

**EXAMINING U.S. AND GLOBAL COMMITMENTS
TO COMBATting HUMAN TRAFFICKING**

HEARING

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE**

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

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EXAMINING U.S. AND GLOBAL COMMITMENTS TO COMBATTING HUMAN TRAFFICKING

THURSDAY, JUNE 22, 2023

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

The committee met, pursuant to notice, at 10:45 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Robert Menendez, chairman of the committee, presiding.

Present: Senators Menendez [presiding], Risch, Ricketts, and Young.

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

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee will come to order.

It has been more than two decades since Congress passed the *Victims of Trafficking and Violence Protection Act* and yet, today men, women, and children are still bought and sold in virtually every country in the world.

It is an absolute travesty that traffickers are preying on Venezuelans fleeing for their lives from their country, on migrants desperate to escape hunger and conflict in the Horn of Africa, and it is despicable that they take advantage of Putin's invasion to exploit Ukrainian refugees, 90 percent of whom are women and girls who are desperate for protection from sexual violence.

The vast majority of trafficking victims are women and girls. If we are serious about combatting human trafficking, the United States must redouble our support for policies and programs that empower women and girls, as we tackle the root causes that open the door to such exploitation.

Ms. Dyer, Mr. Walsh, I commend the work both of you and your departments are doing. I know it is not easy and we have made meaningful steps in recent decades, but despite elevating the issue to a global scale and putting in place legal frameworks to hold traffickers to account, about 25 million people still live in what amounts to slavery. Traffickers still rake in an estimated \$150 billion annually.

I hope our witnesses will speak about what the United States is doing to address the root causes that leave people vulnerable and the prevention efforts to stop would-be traffickers: ending extreme poverty; ending gender-based violence so that many women and girls endure—so that many women and girls endure—whether it is sexual exploitation, domestic servitude, and forced marriage; and

fixing a broken migration system here in the United States that allows coyotes and other human smugglers to force children into debt bondage.

Forced labor trafficking is ultimately the result of governments failing to protect workers' rights. When employers do not respect labor laws, it creates an environment where workers are vulnerable to exploitation.

Any approach to combating trafficking must begin with empowered workers who can stand up for themselves. That means reforming labor laws to protect migrant and domestic workers.

These victims of human trafficking are cooking, cleaning, gardening, and taking care of children. They often work 16 hours a day for little or no pay.

I have fought to make sure that the State Department's Trafficking in Persons Report, which just came out last week, serves as an unbiased powerful tool to combat trafficking. I have pushed back against Administrations of both parties who would have politicized the report because I believe this is a problem that needs to be addressed in a bipartisan manner.

Senator Risch and I have reintroduced the *International Trafficking in Victims Protection Reauthorization Act*, which passed the Senate in the last Congress.

It will strengthen our ability to hold governments accountable and expand prevention efforts at the U.S. Agency for International Development, and it will help combat trafficking of domestic workers by diplomats and U.N. officials here in the United States.

We also need to hold governments accountable for their failure to take basic steps to address human trafficking. I am talking about holding China accountable for its reprehensible use of forced labor in its Belt and Road Initiative.

I am talking about holding Russia and Cambodia and Eritrea accountable. I am talking about holding the United States accountable as well.

I will end by noting that this year the government settled a case where more than 100—mostly Spanish-speaking children—were working graveyard shifts at our nation's largest slaughterhouses. That is dangerous work, hazardous machinery, industrial chemicals, extreme temperature changes. Some of them were just 13 years old. To me, that is completely outrageous and unacceptable.

The head of the Alabama Office of Homeland Security investigation said, "As the government, we turned a blind eye to their trafficking." *The New York Times* article went on to say, "he teared up as he recalled finding 13-year-olds working in meat plants."

This is not a problem limited to some far-flung corner of the world. It is a problem we see at our southern border and it is a problem that stretches into the American heartland.

We, in the United States need to be doing everything in our power to end global human trafficking. I think we can do better, I think we can do more, and I look forward to doing that.

With that, let me turn to the ranking member, Senator Risch, for his remarks.

**STATEMENT OF HON. JAMES E. RISCH,
U.S. SENATOR FROM IDAHO**

Senator RISCH. Thank you, Mr. Chairman, and I am hopeful that our bill will get completely through the process. There is absolutely no reason it should not.

