure that the recommendations and the narrative regarding Saudi Arabia's approach to trafficking, the efforts that they have taken, are clearly identified, and that they are ranked accordingly.

Our job is to make sure it is a fact-based, evidence-based report that we will submit to the secretary, and the President can review. Our office is focused solely on that mission, to make sure that as we work with the department, with the ambassadors around the world, that we are making sure that the report is complete and full of integrity.

Senator COONS. Well, thank you, Ambassador. My concern is, I will express here, and in other settings, is that our President continues to put economic partnerships, arm sales, ahead of what is a fundamental defining virtue of the American people and republic, which is that we have put value for like human rights, as you have articulated, ahead of transactions, and I think we should continue to do that.

What more could we be doing to engage, the private sector to engage, and businesses to take actions against the misuse of forced labor around the world?

Ambassador RICHMOND. Sir, I think that there is a great deal that the private sector can do regarding trafficking, particularly when they look at their supply chains. There have been several helpful and promising initiatives internationally regarding supply chains, making sure that companies can vet their supply chains several layers deep to make sure there is not forced labor involved. They can be self-critical in that regard. That effort needs to grow, and we need to make sure that companies that are knowingly engaging supply chains that have forced labor in it are held accountable. But we also want to make sure that companies are

incentivized to vet their own supply chains to make sure that they can root out forced labor.

I think we also need to make sure that we understand that even a company of good will who wants to make sure there is no forced labor in their supply chain has a very difficult job in doing that. In a sense, we are asking them to do the law enforcement work of a nation, perhaps halfway around the world, that is not doing their own law enforcement work to make sure that there are not forced laborers in those factories, in those facilities. And we want to make sure that countries around the world are able to protect their citizens and to protect others who are working there, to make sure that they are not subjected to forced labor by traffickers.

Senator COONS. Well, Ambassador, I think one of the most powerful tools we have in the work against human trafficking, against forced labor, is engaged and empowered constituents, consumers, citizens of this country, who purchase huge amounts of products from companies that have supply chains that go into some of the most difficult labor environments on earth.

And to the extent the faith community and the private sector, the administration, and this Congress work together to make it easier, to make it more based in metrics, for those who are active, whether because of their faith, or because of their value for human rights, to take steps to do so. That's how we make a difference. So I look forward to working with you on that important undertaking.

Ambassador RICHMOND. Thank you.

The CHAIRMAN. Mr. Ambassador, I do want to say, people on this committee care deeply about human rights and trafficking. And things are a little raw right now. We have a hearing, actually, or an all senators' briefing at 11:00, and some of the things around Saudi Arabia certainly have created a little bit of rawness. Some of that is being reflected in questions that are being asked of you, and also some of the immigration issues.

I just want to say, as one person, having been at your swearing in, and knowing that your life commitment to this issue, whether you are a democrat or a republican, I cannot imagine having someone more committed to this. And I am thankful that you are willing to do it.

I think that as these people and my friends on this committee get to know you more closely, in spite of some of the other content that we deal with that sometimes causes us to express ourselves pretty sharply in this committee, my sense is that regardless of what side of the aisle people are on they are going to be thankful that someone like you is doing this job, and I think they already are.

Ambassador RICHMOND. Yes, sir.

The CHAIRMAN. Yes, sir?

Senator MENENDEZ. Mr. Chairman, I agree with you. We look forward to working with the ambassador, but I do not want you to think that the raising of Saudi Arabia or of immigration as a legitimate issue, where people have fear of coming forward to use a visa that we intend them to, is a political context. I know Senator Risch painted things sometimes politically here.

That is a legitimate issue. And I am not going to stop raising a legitimate issue simply because people want to cast it as political.

The CHAIRMAN. And I, in no way, am casting it as political, and I plan at 11:00 to express myself very strongly as it relates to other issues. I am just saying that you are here in the middle of some rawness as it relates to some other issues, and that is just a fact.

But with that—

Senator RISCH. Mr. Chairman, could I get my two cents worth in here?

Senator Menendez, if I indicated that to you, or was offensive, I apologize for that, but look, this is really a nonpartisan issue. This is a bipartisan issue. President Trump is going to be president for the next 25-and-a-half months. And for those of us that care deeply about issues like this, and especially Senator Corker, as he has over the years, we want to carry that flag forward for Senator Corker, and we want to carry that flag forward for the American people. So it behooves us all to work together, republicans, democrats, the President, the administration.

Now, sometimes people say things in political context that do rub the wrong way, but that should not take our focus off of the ball here of what we are trying to do. I think we have got the right man in Ambassador Richmond here. I think we can trust him on this issue, and I think we should continue to work, and to meet, and to—and to explore these issues. And I think Senator Menendez certainly raised issues that we should talk about, and try to take the rough edges off, and make progress as we move forward.

Thank you, Mr. Chair.

Senator MENENDEZ. Mr. Chair, if I may.

I totally agree with Senator Risch, who will be the new chairman, that working together, I recognize President Trump's going to be there for as long as his term continues. I did not hesitate to criticize a president of my own party when I thought he was wrong. I am not going to hesitate to criticize this president when I think he is wrong. I think constructive criticism is also incredibly important to reach a considered judgment on how we move forward on issues. And so I am not going to pull any punches. I did not do it with President Obama, and when I was chairman of this committee, I am not going to do it with President Trump.

But I do agree with you that this issue is bipartisan, nonpartisan, and I look forward to working with you on making it a continuing legacy of the committee.

The CHAIRMAN. With that, thank you for coming. Thank you for the work you are doing, and we look forward to seeing you again. And we will call the second panel. Thank you so much.

I know that, Natalie, you came in a little bit late. We have already spoken a little bit to the fact that we are thrilled to have both of you here, and certainly appreciate the personal commitment that both of you have shown around this issue, that you can see, draws a little emotion here on the committee itself. But we thank you for being here. We know that you have gone to a lot of trouble to be here today, and certainly spend a lot of, both of you, your personal time and effort around this issue. And it is people like you that calls us to be inspired.

So our first witness today is Natalie Grant, the co-founder of Hope for Justice, and a hero in the fight against modern slavery.

Our second witness is Shawna Bader-Blau, the executive director of the Solidarity Center, who is also a leader in this fight. If you both could summarize your comments in about 5 minutes, we, again, thank you so much for being here, and look forward to your comments.

**STATEMENT OF NATALIE GRANT, CO-FOUNDER, HOPE FOR JUSTICE, NASHVILLE, TENNESSEE**

Ms. GRANT. Thank you.

Well, thank you, Mr. Chairman, for inviting me to be here. I am so honored to be here, and honestly, I woke up this morning thinking, "I am going to be so out of my depth." I am used to a microphone being in my mouth. I sing all the time, and I have no problem speaking, but it is not usually in an environment quite like this. So it really is an incredible honor for me to be here today.

[Laughter.]

Ms. GRANT. You know, as I was thinking on the plane here, and I was listening to Ambassador Richmond, and I see your notes, and I am thinking, "Oh, my goodness, I do not even have notes to talk about this," but what I do have is just a story. I have my own personal story of how this issue has forever wrecked my life.

And I never thought that I would say that television changed my life. I never thought I would say Law and Order changed my life. But it truly was an episode of Law and Order that I was watching on a day off from touring, when I was home in my home in Brentwood, Tennessee. And they depicted a gentleman who had an underage girl in his basement on the television show. And I just remember them always saying that Law and Order was ripped from the headlines.

And as I was sitting there in my family room, watching this television show, I thought, "What headline is this ripped from?" This was in 2004. I had never heard the term "human trafficking" before.

And so as I was watching it, I thought, "Well, this is ridiculous. Why are they trying to convince us that there are people holding people in their basements in the middle of New York City?" So I literally Googled, "What is human trafficking." And that is the first time that I realized that slavery still exists in this country.

I actually came across something called the Trafficking in Persons report, and I attempted to read it, and I got about two sentences in, then I stopped. And I literally then punched in, "Faith-based organizations that fight human trafficking," because as a member of a faith-based music community, I was deeply troubled that I had never heard of this issue before.

I was deeply troubled that people in the church were not talking about the least of these, which they talk about so often, but that were being ravaged in this way. That is when I found an organization, and to make a long story short, a couple of months later my husband and I flew to India. They took us straight into the red-light district.

Sorry. I know this is probably the appropriate place to cry, but I have never, ever been able to speak about this issue in 14 years without weeping, because I saw children for sale on the street. I

met twin 5-year-old girls who had to have reconstructive surgery to their tiny little bodies.