As we all know, millions of people are trafficked every year. Traffickers prey on the most vulnerable, trapping them in a horrific cycle of abuse that often goes overlooked.

The children, young adults, women, and men that are coerced into forced labor and sex trafficking have their autonomy stripped and livelihoods damaged. Addressing this global scourge requires an international commitment.

The United States is the leading global voice on combating human trafficking and has been so for decades. We provide training, consultations, and aid to civil society and government actors around the world to better prosecute traffickers, prevent further trafficking, and protect victims.

It is shame, however, that some governments participate in state-sponsored patterns of trafficking and further victimize the most vulnerable. Other governments become indifferent to trafficking and offer no permanent solutions to ending the pattern in their countries.

Thankfully, there are some countries that have put significant investment to combating trafficking and protecting victims. We recognize their efforts and thank them for this enduring pledge.

I look forward to hearing today about what the Department sees as the biggest challenges and the biggest opportunities. I equally look forward to hearing more about USAID's important role in combating trafficking and what more can be done.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Risch.

We have the distinct honor to welcome Cindy Dyer, our Ambassador-at-Large to Monitor and Combat Trafficking in Persons, and who leads the State Department's Office to Monitor and Combat Trafficking in Persons.

Ambassador Dyer is a human rights advocate and lawyer with three decades of experience working at the local, national, and international levels to prevent and respond to human trafficking, sexual assault, and domestic violence.

We are also honored to welcome Johnny Walsh, the senior bureau official at the Bureau for Development, Democracy, and Innovation at the U.S. Agency for International Development.

Prior to his current role, Mr. Walsh served as USAID's deputy assistant administrator for Democracy, Human Rights, and Governance. Previously, he served as a senior expert at the United States Institute of Peace, a senior policy adviser for the Middle East and South Asia with the U.S. mission to the United Nations, and as the State Department's lead advisor on the Afghanistan peace process.

We welcome you both. We appreciate your willingness to come and share insights with us. Your full statements will be included in the record without objection.

I would ask you to summarize in about 5 minutes or so, so we can have a conversation and, Ambassador, we will start off with you.

STATEMENT OF THE HON. CYNTHIA DYER, AMBASSADOR-AT-LARGE, OFFICE TO MONITOR AND COMBAT HUMAN TRAFFICKING, UNITED STATES DEPARTMENT OF STATE, WASHINGTON, DC

Ambassador DYER. Chairman Menendez, Ranking Member Risch, thank you so much for the opportunity to appear before you today to discuss the Department of State's efforts to combat human trafficking and for your leadership on human trafficking.

I especially want to thank Chairman Menendez, Ranking Member Risch, and Senators Kaine and Rubio for sponsoring the *International Trafficking Victims Protection Reauthorization Act of 2023*, which recently advanced through this committee.

Just last week, Secretary of State Blinken presented the 2023 Trafficking in Persons Report. The TIP Report, which my office produces annually, contains narratives detailing global anti-trafficking efforts including those of 188 countries and territories worldwide including the United States.

It is the world's most comprehensive resource of governmental anti-trafficking efforts including our own and reflects the U.S. Government's commitment to global leadership on this key human rights, law enforcement, and national security issue.

This year's report contains some good news. Across all data points included in the global tally including trafficking prosecutions, convictions, and victims identified, there were increases reported compared to prior years.

This progress is due to real change in policies and ongoing improvements in governments' collection and reporting of law enforcement data. Convictions continued to increase and identifications of victims and potential victims increased by nearly 25,000, although neither was back to prepandemic levels.

This year's TIP Report includes 20 countries with ranking downgrades including Slovenia and Namibia from Tier 1, and the Dominican Republic and Egypt among 11 other governments down from Tier 2 to Tier 2 watch list. There were 24 whose ranking improved, including two countries, Denmark and the Seychelles, upgraded to Tier 1.

While the tier rankings are important, the TIP Report is above all the U.S. Government's principal diplomatic and diagnostic tool to guide relations with foreign governments on human trafficking with the narrative and recommendations a roadmap to improvement and the rankings a means to encourage governments to increase and improve their anti-trafficking efforts year after year.

The TIP Report also includes an introductory essay on how effective efforts to combat human trafficking require partnership to complement and support the "3P" paradigm of prosecution, protection, and prevention, a topic I shall return to in a moment.