I saw a 6-year-old girl in a cage, looking at me through the bars of cage. She was not screaming. She was not asking for anyone to bring her her freedom. It was almost as if she was resigned to the fact that this was her reality.

They allowed us to tour a brothel, because they thought that my husband was a potential customer. And as we walked through these tiny little cubicles, some with mattresses on the floor, some with beds, I will never forget walking past one that had a rope tied to the end of a bedpost, and I made the mistake of asking why the rope was there. And the gentleman we were with said, "That is because the girl in this room is 15 years old. She has an 18-month-old child." There is no childcare, so they tether their children to the end of the bed while they are forced to perform their sexual acts."

All I can tell you is that I was wrecked that day for life. I knew that in that moment this issue demanded my attention and my commitment. I did not know what I was doing when I left there. I flew back to America, and thought, "Well, now what do I do? I sing in front of thousands of people every weekend. So what I am going to do is I am going to get up on that stage and I am going to tell everybody I know that this is a reality, that this is happening." Because if I did not know about it, chances are most other people did not know about it either.

At that time I founded an organization called Abolition International. And to be honest with you, my first goal was just to raise enough money to build an after-care facility for women with children, in India. And that is exactly what we did. But what happened in the coming years after that was that I learned about the issue in a deeper way.

I met an organization in England, and we merged together, and we are now known as Hope for Justice International. And while it says "co-founder" underneath my name right there, I fear that makes me sound far more important than I am. The organization now is across 4 continents, and 8 countries, with 22 offices. Last year we rescued 37,000 children. It is amazing to me the work that the organization is doing, but all I am is a girl.

We saw children for sale on the street. And in 2004, I was not a mother yet. But now I am a mother to three daughters, and now this issue is more important to me than ever before. Now I see that though maybe I do not have the power that you have, I have the power of a voice. And if I can tell thousands of other people, "Listen, it is not up to us to do everything. It is just up to us to do something." Every single one of us can do something. Every single one of us, no matter who you are, no matter where you are from, no matter what your circle of influence, whether you have a platform, or whether you are just serving your family, every single one of us can do something to make a difference.

And though I am grateful to get to do it on a large scale, I feel like the greatest difference I am making is when my twin daughters' sixth-grade teacher came to me and said, "I was talking about the abolishment of slavery in the classroom today, and one of your twin daughters raised her hand and said, 'That is not true. Slavery actually still exists in the world today.'" And I realized that I must



be doing something right, because though my heart swelled with pride in that moment, it also broke at the same time, that my daughters are living in a world where slavery still exists, where someone's daughter, someone's sister, someone's niece, someone's granddaughter is being ravaged day in and day out.

I just say to you that though this issue demands my attention and commitment, I believe that the same must be said of you, and that it demands your attention and commitment. I commit my life to Proverbs 31:8, which says, "Speak up for those who cannot speak for themselves. Ensure justice for those being crushed." I have seen those who are crushed, and I say that together we must do whatever it takes to give them justice.

The CHAIRMAN. Thank you. Incredible.  
Shawna.

**STATEMENT OF SHAWNA BADER-BLAU, EXECUTIVE  
DIRECTOR, SOLIDARITY CENTER, WASHINGTON, DC**

Ms. BADER-BLAU. Thank you very much, Natalie, and thank you, Chairman Corker. Congratulations on a long career here, and for highlighting this issue. And Ranking Member Menendez, thanks for inviting us today.

I am really pleased to share the Solidarity Center's perspective on this issue in the global fight to end modern slavery. And from my written testimony, which I have submitted for the record, I would like to highlight four key points.

First, modern slavery takes place in the context of rising authoritarianism and the global crackdown on civic freedoms happening all over the world. Fundamentally, trafficking for labor exploitation is the result of the absence of human rights and effective governance, and a culture of impunity. The failure of governments to protect worker rights in law or of employers to respect them in practice creates an environment where workers are vulnerable to exploitation, including debt bondage, forced labor, and human trafficking.

Modern slavery happens in countries that restrict civic freedoms, including the right to form or join trade unions or other worker organizations. In short, modern slavery lives in the shadows when there is no one there to expose it. And the deck is increasingly stacked against workers when they try to stand up for themselves, expose this abuse, and fight back.

Resurgent authoritarianism globally means that nearly half the world's population, 3.2 billion people, live in countries where civic space is closed or repressed. With authoritarianism comes weakened democratic institutions, including the courts and the press. And civil society is sidelined by draconian legislation, and overt repression by police and the military.

It is no accident that of the 22 countries ranked as tier three in the State Department's 2018 tier placements, only one country, Belize, is considered free, according to Freedom House.

In Turkmenistan, for example, where state-sponsored forced labor in cotton production is an ongoing crime, activists trying to monitor and expose these atrocious practices have been harassed, threatened, and imprisoned. Among them, Gaspar Matalaev, a news reporter with Alternative Turkmenistan News. Matalaev was

arrested in October 2016, 2 days after he reported on state-orchestrated forced labor of children and adults in the cotton harvest. He remains in jail.

A couple of weeks ago, I visited Lesotho. In this very poor country, thousands of people find work in the garment factories that supply major American and international brands, but women workers also find something else. Male supervisors demanding sex in exchange for pay, promotions, or employment.

Research and our firsthand experience with women in garment factories like those in Lesotho, confirms that women being forced into transactional sex to gain or keep employment, and having no remedy, if they complain, are strong indicators of forced labor. And when women cannot exercise their basic labor rights, because they are routinely suppressed by factory owners, with total impunity from the state, well, that is a democracy problem, too. Put simply, people need to be able to dissent and dissent freely and collectively, if we want to end modern slavery.

Second, the ongoing problem with forced labor also really needs to be seen in the context of the mass movement of people. An estimated 150 million people are migrant workers, and the number of refugees and internally displaced persons and asylum seekers now tops 68 million people. In the context of rising authoritarianism, anti-immigrant rhetoric, and accompanying anti-immigrant policy also run high.

In our work around the world, the Solidarity Center has heard firsthand from migrant workers who fear reporting forced labor conditions because of the toxic anti-immigrant environment that they are experiencing. Moreover, closing pathways for humanitarian resettlement, like refugee programs, and narrowing grounds for asylum increase the chances that those fleeing violence and persecution will be forced to migrate through less safe channels, exposing them to a heightened risk of trafficking and forced labor.

For example, the Business and Human Rights Resource Center found severe abuses of Syrian refugees in Turkish garment supply chains, including forced and child labor. And at this moment, as we sit here meeting, the Thai government is actively punishing some of the brave Thai labor leaders who have stood up against modern slavery, and against anti-migrant discrimination.

It is our measured experience, working in 60 countries over 20 years, that to address refugee and migrant worker vulnerability to trafficking we need to level the playing field when it comes to rights and enforcement of rights of people working in a country, no matter who they are. When some people in a society are treated as lesser, then the idea that they can be exploited becomes more accepted, possible, and prevalent. Indeed, isn't that the notion that slavery was built on, that some people are lesser?

Third, we need to change our expectations about what constitutes accountability to human rights in the private economy, especially in supply chains. We still do not see the kind of corporate leadership we need to eradicate modern slavery. Those factories I spoke of in Lesotho, those factories may be owned and operated by Chinese investors, but a 100 percent of the buyers are international brands, and a great many of them are American companies.

I am not saying that these global companies sourcing there want these things to happen. I am saying that they accept virtually no responsibility for ensuring it does not happen, and we need to change that. We need to be reimagining the human rights obligations of companies across supply chains if we want to end this abuse. And this committee can do more on that. And we can talk about that.

Fourth and finally, we need our own government to use a more comprehensive set of tools in its anti-trafficking tool-kit. U.S. trade programs can effectively address trafficking for forced labor. Recently, the administration announced the suspension of trade preferences under the African Growth and Opportunities Act to Mauritania, due to its utter failure to address hereditary slavery, and we are hopeful that will help. But our trade agreements, all of them, can and should include binding obligations that reduce and try to eliminate the risk of trafficking for forced labor among our trade partners.

The new U.S.-Mexico-Canada agreement could include elimination of recruitment fees, a ban on passport confiscation, a requirement to disclose terms and conditions of employment, and equal rights for citizen, resident, and migrant workers. These provisions could help reduce trafficking for labor exploitation, and should be included, and then enforced.

Successive administrations, too, have allowed the slow erosion of a focus on labor rights as part of U.S. human rights advocacy and diplomacy around the world. For example, the role of labor officers and U.S. embassies. This cannot go on. We need their voices, their eyes and ears on the ground. Without diplomatic pressure and clear defensive human rights, I fear that people will continue to not have the chance to live and work in the dignity that everyone deserves.

Thank you.

[The prepared statement of Ms. Bader-Blau follows:]

#### PREPARED STATEMENT OF SHAWNA BADER-BLAU

##### I. INTRODUCTION

Chairman Corker, Ranking Member Menendez and members of the Senate Foreign Relations Committee, I thank you for this opportunity to present the Solidarity Center's views on the "Global Fight to End Modern Slavery." First, let me convey our appreciation for the Committee's leadership in combating all forms of human trafficking both here and abroad—including trafficking for forced labor, the most prevalent form of trafficking. According to the International Labor Organization (ILO), 25 million people around the world are trapped in forced labor—and their unpaid work generates an estimated \$150 billion annually for enterprises around the world. The continued leadership of this Committee is much needed to advocate for an aggressive approach to ending modern slavery, especially for forced labor, at a time when vulnerable communities, such as migrant workers and refugees, are in increasing danger.

The Solidarity Center is the largest U.S.-based international worker rights organization. Our mission is to help workers attain safe and healthy workplaces, family-supporting wages, dignity on the job and greater equity at work and in their community. The Solidarity Center is allied with the AFL-CIO and is a member of the Alliance to End Slavery and Trafficking (ATEST), a leading U.S.-based coalition that advocates for solutions to prevent and end all forms of human trafficking and modern slavery in the United States and globally. Building upon more than 20 years of experience in promoting worker rights, the Solidarity Center continues to raise awareness about the causes and the extent of trafficking for forced labor and implements programs with our partners worldwide to combat this scourge. These

programs address each of the four “P’s” that are part of the anti-trafficking toolkit: prevention, protection of victims, prosecution (or as we call it, “access to justice”) and partnerships. Given our global presence, the Solidarity Center works with long-term, grassroots local partners to combat trafficking in forced labor, including in Africa (Kenya, South Africa), the Americas (Mexico), Asia (Bangladesh, Indonesia, Malaysia, Nepal, Sri Lanka, Thailand), Europe (Moldova, Ukraine) and the Middle East (Bahrain, Jordan, Kuwait, Qatar).

We increasingly hear the term “modern slavery” used to describe the exploitation or compelled service of children, women and men that results from the myriad forms of coercion and deceptive practices traffickers use. Modern slavery is forced labor, debt bondage and involuntary servitude, among other severe forms of labor exploitation that exist today. Instead of shackles and chains, workers are now enslaved through threats, debt and other forms of economic coercion.

Around the world, workers tell us they have no choice but to risk their lives for the chance to earn a living overseas. Their stories are harrowing. Kenyan women tricked into traveling to the Middle East as domestic workers and ending up enslaved, physically abused and violated<sup>1</sup> in private homes. Migrant workers in Jordan winding up in detention<sup>2</sup> and legal limbo after they escape the exploitative employer who had also confiscated their passport. Indigenous workers in Mexico finding themselves unpaid and locked in labor camps<sup>3</sup> on farms that export produce to the United States.

Fundamentally, trafficking for forced labor is the result of the absence of human rights and effective governance. The failure of governments to protect worker rights in law, or employers to respect them in practice, creates an environment where workers are vulnerable to exploitation. It is no surprise, therefore, that countries that restrict civic freedoms, have weak rule of law and prevent the exercise of the right to freedom of speech, assembly, and association, including the right to form or join a trade union to represent their interests, are countries where trafficking for forced labor is common. That is why in our view, any approach to combating trafficking must begin with empowered workers who can stand up to exploitation when it occurs. Too little effort is being directed toward building worker agency and supporting worker representation; instead, voluntary corporate social responsibility policies continue to be promoted despite evidence that they do little to address the causes of forced labor or provide effective remedies to victims once a violation has been committed.<sup>4</sup>

We must move beyond the notion that “modern slavery is all about bad individuals doing bad things to good people.” Human trafficking is more than just sexual exploitation and more than organized crime. We must address what one leading global expert<sup>5</sup> on the international law of human trafficking calls the “underlying structures that perpetuate and reward exploitation, including a global economy that relies heavily on exploitation of poor people’s labor to maintain growth and a global migration system that entrenches vulnerability and contributes directly to trafficking.”

Unfortunately, current global trends, where the rule of law is weak and democratic institutions are inhibited, are creating an enabling environment for trafficking. We see deepening authoritarianism<sup>6</sup> taking hold in many parts of the world, where the exercise of fundamental human rights—such as freedom of speech, assembly and association, all essential to a rightsbased approach to combatting human trafficking—is being severely curtailed or prohibited. Unions, often the largest civil society organization in any country, are frequent targets of repression. At the same time, authoritarian and populist governments have opted to demonize<sup>7</sup> migrants and refugees for political gain, making their already precarious situation extremely dangerous.

Ending human trafficking requires a holistic approach, where prevention, law enforcement, victim services and protection initiatives are all implemented in a comprehensive and coherent way. Far too often, we see governments being given credit for simply passing a law or prosecuting a handful of cases, without any political will to tackle the entrenched, systemic causes of trafficking such as corruption, employer impunity and lack of civic and workplace freedoms. With a shared goal of ending modern slavery in our lifetime, we must address the root causes that allows such exploitation to thrive. I will address these causes below and provide recommendations as to what the U.S. government can and should be doing.

## II. ROOT CAUSES

### *Deepening Authoritarianism*

In a growing number of countries, governments have taken an authoritarian turn. Indeed, nearly half of the world’s population—3.2 billion people—live in countries

where civic space is closed or repressed.<sup>8</sup> With authoritarianism come weakened democratic institutions, including the courts and the press, and civil society sidelined by draconian legislation and overt repression by police and the military. Trade unions and worker advocates, including journalists, have come under intense pressure to cease their activities or face jail and/or punishing fines. According to the International Trade Union Confederation (ITUC), the number of countries that deny or constrain freedom of speech increased from 50 in 2017 to 54 in 2018, and “three of the world’s most populated countries—China, Indonesia and Brazil—passed laws that denied workers freedom of association, restricted free speech and used the military to suppress labor disputes.”<sup>9</sup> Indeed, workers attempting to exercise their rights were exposed to “murders, physical violence, death threats and intimidation in 65 countries in 2018, up from 59 in 2017,” reports the ITUC. In Colombia alone, 19 trade union members were murdered during the year. Anti-corruption protests<sup>10</sup> in Haiti in November resulted in the deaths of at least six protesters, following a crackdown on dissent. In Thailand, governed by a military junta, Burmese workers who were exploited on a chicken farm were sued by their employer for defamation for daring to complain about forced overtime and underpayment of wages, both indicators of forced labor.<sup>11</sup>

It is worth noting that of the 22 countries ranked as Tier 3 on the State Department’s 2018 Tier Placements, only one country, Belize,<sup>12</sup> is considered “free” according to Freedom House.<sup>13</sup> The continued high prevalence of human trafficking is clearly a symptom of broader challenges to democracy, human rights and governance. In our work around the world, we see a strong correlation between governments that violate their citizens’ (and immigrants’) fundamental democratic rights and workers who are left vulnerable to human trafficking.

Several members of this Committee have voiced their support for diplomatic and programmatic efforts of U.S. government agencies that advance democracy and human rights around the world. Though often separate from targeted anti-trafficking programs, this work builds the transparent, accountable public institutions that are critical to enforcement of anti-trafficking measures, like labor laws and workplace inspections, access to justice for victims and anti-corruption measures that keep trafficking out of workplaces and whistleblowers safe. When we neglect democracy, rights and governance, we silence workers’ voices; deny them the means to defend their rights, workplace safety and incomes; and rob them of legal recourse when their rights are violated. When working people have no possibility of decent, dignified jobs at home, they migrate abroad for work, enter the illicit economy or seek out labor brokers and traffickers—to provide for their families.

We believe the U.S. government should not shift away from multilateralism and global leadership in defending human rights around the world, or else we risk weakening important global institutions that play an important role in fighting human trafficking and the impunity that perpetuates it. Human trafficking thrives in the context of restrictions on freedoms. We appreciate the Committee’s commitment to combatting modern slavery and also to advancing human rights and democracy, and urge its members to consider these two (often separate) streams of work as strongly interconnected when developing policy responses and practicing government oversight in its jurisdiction.