The report also includes special interest boxes on a variety of timely subjects and emerging trends we have documented including forced criminality in cyber scam operations, unscrupulous online

labor recruitment, the challenges faced by survivors who are boys and men, and audit deception.

Cyber scams in Southeast Asia including in Burma, Cambodia, Laos, Malaysia, and the Philippines are a growing form of forced criminality affecting victims worldwide.

The 2023 TIP Report narratives revealed that victims from at least 35 countries and areas have been identified. The scope of these operations is shocking. An International Justice Mission report, for example, estimates that up to 100,000 people in Cambodia are working in scam operations.

These schemes often target young and educated professionals, including Americans, who respond to virtual offers of employment only to have traffickers seize their passports and coerce them into enticing strangers online to join fake cryptocurrency investment schemes, deposit money into gaming accounts, or buy into false romance and investment schemes.

I spoke about the need to address forced criminality amid cyber scams at the OSCE's 23rd Alliance Against Trafficking in Persons in April and earlier this month Principal Deputy Director Kari Johnstone spoke at the OSCE and Council of Europe about this growing menace, and we are focused as always on promoting a victim-centered and trauma-informed approach so that victims are not inappropriately penalized solely for unlawful acts they committed as a direct result of being trafficked.

Turning back to this year's TIP Report, the introduction focuses on a fourth critical P; partnership, which has long been essential to the success of the 3P framework.

As ambassador, I am focused on implementing key actions to advance an effective anti-trafficking response including addressing human trafficking in the context of the impact of Russia's war, documenting and decrying human rights trafficking in Xinjiang and elsewhere in the People's Republic of China, as well as the PRC's Belt and Road Initiative, engaging with survivors, and preventing human trafficking in global supply chains.

Chairman Menendez and Ranking Member Risch, thank you again for holding today's hearing and this committee's steadfast commitment to combating human trafficking.

[The prepared statement of Ambassador Dyer follows:]

Prepared Statement of Ambassador Cindy Dyer

Chairman Menendez, Ranking Member Risch, and distinguished Members of the Committee, thank you for the opportunity to appear before you today to discuss the Department of State's efforts to combat human trafficking, and for your leadership on human trafficking. I especially want to thank Chairman Menendez, Ranking Member Risch, and Senators Kaine and Rubio for sponsoring the International Trafficking Victims Protection Reauthorization Act of 2023, which recently advanced through this committee.

Just last week, Secretary of State Blinken presented the 2023 Trafficking in Persons Report. The TIP Report, which my Office produces annually, contains narratives detailing global anti-trafficking efforts, including those of 188 countries and territories worldwide, including the United States. It is the world's most comprehensive resource of governmental anti-trafficking efforts—including our own—and reflects the U.S. Government's commitment to global leadership on this key human rights, law enforcement, and national security issue.

OVERVIEW OF 2023 TIP REPORT

This year's report contains some good news. Across all data points included in the global tally—tracking prosecutions, convictions, and victims identified—there were increases reported compared to prior years. This progress is due to real changes in policies and ongoing improvements in governments' collection and reporting of law enforcement data. Convictions continued to increase, and identifications of victims and potential victims increased by nearly 25,000—although neither was back to pre-pandemic levels.

This year's TIP Report includes 20 countries with ranking downgrades, including Slovenia and Namibia from Tier 1, and the Dominican Republic and Egypt among 11 other governments down from Tier 2 to the Tier 2 Watch List. There were 24 whose ranking improved, including two countries—Denmark and the Seychelles—upgraded to Tier 1.

There were also 19 upgrades to Tier 2. Five countries were downgraded to Tier 3 and three countries were upgraded from Tier 3. Nineteen countries and territories remained on Tier 3, for a total of 24—the second-highest number since the report began. Tier 3 included 11 countries with an ongoing finding that they engaged in a “policy or pattern” of state-sponsored human trafficking.

While the tier rankings are important, the TIP Report is, above all, the U.S. Government's principal diplomatic and diagnostic tool to guide relations with foreign governments on human trafficking, with the narrative and recommendations a road-map to improvement, and the rankings a means to encourage governments to increase and improve their anti-trafficking efforts year after year.

The TIP Report also includes an introductory essay on how effective efforts to combat human trafficking require partnership to complement and support the “3P” paradigm of prosecution, protection, and prevention, a topic I shall return to in a moment. The Report also includes special-interest boxes on a variety of timely subjects and emerging trends we have documented, including forced criminality in cyber scam operations, unscrupulous online labor recruitment, the challenges faced by survivors who are boys and men, and audit deception.

Cyber scams in Southeast Asia—including in Burma, Cambodia, Laos, Malaysia, and the Philippines—are a growing form of forced criminality affecting victims worldwide; the 2023 TIP Report narratives reveal that victims from at least 35 countries and areas have been identified. The scope of these operations is shocking. An International Justice Mission report, for example, estimates that up to 100,000 people in Cambodia are working in scam operations. These schemes often target young and educated professionals, including Americans, who respond to virtual offers of employment, only to have traffickers seize their passports and coerce them into enticing strangers online to join fake cryptocurrency investment schemes, deposit money into gaming accounts, or buy into false romance and investment schemes.

I spoke about the need to address forced criminality amid cyber scams at the OSCE's 23rd Alliance Against Trafficking in Persons in April, and earlier this month, Principal Deputy Director Kari Johnstone spoke at the OSCE and Council of Europe about this growing menace. TIP Office staff recently returned from Laos, Vietnam, and Thailand, where they learned more about these cyber scam operations and facilitated discussions around the scam centers at a Mekong dialogue organized by the Stimson Center and our East Asian and Pacific Affairs bureau. Through our Emergency Victim Assistance program, our foreign assistance has helped 208 victims from 16 countries and areas return home after being exploited in such centers and get urgent care they need. Our new programming in the region will focus on preventative measures and protection for the thousands of victims being held there, including a crucial plus up, from existing funds, for emergency victim assistance. And we are focused, as always, on promoting a victim-centered and trauma-informed approach, so that victims are not inappropriately penalized solely for unlawful acts they committed as a direct result of being trafficked.

TIP OFFICE FOREIGN ASSISTANCE PRIORITIES

Thanks to sustained support from Congress, in particular the groundbreaking Trafficking Victims Protection Act (TVPA) of 2000 and its subsequent reauthorizations, including, we hope, one later this Congress, the Department has a well-established set of tools to draw upon in the fight against human trafficking.

Among these tools is our foreign assistance. The TIP Office is proud to bring targeted resources to support grassroots, national, and international nongovernmental organizations, and government-NGO partnerships. Since 2001, the TIP Office has leveraged more than \$700 million in foreign assistance to support nearly 1,000 anti-trafficking projects to address sex trafficking and labor trafficking worldwide.

Our work has impact. For example, in just the past year, TIP Office assistance provided more than 15,000 victims, including more than 1,500 children, with direct services such as shelter, healthcare, counseling, legal assistance, or education. Nearly 5,000 victims of trafficking received legal services, increasing their access to justice. Our Office's programs trained more than 6,000 criminal-justice actors, contributing to the adjudication of 148 cases with convictions, and strengthening 73 anti-trafficking laws and policies worldwide.

The TIP Office's Child Protection Compact (CPC) Partnership program is an innovative and effective program that harnesses the strengths of governments and civil society in advancing the fight against child trafficking. CPC partnerships are multi-layered and sustained partnerships between the United States and foreign governments. After a rigorous review of potential countries and establishing an actionable theory of change, the U.S. and partner governments will make non-binding commitments to provide financial and/or in-kind resources in a sustained effort to fight child trafficking via projects that engage all relevant stakeholders, including law enforcement, service providers, the judiciary, teachers, health officials, and survivors. These collaborations, with partner governments investing resources alongside the U.S. Government, have been effective from Peru to Ghana to the Philippines and beyond.

Our Office is building on this model, incorporating lessons learned along the way, to leverage foreign assistance through sustained government-to-government partnerships to spur progress to combat human trafficking in more countries. We call this new initiative the *Partnership to Prevent Trafficking in Persons*. Through existing allocations, the program will focus on all victims of trafficking, not only children, and support progress across the 3 Ps of Protection, Prosecution, and Prevention. We are in active discussions to kick this program off. We anticipate putting out a Notice of Funding Opportunity soon to jump start this exciting new endeavor and hope to sign an arrangement with a partner government by the end of this calendar year.