#### *Mass Movements of People*

We are witnessing the largest movement of people in human history: International migration surpassed 244 million people in 2015, an estimated 150 million of whom were migrant workers, and the number of refugees, internally displaced persons (IDPs) and asylum seekers now tops 68 million people.<sup>14</sup> In the context of rising authoritarianism, anti-immigrant rhetoric and accompanying policy also run high. The scapegoating and marginalization of refugees and migrants only increases these disenfranchised groups’ vulnerability to forced labor and other forms of modern slavery.

In our work around the world, the Solidarity Center has heard firsthand from migrant workers who fear reporting exploitation such as virtual enslavement, wage theft, forced overtime and gender-based violence (again, all indicators of forced labor) because of the toxic, anti-immigrant environment pervasive in many cultures and political environments in recent years.<sup>15</sup> Moreover, closing pathways for humanitarian resettlement (like refugee programs) and narrowing grounds for asylum increase the chances that those fleeing violence and persecution will be forced to migrate through less safe channels and a heightened risk of trafficking and forced labor. For example, the Business and Human Rights Resource Center found severe abuses of Syrian refugees in Turkish garment supply chains, including forced labor and child labor.<sup>16</sup> Rohingya refugees fleeing violence in Myanmar are at heightened risk for both forced labor and commercial sexual exploitation as their precarious sta-

tus in Bangladesh leads to desperate (and unsafe) ways to support themselves and their families.<sup>17</sup>

Migrant workers, whether documented or undocumented, are also disproportionately vulnerable to human trafficking. Traffickers—often in the form of unscrupulous employers or labor brokers—take advantage of irregular migrant worker’s lack of legal status to exploit them. Even workers in regular migration programs where oversight is theoretically stronger, such as guestworker or temporary migration schemes (including cultural exchange programs like Au Pairs), can face conditions of debt bondage, involuntary servitude and forced labor through high recruitment fees that leave them indebted, having their visas tied to a particular employer, and threats of forcing workers out of status and into deportation.

It is our measured experience working in 60 countries over 20 years, that to address refugee and migrant worker vulnerability to trafficking, we need to level the playing field when it comes to rights and enforcement of rights of people living and working in a country. All workers, regardless of status—whether nationals or foreign, whether documented or undocumented, whether fleeing conflict or seeking family-supporting wages, whether in the informal or formal economy—should be treated equally when it comes to internationally recognized workplace rights and the ability to exercise them. When some people in a society are treated as lesser due to some innate quality (they are female or an ethnic minority or non-citizens), then the idea that they can be exploited becomes more accepted, possible and prevalent. Indeed, that is the very notion upon which slavery has always been based: Some people are just lesser.

Over the past 2 years, the United Nations has embarked on a process to negotiate two global frameworks, or compacts: one on safe, orderly and regular migration and the other on refugees. The migration compact address human trafficking, understanding that migrants have a particular vulnerability to this abuse. It also addresses a common trap that ensnares workers in forced labor, recruitment fees, promotes the ILO’s Decent Work Agenda and conventions addressing labor migration, and recognizes the role of trade unions and social dialogue in advancing decent work for migrant workers. While the nonbinding migration compact has some shortcomings, and the United States has withdrawn its participation, it could be an important first step in developing more comprehensive and aspirational global norms when it comes to the rights of international migrants, especially since too few countries have articulated national policies extending equality of opportunity for and treatment of migrant workers.

#### *Corporate and Legal Accountability*

While governments used to be the primary perpetrators of forced labor, today the vast majority of the almost 25 million forced laborers globally<sup>18</sup> are in the private economy, in domestic work, construction or agriculture, among other jobs.

Globally, victims of trafficking for forced labor have access to few legal remedies. This is especially true for migrant workers, documented or otherwise, who often are excluded from labor law protection.<sup>19</sup> For example, migrant workers are often unable to leave their place of work to file a complaint against their employer. This is especially true for domestic workers, who represent nearly 4 million of the globally enslaved working people each year.

For example, our organization works on the eastern coast of Kenya where jobs are few and poverty is endemic, and many women migrate to Saudi Arabia for the promise of a good-paying job as domestic help. An entire industry has been built to ship women overseas to clean and care for other people’s families. Most have little choice but to leave; there is no other way to support their family and make a better life for their children. These women have told us of the trap set by labor brokers and employers. They arrive in the Gulf to find entirely different jobs than they were promised. Often in debt from high recruitment fees, they have their phones and passports confiscated. They are forced to work long hours and to sleep under the stairs or in the laundry room. Many are subjected to violence and sexual abuse, and held as virtual prisoners—sometimes for years, incommunicado from their family—in a country where they do not speak the language. Many are infrequently, if ever, paid. And too many escape with their lives, but little else, especially justice.

Their experience is not unique: 26 percent of Indonesian migrant domestic workers in the Middle East say they endure long working hours, 52 percent do not receive any days off, and 88 percent are not paid overtime.<sup>20</sup> And this is not culturally or regionally specific: This happens here in the United States. It happens in Europe. It happens in Asia. Everywhere.

This problem of accountability is compounded when trafficking for forced labor takes place in the global supply chains of multinational enterprises—and when governments fail to hold corporations to account. In recent years, governments like the

United Kingdom have passed transparency laws patterned on the 2010 California Transparency in Supply Chains Act, which calls on enterprises to disclose the policies that may be in place to combat forced labor by subsidiaries and suppliers. While transparency requirements can help encourage companies to undertake due diligence to detect and address forced labor risks in supply chains, too few are following through in a meaningful way. Indeed, a recent report found that “only a handful of leading companies have demonstrated a genuine effort in their reporting to identify vulnerable workers and mitigate modern slavery risks.”<sup>21</sup> The fact that few enterprises are penalized for failing to stem modern slavery in their supply chain likely explains the lack of robust compliance.

Corporate social responsibility (CSR) approaches cannot just be bandages or window dressing. Non-binding codes of conduct, certifications schemes and third-party auditing do not work. For example, a recent study found that “ethical” certification schemes are largely ineffective in combating labor exploitation and forced labor in tea and cocoa supply chains.<sup>22</sup>

We need to move away from CSR to worker-driven social responsibility, providing support for workers to express their agency and have representation in the workplace. Freedom of association and collective bargaining are a key way to do that. From rubber plantations in Liberia to households in Hong Kong and along the eastern coast of Kenya, the Solidarity Center has seen time and time again how democratic worker organizing and collective bargaining can eliminate forced labor in a workplace.

#### *Legal Tools to Combat Trafficking*

Some of the best tools currently available are provisions in the 2008 reauthorization of the Trafficking Victims Protection Act and the amended Tariff Act. The TVPRA provides civil action to victims of trafficking for forced labor in supply chains. However, we note with concern that a federal district court in California, in *Ratha v. Phatthana Seafood*, interpreted the TVPRA to essentially read out of the statute liability for those who knowingly benefit from forced labor in their global supply chain—in this case Thai shrimp produced by trafficked Cambodian workers and imported into California. The Solidarity Center joined several other organizations to file an amicus brief in an appeal to the Ninth Circuit Court of Appeals to ensure the intent of Congress, namely to provide a remedy to workers in global supply chains.<sup>23</sup>

We also commend the amendment to Section 1307 of the Tariff Act of 1930, which removed the consumptive demand exception, a long-standing loophole in the prohibition against the importation into the United States of goods made with forced labor. Under the consumptive demand exception, companies were able to import goods produced with forced labor if the “consumptive demand” for those goods in the United States exceeded the capacity of domestic production. This meant that many goods made with forced or prison labor freely entered the United States. After the amendment, the law now simply prohibits the entry of such goods—most recently cotton from Turkmenistan and several goods from China. The effectiveness of this law will depend on implementing regulations, which have yet to be promulgated, and the political will of any administration to enforce it.

We urge this Committee to encourage the U.S. Customs and Border Protection (CBP) and the Department of Homeland Security to closely monitor supply chains with known forced labor risks. We also urge this Committee to ensure the promulgation of new regulations as soon as possible, with the consultation of stakeholders. Such regulations should make it easier to bring complaints, and shift the burden of proof to companies and importers when a product is on the Department of Labor’s List of Goods Made with Forced or Child Labor. Goods on that list should not be imported unless the importer can demonstrate that such goods were made free of forced labor or child labor.