2023 TIP REPORT INTRODUCTION—PARTNERSHIP

Turning back to this year's TIP Report, the introduction focuses on a critical fourth "P"—partnership—which has long been essential to the success of the "3P" framework.

Partnership flows through and infuses all our efforts. Human trafficking is a global threat that is beyond the capacity of a single organization, agency, sector, nation, or even international organization to address. Therefore, effective strategic partnerships must be the lifeblood of any successful effort, harnessing the perspectives, knowledge, and capabilities of a wide variety of actors, from whole-of-government to the private sector to the community of trafficking survivors. Our introduction this year highlights examples of these successful partnerships that are as instructional as they are inspirational.

Partnerships with Survivors

Collaborating with survivors as experts and equal partners is critical to understanding the realities of human trafficking and establishing effective victim-centered, trauma-informed, and culturally competent anti-trafficking policies and strategies. The United States, with its Advisory Council on Human Trafficking and Human Trafficking Expert Consultant Network, has served as a role model for many countries. For example, in 2022, Israel established a national anti-trafficking advisory committee that includes survivor members and advises on a range of topics. Other countries, including Bangladesh, Botswana, Finland, Iceland, North Macedonia, and Uganda have engaged survivors in national anti-trafficking efforts within the past 2 years. Countries such as Australia, Canada, and the United States have committed to engaging individuals with lived experience through their national action plans. Furthermore, as noted within the country narrative, during this reporting period the Government of Australia piloted a survivor advisory council, which provided guidance on government policies, including review of the legislative framework.

Intragovernmental/Interagency Cooperation

Governments that act as a splintered collection of fractured agencies and bureaus are nowhere near as effective as governments that act in a unified and cohesive manner: Interagency and intragovernmental coordination are essential. Adopting a whole-of-government approach enhances opportunities for government agencies to partner with one another to implement and enforce national trafficking laws more effectively, provide protection and services to survivors, coordinate prevention activities, address information gaps, incorporate survivor- and trauma-informed ap-

proaches, plan and pace strategic national initiatives, and streamline or coordinate on overlapping efforts.

In Argentina, for example, the government's Federal Council for the Fight against Human Trafficking and Exploitation promotes intragovernmental coordination on anti-trafficking efforts. The Council's biannual meetings facilitate collaboration between provincial and federal anti-trafficking authorities and allow representatives of Argentina's 24 jurisdictions to review the activities of the Federal Government's Executive Committee for the Fight Against Trafficking and Exploitation of People and the Protection and Assistance of Victims.

Here in the United States, Secretary of State Blinken leads the President's Inter-agency Task Force to Monitor and Combat Trafficking in Persons, a cabinet-level entity that includes representation from across the U.S. Government. The task force's Senior Policy Operating Group, which I have the privilege of chairing, convenes throughout the year to help coordinate and implement the work. Through both of these mechanisms, the U.S. Government is committed to implementing the U.S. National Action Plan to Combat Human Trafficking and ensuring that this fight remains a top priority.

Civil Society Partnerships

Governmental partnerships with civil society, from grassroots community organizations to international non-governmental organizations, are also essential for combating human trafficking worldwide. These civil-society groups often have critical know-how, community relationships, and on-the-ground expertise that governments do not. For example, in Niger, the Government's National Agency for the Fight against Trafficking in Persons and the Illicit Transport of Migrants works closely with IOM on victim referral and protection efforts, including by collaborating to implement and train frontline officials on the national-referral mechanism.

The last few years have been particularly challenging and have further illuminated the importance of robust partnerships. Human trafficking is a global menace, a crime that exists in every country and affects people of every age, ethnicity, and gender, with historically and systematically marginalized groups often at greatest risk. The COVID-19 pandemic, inflation, Russia's war against Ukraine, and disruption caused by climate change and Russia's nefarious impacts on global food and energy supplies have exacerbated poverty and economic inequality, heightened job insecurity in many sectors, diminished access to justice and services, disrupted global supply chains, and contributed to new waves of risky migration. All of these factors, and others, have heightened the risk of trafficking around the world.

But we are not helpless. Today, more than ever, the United States' sustained leadership and commitment to combating trafficking in all its forms is critical.

As Ambassador, I am focused on implementing key actions to advance an effective anti-trafficking response, including addressing human trafficking in the context of the impact of Russia's war; documenting and decrying human trafficking in Xinjiang and elsewhere in the People's Republic of China as well as the PRC's Belt and Road Initiative; engaging with survivors and underserved communities; and preventing human trafficking in global supply chains and in the U.S. Government's procurement of goods and services.