#### *Accountability and Trade Policy*

U.S. trade programs can also be tools to address trafficking for forced labor. Most recently, the administration announced the suspension of trade preferences under the African Growth and Opportunities Act to Mauritania due to its utter failure to address hereditary slavery in that country. We also note that the work of this Committee, and in particular Senator Menendez, regarding trafficking issues in Malaysia during negotiation of the Trans-Pacific Partnership has borne fruit. The new government is moving to adopt laws and institutions necessary to combat trafficking for forced labor.<sup>24</sup>

Tomorrow, the AFL-CIO will testify at the Office of the U.S. Trade Representative (USTR) regarding trade preferences for Thailand under the Generalized System of Preferences. Despite several years of engagement, trafficking for forced labor

there remains a serious problem in Thailand, one that is exacerbated by the fact that migrant workers are prohibited by law from forming their own worker organizations. As such, workers performing some of the most dangerous jobs have no ability to assert their rights collectively, and little incentive or protection to report forced labor or involuntary servitude. Trade tools can be used to advance specific diplomacy with Thailand to ensure it undertakes the necessary reforms in law and in practice to prevent this scourge.

Our trade agreements can and should include binding obligations that reduce, and aspire to eliminate, the risk of trafficking for forced labor among our trade partners. We note that an obligation to adopt some version of Section 1307 was included in the labor chapters of the TransPacific Partnership and the new U.S.-Mexico-Canada Agreement. However, the specific provisions on labor recruitment that were recommended by labor rights groups were not incorporated, among them the elimination of recruitment fees; a ban on passport confiscation; requirement to disclose terms and condition of employment; and equal rights for citizen, resident and migrant workers. These provisions would help reduce trafficking for labor exploitation and should be included.

#### *Conclusion and Recommendations*

We cannot eliminate modern slavery without fundamentally changing how labor migration is managed around the world, how companies do business and how governments monitor and enforce human and labor rights.

#### *Recommendations*

1. Pass the Trafficking Victims Protection Reauthorization Act, which contains important provisions co-sponsored by Senators Menendez and Rubio related to enhancing the integrity of the annual Trafficking in Persons (TIP) report. For the TIP report to be more effective as a diplomatic tool, countries should be ranked not just on legislation or policy reform but on the actual impact that such policies have on curbing human trafficking on the ground. The TVPRA bill also has important provisions to codify the prohibition on the charging of recruitment fees to workers in federal procurement. Eliminating recruitment fees is one of the most effective ways to prevent debt bondage, a pervasive form of human trafficking for workers in regular migration programs (including guestworker and cultural exchange programs).

2. In addition to supporting the State Department's Office to Monitor and Combat Trafficking in Persons (J/TIP), reinforce support for USAID (especially the democracy and governance programs and TIP specific work of the agency), the State Department's Bureau of Democracy, Human Rights and Labor (DRL), and the Labor Department's Bureau of International Labor Affairs (ILAB) anti-trafficking and forced labor initiatives, especially its technical assistance programming. These agencies conduct important work to address the root causes of trafficking vulnerability—including poverty alleviation, workforce development, trade capacity, research, ending gender-based violence and providing support to marginalized communities, such as migrant or disabled workers—and provide much-needed technical assistance to governments.

3. Continue to support the End Modern Slavery Initiative (EMSI), championed by Senators Corker, Cardin and others on this committee, to address root causes of vulnerability to human trafficking. EMSI provides an opportunity to leverage funding on a global scale to tackle the prevalence of trafficking around the world. EMSI should be looking at initiatives that reduce the vulnerability of migrant workers to trafficking and promote worker rights all along supply chains, as well as other underlying structural causes of trafficking. We also think it is crucial to ensure that civil-society and survivor representatives have a significant role in the implementation of EMSI, including on the Board of Directors of any organization implementing EMSI.

4. Encourage the State Department to put more diplomatic pressure on states to uphold rights. The United States needs to be a strong defender of human rights around the world if we are serious about combatting modern slavery. This includes a foreign service officer corps specifically trained in and given a mandate to prioritize labor rights, human rights and the broader agenda for civic freedoms; a comprehensive and robust annual Human Rights Report; engaging in multilateral initiatives that are connected to advancing human rights and the rights of marginalized people, and supporting the work of U.N. agencies, such as the ILO. The State Department should also increase the number of and support to dedicated labor reporting officers in U.S. embassies as they are the frontline for the U.S. government in tracking labor rights conditions, including forced labor and other forms of trafficking for labor exploitation.



5. Use trade pressure to eliminate forced labor in supply chains. The U.S. government needs to continue to leverage tools such as AGOA, GSP, trade agreements and the Tariff Act to pressure governments and companies to eliminate forced labor in supply chains. These tools should be updated to reflect a renewed focus on labor rights and trafficking for labor exploitation, especially provisions that would protect migrant workers from these abuses. The closing of the consumptive demand loophole was a good first step. Now, we urge Congress to insist that the administration promulgate regulations that facilitate the effective enforcement of the Tariff Act prohibitions on the importation of goods made with forced or child labor. Such regulations should make it easier to bring complaints, and shift the burden of proof to companies and importers when a product is on the Department of Labor's List of Goods Made with Forced or Child Labor. Goods on that list should not be imported unless the importer can demonstrate that such goods were made free of forced labor or child labor. We also urge passage of the The Anti-Trafficking Trade Act, co-sponsored by Senators Menendez and Portman, which would suspend certain trade benefits for countries that do not take steps to combat human trafficking.

6. Currently, business already has responsibilities under the U.N. Guiding Principles on Business and Human Rights and the OECD Guidelines on Multination Enterprises to respect fundamental workers' rights, including a prohibition on forced labor. While important, these are not binding. We therefore urge the Committee to support the negotiation of the U.N. Treaty on Business and Human Rights, which would direct governments in its current draft to adopt laws creating binding obligations on business to respect labor rights in their supply chains, to undertake mandatory due diligence, and to provide an effective remedy to workers when their rights are violated. We would also encourage the U.S. to support standard setting in the ILO to respect labor rights in supply chains.

7. Without a doubt, migrant women workers, and domestic workers in particular, are at high risk of suffering gender-based violence and harassment in the world or work and that is specifically true for victims of forced labor and human trafficking. In 2019, the ILO will have the opportunity to adopt a new convention on this important issue. It is critical that the U.S. support the adoption of a strong convention and recommendation, and ratifies the convention as part of a comprehensive approach to uplifting the human rights of women and men who are victims and survivors of modern slavery.

Senators, thank you again for the opportunity to testify and for your continued leadership in combating trafficking for forced labor and other forms of severe labor exploitation around the world. I am encouraged by your commitment to finding solutions and welcome your questions.

## Notes

<sup>1</sup>"Kenya Domestic Workers Find Hope in Union," Solidarity Center, 2018.

<sup>2</sup>"Migrant Domestic Workers Seek Rights in the Middle East," Solidarity Center, 2018.

<sup>3</sup>"Product of Mexico," Los Angeles Times, 2014.

<sup>4</sup>"Responsibility Outsourced: Social Audits, Workplace Certification, and Twenty Years of Failure to Protect Worker Rights," AFL-CIO, 2017. See also See Mark Anner, Jennifer Bair & Jeremy Blasi, Towards Joint Liability in Supply Chains: Addressing the Root Causes of Labor Violations in International Subcontracting Networks, 35 Comp. Lab. L. & Pol'y J. 1, 5 (2013) ("there is a growing consensus, at least among social scientists, that codes of conduct and auditing programs have failed to eliminate, or perhaps even substantially reduce, incidents of labor violations in global supply chains.")

<sup>5</sup>"Selected Works of Anne T. Gallagher," BePress.

<sup>6</sup>"Under Threat: Five Countries in Which Civic Space Is Rapidly Closing," OpenGlobalRights, 2017.

<sup>7</sup>"Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance," U.N. General Assembly report by U.N. Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, 2018.

<sup>8</sup>OpenGlobalRights, 2017.

<sup>9</sup>"2018 ITUC Global Rights Index: The World's Worst Countries for Workers," International Trade Union Confederation, 2018.

<sup>10</sup>"Six Killed in Anti-Corruption Protests," CIVICUS, 2018.

<sup>11</sup>"Myanmar Workers Go on Trial for Accusing Thai Chicken Farm of Abuse," 2018.

<sup>12</sup>"Freedom in the World 2018: Democracy in Crisis," Freedom House, 2018.

<sup>13</sup>And of the 42 Tier 2 Watch-List countries in the 2018 Trafficking in Persons Report, only five are listed as "free" according to the Freedom House Index.

<sup>14</sup>"Figures at a Glance," UNHCR, 2018. at-a-glance.html

<sup>15</sup>"ILO Indicators of Forced Labor," Special Action Program to Combat Forced Labor,

<sup>16</sup>"What's Changed for Syrian Refugees in Turkish Garment Supply Chains?" Business and Human Rights Resource Center, 2017.

<sup>17</sup>"Human Trafficking and the Rohingya Refugees Crisis," Human Trafficking Search, 2018.

<sup>18</sup>"Forced Labor, Modern Slavery and Human Trafficking," ILO, 2018.

<sup>19</sup>“The Rights to Freedom of Peaceful Assembly and of Association in the Workplace,” U.N. Special Rapporteur, General Assembly Report, 2016.

<sup>20</sup>“Indonesia Can Improve Opportunities for and Protection of Its Migrants Working Abroad,” World Bank, 2017.

<sup>21</sup>“FTSE 100 and the UK Modern Slavery Act: From Disclosure to Action,” Business and Human Rights Resource Center, 2018.

<sup>22</sup>“The Global Business of Forced Labor,” Sheffield Political Economy Research Institute, 2018.

<sup>23</sup>“Solidarity Center Supporting Trafficked Cambodians,” 2018.

<sup>24</sup>While successive elevations in recent annual TIP Report rankings were seen as largely undeserved by civil society and Malaysia was once again ‘downgraded’ to the Tier 2 Watch List in the most recent TIP Report, the historic election of the Pakatam Harapan coalition government in May 2018 has produced some cause for hope and progress with regard to trafficking issues, forced labor and migrant worker rights in general. It is crucial that the international community and the U.S. government continue to support the advocacy of Malaysian civil society organizations (including trade unions) to reform Malaysian labor laws and migration policies, and monitor the implementation and impact of new initiatives to ensure ongoing forward momentum.

The CHAIRMAN. Thank you. Thank you very much.

Senator Menendez.

Senator MENENDEZ. Well, thank you both for some very great testimony.

Ms. Grant, I must tell you that your story is a riveting example of how one person committed to an idea or an ideal, and a cause, and willing to do something about it can create change. And it is really powerful. And I commend you for it. It is exceptional.

I do not have you on my iTunes list, but I have looked you up while I am here. What is your favorite song?

Ms. GRANT. Of mine?

Senator MENENDEZ. Yes.

Ms. GRANT. My favorite song of mine? Probably a song called King of the World.

Senator MENENDEZ. King of the World. All right.

Ms. GRANT. Funny story is that President Obama told me that is his, and then he invited me to sing for him, and I got to. So that was, outside of this, maybe just a little notch higher in the cool department, but this is pretty special, too.

Senator MENENDEZ. Now you are really being courageous.

[Laughter.]

Senator MENENDEZ. But I admire you for it. I admire your work. It is an exceptional story about the organization that you have helped create, so—what do you find in the work that has been a challenge, other than obviously rating the resources to reach more people. But what do you find challenging in the work that you are doing?

Ms. GRANT. You know, mostly, for me personally, a big challenge is getting people to believe it is actually happening. I will never forget when I first was starting to talk about it, and this was in the church, right? I mean I had like a pastor sit me down and say, “I don’t want you to talk about that. I don’t want you to speak about that.” And because it was just a little bit too dirty, a little bit too uncomfortable.

And that is a topic for another day, but how far the church as fallen that we cannot talk about the dirty and the uncomfortable. That is the very place we should be able to talk about it, because the church is supposed to be a hospital where hurting people find help for what they need. But that was, for me, the biggest hurdle, was getting people to believe. Speaking with law enforcement.

Actually getting them to believe that trafficking was happening in their own communities. It was a huge effort of the organization last year. They trained over 1,000 police officers on how to recognize trafficking, how to handle a victim. And just the little bit that I heard of the testimony earlier, it is a huge problem for victims, to be honest, and to testify, and to feel like they are going to be protected.

In this country, the few victims I have had the opportunity to meet, they feel as though they are treated like the criminal, often-times.

Senator MENENDEZ. Hmm.

Ms. GRANT. That instead of being recognized as a victim, they are treated as a criminal, and there has to be something we can do to change that.

I think that as far as the organization, you know, they would say that some of the difficulties that they face would be in, you know, addressing slavery in the supply chain, and they have done that. They have created something called the Slavery Free Alliance—

Senator MENENDEZ. Hmm.

Ms. GRANT.—where businesses can join it. And we have several now that have joined. One with employees of 42,000 people, where they can recognize, okay, this is important. This is important.

And we need to continue to make people aware of it. I see it every day. Not like this. I see it in concerts, where people are—I see their faces—

Senator MENENDEZ. Hmm.

Ms. GRANT.—when I tell that story, when I talk about the victims. I see the faces of the people sitting in that audience, how they start to cry, how they—they are aghast. They cannot believe it. And then I see the rage. Something happened inside of them that says, “Not on my watch. Well, wait a second.”

It is amazing to me how I see when people learn about this issue, they become passionate about it, because it is the kind of issue that if you have a heart beating on the inside of you, you cannot—you cannot turn away from.

Senator MENENDEZ. Thank you. Thank you. You do not have notes, but you are doing a great job.

[Laughter.]

Senator MENENDEZ. And I appreciate your recognition that very often the victim feels that they are the criminal.

Ms. GRANT. Mm-mm.

Senator MENENDEZ. And we need to deal with that.

Ms. Bader-Blau, you covered a lot of territory, and a lot of it which I think is very important. So let me just quickly in the less than a minute that I have left focus in on the supply chain question. How do we get incentives, and/or consequences to get to have American companies engage in that? Because you mention in your testimony that corporate-social responsibility does not seem to work as a reality.

And also on the question of recruitment fees creating vulnerabilities to trafficking, if you could succinctly address those two.

Ms. BADER-BLAU. Sure. Quickly on the fees. I think the simple principle is that the idea of work is that I work and you pay me.

I should not have to pay to get a job. And unfortunately, around the world, people pay what are really business costs to get jobs, and they get indebted. They pay labor brokers that traffic them, or take them legally around the world. They pay for visas. These are all costs of doing business that employers should bear the burden of.

When they do not, and the burden rests on these vulnerable and low-wage workers, they end up working 6 and 8 months, in our experience, in countries like Saudi Arabia, where they are no other human rights available to anyone. They work essentially without pay. They work in modern slavery. So I think, you know, first of all, we need to completely eliminate fees. You should not have to pay to work.

And the second point on the voluntary corporate compliance issue, look, it is the 21st century. It is 2018. We can expect more from the corporate citizenship of our major American and international brands. We should be demanding something more than voluntary corporate compliance.

We want to see businesses actually step up and commit to not just asking the question, do I have slavery in my supply chain, but actually working with civil society, organizations on the ground that know the answer to that, and committing to eliminating that scourge by engaging civil society, including, and especially the workers themselves.

Look, you know, whether it is domestic workers, agricultural workers, garment workers, workers know when there is forced labor in a factory, because they see it. They are with each other, and they know what is happening. When workers can come together and have agency and collective voice, they can eradicate forced labor. We have seen it all over the world.

We need businesses to recognize that workers are, and their agency are part of the answer, and a core human right that is under attack globally around the world, is the right to freedom of association, and the right to have unions and collective bargaining. And that is a critical need in our global diplomacy in the fight against slavery.

Senator MENENDEZ. Thank you.

While these two people have been greatly touched by what they have seen and are acting in ways to solve the problem, we also have Jean Baderschneider today, who is running the Global Fund in Modern Slavery, who had a similar experience about 11 years ago, and has now committed herself to this effort, also. I just wanted to recognize her, and, again, thank both of you for your testimony.

Senator Risch.

Senator RISCH. Thank you so much. Thank you both for your work, and strong testimony. I think, Ms. Bader-Blau, your testimony about the problems is well accepted. One of the things that struck me when I joined this committee about 10 years ago—I spent all my life in public service, and various offices, but until I got to this committee, I really hadn't focused on the 200 countries in the world.

I am an American. I grew up here. Life was good for me. I grew up somewhat poor, but, you know, in America everyone seems to get along pretty well one way or another.

When I started traveling, I was just astounded at what I saw around the world. And many of these countries are allies of ours, friends of ours, and transactional partners of ours in various things. And then when you pull the curtain back, you look and you are just astounded at what you see.