Chairman Menendez and Ranking Member Risch, thank you again for holding today's hearing and this Committee's steadfast commitment to combating human trafficking.

The CHAIRMAN. Thank you, Ambassador.
Mr. Walsh.

STATEMENT OF JOHNNY WALSH, DEPUTY ASSISTANT ADMINISTRATOR FOR DEMOCRACY, HUMAN RIGHTS, AND GOVERNANCE, UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, WASHINGTON, DC

Mr. WALSH. Thank you, Chairman Menendez. Thank you, Ranking Member Risch.

Thank you for your leadership on combating human trafficking and the opportunity to speak here today. This is such an awful crime all over the world including at home, as you rightly pointed out.

I would just start by saying I think that those who dedicate their lives to fighting it are doing genuinely heroic work so I just want

to acknowledge the amazing efforts of staff who work specifically on countering trafficking at USAID and at the State Department and then the huge network of activists, civil society, our implementing partners who work with us, really, all over the world.

More concretely, since 2001 USAID has provided a little over \$370 million in counter-trafficking assistance in 88 countries. Currently, USAID supports C-TIP efforts, some of them standalone and some of them more directly integrated with our other development work in 35 countries.

In FY 2022, we obligated \$32.5 million into counter-trafficking work globally. That is more than \$3 million above our earmark, which indicates how important our missions consider this work on their own among the many priorities that they are trying to address.

As I say, beyond our direct counter-trafficking programming a large fraction of USAID's international development work helps to counter trafficking either by addressing its root causes—which range from conflict to corruption to poverty, gender-based violence, natural disasters, a lack of opportunity—or by building local capacity in ways that are directly relevant to the fight against trafficking, for example, supporting stronger judicial systems, supporting the rule of law.

I think that USAID's effectiveness in this work rests on a strong in-country presence where we are working through our missions. That allows us to design and effectively monitor our work in a way that is informed by and adaptive to a very local context on the trafficking problem as it exists in any given place.

Similar to the State Department, we embrace what we call the four Ps: prevention, protection, prosecution, and partnership. That is how we break down our work in this regard.

First, to touch on prevention, we worked, for example, to raise awareness of trafficking, particularly with vulnerable groups, high-risk communities that are often preyed upon. That can mean promoting public information and education campaigns. These will cross source transit and destination countries for trafficking.

As one example, in Colombia, USAID is working in high-risk communities to protect the rights of Venezuelan migrants who are vulnerable to trafficking, and this program does many things, but in this context it raises awareness about the different methods of exploitation.

We complemented that by training almost 4,000 service providers on how to address gender-based violence over the last year—that is just one example—to touch on prevention.

Second, to protect trafficking survivors, USAID's approach and the State Department's approach is survivor-centered and it is trauma-informed and so we support reintegration assistance for survivors.

That often means psychosocial and medical services. It can mean legal assistance, safe and secure accommodations for people who may still be at risk, access to employment, to business opportunities—all of this to help survivors rebuild their lives and to avoid being revictimized.

Third, on prosecution, this lives principally with others, but USAID absolutely helps with the development, for example, of anti-

trafficking laws with significant penalties for traffickers and protections for victims.

We provide victim-centered training and technical assistance for law enforcement officers, for prosecutors, for judges, so that they are maximally effective and compassionate in helping trafficking survivors and prosecuting perpetrators.

As an example, we are working across the Caribbean region through our Caribbean regional mission to improve the prosecution of trafficking cases.

We help countries develop or strengthen national referral systems—referral mechanisms so that means training local law enforcement to better screen and identify and investigate trafficking cases.

Fourth, on partnerships I would just say there is no way to do this alone. We work across governments, civil society, faith-based organizations, advocacy organizations. We are all in it together and we view it as an all-hands-on-deck approach.

As one example, in Senegal, USAID has used partnerships across each of the categories that I named to promote a coordinated community-based almost whole-of-society approach to combat forced child begging and it is hard to think of a population more vulnerable to exploitation than children who are begging.

We can build on years of lessons from prior programming and we can work with government, religious leaders, community leaders, local shelters to reduce forced child begging, especially in urban areas where this program operates.