With 8 billion people now on the planet, this is a problem that is pervasive, and the numbers are staggering. I have listened carefully to all the suggestions that you have. For instance, and please, don't take this as criticism. These are difficult issues.

But the supply chain issue is a great one to focus on. The difficulty with that is when you get a large corporation that the consumers can really put the screws to and say, "Look, if you do not do things right, we are not going to buy your product." The problem is, you turn on the internet, and you can buy the product from overseas, and have it shipped in, and it could have been made by slaves, for all you know.

So these are really, really difficult problems, simply because it is difficult—I do not want to discourage you. We all need to redouble our efforts in that regard. And I think your work of educating Americans as to what actually goes on out there, Ms. Grant, your testimony in that regard is powerful, and you need to continue to do that, and Americans need to know this. Because like I said, we all grew up so comfortably here. The vast majority of Americans grew up comfortably.

Obviously, most people think, "Well, it could be better." Well, after you travel around the world, you come back here and you say, you know, you just kiss the ground because of what have here. And even countries that we view as so civilized really all need work, and we need to keep the pressure up. And I look forward to partnering with my friends on the other side as we move forward on this issue. Thank you.

Thank you, Mr.—

The CHAIRMAN. Thank you. Senator Kaine.

Senator KAINE. Thank you, Mr. Chair, and to the witnesses. I really appreciate your advocacy and your testimony, and being with us to share. I want to applaud the leadership of this committee. Being on the Foreign Relations Committee for the last 4 years, I have watched this committee be very passionate and scrupulous about integrity in the Trafficking in Persons report.

There are often political efforts by administrations of both parties to try to cut a corner here, or give somebody a break there to accomplish another objective, and the committee has stood very, very strong against any efforts to try to weaken the rigorous analysis and criticism, if there should be criticism in those reports, and I applaud them.

Ms. Grant, I am particularly happy that you focused on the need for church organizations to be involved, and not just in the comfortable and easy, but in the uncomfortable. I think faith-based organizations do a lot of great work in this area.

We were contacted by one last year, an interesting organization, called A-21, that wanted to just put billboards at Dulles Airport

and other airports, because places that are international arrival zones are places where folks who are trafficked often, you know, hit land. And if there is something there that can offer them some assistance, they wanted to be able to do it.

We were able to connect A-21 with the airport's authority, and they have this campaign "Can You See Me" that they are doing at Dulles and elsewhere to try to bring more public awareness. So this is a faith-based organization doing good work. So I applaud you and encourage you to do that.

I want to ask you, Ms. Bader-Blau, you talked about root causes, and I thought that was an interesting one. It seems to me that one that you did not mention is subjugation of women. If we are talking about sex trafficking, or labor trafficking, or other trafficking, women are not the only victims. There are men victims of sex traffic. There are men victims of labor trafficking, certainly. But it would seem to me, and I am not an expert on this area, but it would seem to me that the subjugation of women is a key part of this.

I was just looking at your written testimony on page seven, for example, an organization works on the eastern coast of Kenya, where jobs are few, and poverty is endemic, and many women migrate to Saudi Arabia for the purpose of good paying jobs as domestic help.

An entire industry has been built to ship women overseas to clean and care for other people's families. Most have little choice, but to leave. There is no other way to support their family and make a better life for their children. And these women have told us of the trap set by labor brokers and employees. Four million of the globally enslaved working people each year, as you point out, are in the—doing domestic work.

And so I think that there is a whole aspect of the trafficking problem, of the slavery problem, that is directly related to second-class status of women, and subjugation of women. And I guess I would like to hear you talk about that in the labor slavery side.

Is it overwhelmingly or predominantly women? I know, certainly, there are men victims as well, but I am curious.

Ms. BADER-BLAU. Thank you. The majority of women who migrate abroad specifically for employment, globally, actually are involved in some form of service sector work, particularly, and especially domestic work. And, you know, people often—I like to say that, in fact, women, when they travel abroad for work, especially into domestic work, are often trading one patriarchy they faced at home for another one they arrive at work.

They absolutely face discrimination from labor brokers, who will only help them get jobs that are seen as female, first of all. So there is discrimination on the recruitment side, including in Mexico, and our H-2 programs into the United States. Discrimination happens there.

When they arrive to work in a place like the Gulf countries, we are talking about countries that under law discriminate against women, in general, citizens or migrants. And the migrant workers facing an additional burden of discrimination under the law. They do not have equal rights to citizens.

And in domestic work, women are often kept in homes, locked, made to sleep in closets, on the kitchen floor. Very often we find that—and, in fact, I was just in a meeting with a woman from Jamaica who became a domestic worker when she was 14 years old, who was not allowed to eat most of the day by her employer. They are treated as slaves, and discriminated against specifically—

Senator Kaine. Some are treated worse than the family pet is treated. And as you talk about it, there is sort of a gray zone between sex slavery and labor slavery. People come into situations where they then are forced to have sex to keep their job or to get a promotion. And so there is not a clear bright line in some cases between sex slavery and labor slavery.

Ms. Bader-Blau. No. And I would urge the members of the committee and your conversations later about Saudi Arabia, and ongoing, to really take advantage of the spotlight on Saudi Arabia, to highlight the extreme problem of trafficking and forced labor in that country. It is brutal. It is not just people being beheaded, it is virtually the entire migrant low-wage workforce is in some spectrum of trafficking in Saudi Arabia, and they need to be held accountable for that.

Senator Kaine. Great. Thank you.

Thanks, Mr. Chair.

The Chairman. Thank you. And before turning to Senator Markey, for the first panel, in particular, the record will remain open until Monday's close of business. I know this is not the type of topic where there is going to be any mischief, so Senator Markey—

Senator Markey. Thank you.

The Chairman.—I am going to actually cause you, if you will, to be chairman, and adjourn the meeting when you finish, in that I do need to get down early for this other meeting. I want to thank our witnesses for their inspirational service and testimony.

And with that, Chairman Markey, thank you.

Senator Markey. I thank you.

The Chairman. Please, if you don't mind, no arms agreements or anything like that while we are gone.

[Laughter.]

Senator Markey [presiding]. That is next year. Thank you, Mr. Chairman. Thank you for your service, too. I very much appreciate it. And, again, The Chairman has to work on the question of actually human rights in Yemen, and those issues as well, which is coming up in another 15 minutes or so.

Thank you both so much for your incredible leadership on these issues, what you have done to help to spotlight it. Just very powerful, powerful testimony. So thank you.

Ms. Bader-Blau, I know that Solidarity actually works on issues in Burma. So I would like to just ask you a question. Perhaps you could lay out what you think would be the right thing for our government to do.

In Burma, a year after the Burmese military's brutal operations led to nearly 1 million people being displaced in Bangladesh, there is no relief in sight for the Rohingya. Compounding the humanitarian crisis in Bangladesh is the threat of human trafficking of Rohingya refugees.

The International Organization for Migration, as well as Refugees International reported in August that thousands of Rohingya refugees were at risk of falling prey to human traffickers who exploit them sexually and for forced labor.

The nongovernmental organization, Fortify Rights, has highlighted how Rohingya leaving by boat to other Southeast Asian countries to escape their current predicament could be victims of trafficking networks, similar to 2015, when Rohingya victims of trafficking were forcefully detained, abused, and sometimes buried in Thailand or Malaysia. The Burmese Navy intercepted two boats with 100 Rohingya refugees in the last few days.

Do you agree with those assessments? And do you think that the administration is doing enough in order to deal with this issue? Do you think that they are sufficiently in conversation with the Burmese, and the Bangladeshis, in order to make sure that we fight hard on these trafficking issues in this region?

Ms. BADER-BLAU. So when people are found in mass graves, who were refugees, who were forced to work without pay in a place like Thailand, the answer to your questions is no, we are not doing enough.

When people are trafficked and discriminated against based on their religion, and their ethnicity, and their refugee status in Bangladesh, because they are Rohingya, or in Thailand, or in Malaysia, no, we are not doing enough. It needs to be a full-time focus on the—this is where we really see the nexus between racism and discrimination against migrants and refugees, and closing civic space. These are all countries I just mentioned that have really restricted rights environments. And so not only are people migrants that are discriminated against, there are not even—there is not really in the civic space for them to form organizations and fight enough. So no, we are not doing enough.

Senator MARKEY. Okay. And what would you say to the administration right now? Give them their work assignment.

Ms. BADER-BLAU. Oh, I do not know if I have the time. I would start by saying that, fundamentally, labor rights need to be advanced in our diplomacy, and protected in every single country. That includes Malaysia. I am talking about for Rohingya.

Senator MARKEY. Yes.

Ms. BADER-BLAU. Malaysia, Thailand, and Bangladesh. That needs to be a full-time focus of our diplomacy, and prioritized, because that is where we are seeing the most exploitation, is in forced labor of their—of migration.

So we need to focus on that, and I think we need to be more aggressive with our trade tools. We have GSP in these countries. We have other trade tools that we can use, that we can actually suspend in order to make the point that we are prioritizing the human rights of migrants and refugees.

Senator MARKEY. Beautiful. Thank you.

I cannot tell you how much we all appreciate what you do every single day. It will not be forgotten. You have made an imprint on the committee, and given us an agenda for what we should be working on, with intensity increased on the part of each one of us on the committee. We thank you both for your testimony.



And with that, this hearing adjourned. Thank you.  
 [Whereupon, at 10:50 a.m., the hearing was adjourned.]

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#### ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

RESPONSES OF AMBASSADOR JOHN COTTON RICHMOND TO QUESTIONS SUBMITTED BY  
 SENATOR ROBERT MENENDEZ

*Question. Domestic Workers:* Enslavement of domestic workers in diplomatic households remains a serious concern. The Department of State now conducts in-person interviews of domestic workers brought to Washington, DC on A-3/G-5 visas to screen for human trafficking and abuse. Secretary Pompeo recently announced that State would expand the program to two additional cities, but did not name the cities. While Washington, DC has the most abuse of domestic workers by diplomats, New York is a close second. In New York, diplomats stationed at the U.N., at consulates, and at permanent national missions to the U.N. all have the ability to bring in domestic workers on A-3/G-5 visas. These domestic workers are not screened for trafficking or abuse:

Which two cities will State include in this expansion? Will New York be one of those cities?

When will the expansion occur? And when will the program become national?

Answer. The Department of State looks forward to expanding its In-person Registration program for foreign domestic workers employed by foreign mission and international organization personnel. The Department of State will announce the two new cities added to the In-person Registration program in early 2019. Expansion of the program to New York remains under consideration. The Department is committed to this program and hopes that it can continue to expand to cover foreign domestic workers employed by foreign mission and international organization personnel throughout the United States.

*Question. Malaysia:* Ambassador Richmond, an investigation earlier this month by The Guardian found that electronics factories in Malaysia still display troubling indications of forced labor, even though we've known about such abuses for years. In fact, a 2014 report by the NGO Verité funded by the Department of Labor thoroughly documented problems in the industry and ultimately led Congress to pass my amendment to ban "fast track" procedures for trade agreements with countries on Tier 3 of the Trafficking in Persons Report:

You and I have discussed how the U.S. government should encourage Malaysia to take stronger actions against forced labor in the country, but how do you plan to convince the private sector to take greater responsibility for the safety of trafficking victims in their supply chains and ultimately to eradicate imports into the U.S. made with forced labor?

Answer. Private sector action to combat human trafficking in global supply chains is critical, and working with the business community is a key component of the Trafficking in Persons Office's efforts to prevent modern slavery.

Governments must set clear expectations for private sector entities on their responsibility to conduct appropriate due diligence in their supply chains to identify, prevent, and mitigate human trafficking. This principle not only guides the Trafficking in Persons Office's work, the United States, Canada, the United Kingdom, Australia, and New Zealand endorsed as a joint approach in the recently released Principles to Guide Government Action to Combat Human Trafficking in Global Supply Chains.

The United States government has a number of tools to encourage private sector action to combat human trafficking in their supply chains. The Federal Acquisition Regulation (FAR) rule, entitled "Ending Trafficking in Persons" prohibits all federal government contractors and subcontractors from engaging in human trafficking or practices associated with trafficking, such as charging employees recruitment fees, using misleading or fraudulent recruitment practices, or destroying or confiscating identity documents. The FAR rule also requires compliance plans for contracts that exceed \$500,000 and are performed overseas. Another tool of the federal government is the U.S. prohibition on imports produced with forced labor. The Trafficking in Persons office works closely with the Department of Homeland Security's Customs and Border Protection to assist them in their enforcement of this law and to communicate its implications to U.S. embassies and missions around the world. This is an

important tool for encouraging corporate due diligence on human trafficking and the Office will continue to support DHS's robust enforcement efforts.

*Question. Supply Chain:* The United States currently imports an estimated \$142 billion worth of goods that are likely to be made with forced labor, including \$83.3 billion from countries ranked at the bottom—on Tier 3 or the Tier 2 Watch List—of the TIP Report:

As corporations increasingly expand their operations in the global marketplace, how can the State Department incentivize companies to protect their supply chains from forced labor?

How are you going to work with your counterparts at the office of the U.S. Trade Representative, Customs and Border Protection, the Department of Labor, and elsewhere, to ensure that the U.S. cracks down on imports made with forced labor?

Answer. The Trafficking in Persons Office works to incentivize private sector action in a few ways and to provide tools to companies aiming to reduce the risk of human trafficking in their global supply chains.

The Trafficking in Persons Office has maintained engagement over the years with industry associations and multinational corporations to advance anti-trafficking due diligence efforts in the business community and help individual companies design effective strategies for addressing the crime in their specific business operations.

The Trafficking in Persons Office also collaborates with an NGO partner on the website [www.ResponsibleSourcingTool.org](http://www.ResponsibleSourcingTool.org), which assists federal contractors, procurement officials, and other companies to better understand the risks of human trafficking in their global supply chains and to develop effective risk-management systems. This includes sector-specific tools for the seafood sector with plans to expand to additional industries.

Finally, the Trafficking in Persons Office works extensively with its interagency colleagues on this issue. The Trafficking in Persons Office co-chairs the Senior Policy Operating Group's Procurement & Supply Chains Committee. That Committee works to implement the Federal Acquisition Regulation. The Office also supports DHS efforts the enforcement of the U.S. prohibition on imports produced with forced labor. The State Department plays a key role in an interagency working group that provides a venue for agencies to assist in the effective enforcement of the law. The Department is also working to educate its colleagues at embassies and consulates on the implications of the U.S. prohibition on imports produced with forced labor and how to communicate those to host governments and the local business community. The Office connects NGOs working in the field, who are important sources of information about conditions on the ground, with colleagues at U.S. Customs and Border Protection charged with enforcement. Finally, the Office also recently worked with the Department of Homeland Security's Customs and Border Protection, the Department of Labor, and NGO colleagues to produce a webinar for industry stakeholders on the U.S. prohibition on imports produced with forced labor and available federal resources for assistance in identifying, preventing, and addressing trafficking and trafficking-related activities in global supply chains.

*Question. Notices to Appear:* Recently, USCIS announced a change of policy and would be issuing "Notices To Appear" to unsuccessful applicants for humanitarian visas, including trafficking visas:

Can you please describe how this may result in victims being reluctant to cooperate with law enforcement investigations and not apply for protection?

Answer. Advocates have voiced concerns to the Trafficking in Persons Office about the Department of Homeland Security's (DHS) change in policy. As this is a DHS U.S. Citizenship and Immigration Services policy, I defer to my DHS colleagues on the rationale behind the change and any assessment of its impact.

The T visa is one of the primary trafficking-specific immigration options for trafficking victims and one of the U.S. government's main protection tools. I will use my role at the head of the Trafficking in Persons Office and in the federal government's anti-trafficking interagency coordination group to push for continued access for victims of trafficking, without fear, to the protections and immigration relief options made available to them by law.

*Question. Fee Waivers:* USCIS recently proposed a change in policy that would modify the form, instructions, and related guidance for fee waiver requests. While applications for humanitarian relief are not themselves subject to fees, applications for adjustment of status, employment authorization, waivers of inadmissibility, and other petitions and applications may carry filing fees. The proposed policy impedes access to safety and stability for victims of trafficking and other vulnerable populations by imposing new documentation requirements and narrowing the options available for demonstrating eligibility for a fee waiver:

Was the Department of State consulted about this proposed policy? If so, what steps is the agency taking to ensure fair access to protection for particularly vulnerable populations?

Answer. I refer you to Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services for details about any proposed policies. The Trafficking in Persons Office will continue to work with the interagency to advocate for appropriate protections for victims of human trafficking.