The last thing I will say for the moment is in December of 2021, USAID revised our whole-of-agency C-TIP Counter-Trafficking Policy to align with the U.S. Government's revised National Action Plan to Combat Human Trafficking and a couple of the priorities that we really brought out to infuse into the work of our field missions are, as I say, survivor-centered approaches, partnerships across government, civil society, private sector, to work together against trafficking, better coordination with other parts of the U.S. Government, extensive use of evidence and learning which we gather from all of our trafficking programs and apply to our work, going forward, and delineating clear roles and responsibilities for staff across USAID, for example, if they detect trafficking adjacent to any of our own programs.

This revised policy—its associated C-TIP Field Guide help our missions to design, implement, monitor, and evaluate their work and together they serve, in effect, as in our minds our implementing guidance for USAID for the TVPA.

Chairman Menendez, Ranking Member Risch, thank you for calling this hearing. We emphatically share the belief that no single entity—whether it be the government, our implementing partners, different parts of our government—can do this alone to combat a crime as complex as trafficking.

Thank you, and I look forward to your questions.

[The prepared statement of Mr. Walsh follows:]

Prepared Statement of Mr. Johnny Walsh

Chairman Menendez, Ranking Member Risch, distinguished Members of the Senate Foreign Relations Committee; thank you for your leadership on combating human trafficking and the opportunity to be here today to discuss USAID's work

on addressing human trafficking through the 4 Ps of protection, prevention, prosecution, and partnerships, our revised Counter-Trafficking in Persons (C-TIP) Policy, and our C-TIP Code of Conduct.

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

Since 2001, USAID has provided over \$370 million in assistance in 88 countries, and currently supports C-TIP efforts in 35 countries. In Fiscal Year (FY) 2022, we obligated \$32.5 million for C-TIP activities globally and continue to integrate C-TIP strategies into other development programs. Our C-TIP work addresses root causes such as conflict, corruption, poverty, gender-based violence and gender inequality, socioeconomic and structural inequalities, racism, natural disasters, lack of educational and job opportunities, and shortfalls in basic social services. Through crucial investments to address these issues, USAID's C-TIP efforts also advance USG national security interests by preventing or mitigating conflict and displacement and strengthening the capacity of national and local institutions that promote stability. USAID's effectiveness rests on a strong in-country presence, allowing us to design and monitor well-run interventions informed by local context.

4PS OF PREVENTION, PROTECTION, PROSECUTION, AND PARTNERSHIPS

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

Prevention

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

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

Protection

To protect TIP survivors, USAID's approach is survivor-centered and trauma-informed as we integrate mental health and psychosocial support into programming. USAID-funded activities provide services for physical and emotional healing, legal assistance, safe and secure accommodations, and access to workforce development opportunities. For example, in *Bosnia and Herzegovina*, USAID is supporting nine local organizations to provide legal and practical protections for survivors and strengthen the capacity of government institutions and non-governmental organization-managed shelter providers to protect victims. As a result of our direct support to victims, the Prosecutor's Office confirmed an indictment against one person for human trafficking. USAID's support was recognized by the Prosecutor's Office for the specialized services of legal advice and representation of the minor victim in the Court, continuous communication, developing a trustful relationship, and supporting the minor victim.

PROSECUTION

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

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

Partnerships

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

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

REVISED C-TIP POLICY

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

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

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

USAID's revised C-TIP policy emphasizes rigorous research methodology to better understand what is working and what is not, and to continually learn lessons and adapt to changing threats such as the rise in online sexual exploitation of children.

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

C-TIP CODE OF CONDUCT

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

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

Thank you, and I look forward to your questions.

The CHAIRMAN. Thank you. We will start a round of 5-minute questions.

Ambassador, you mentioned in your remarks some countries who were downgraded, including the Dominican Republic, to a Tier 2 watch list. Is that because of what is happening to laborers at the sugar mills that are taking place? I saw some reports of labor issues there.

Ambassador DYER. Thank you for that question. The reason that the Dominican Republic was downgraded—the full details are in the narrative, but the highlight is that they are not appropriately screening their migrant workers nor are they referring migrant workers to services and they are not offering services to those who have been identified as trafficking.

This was a case where we actually spoke about it in-depth and we were very concerned about this systematic exclusion of providing services and even referring or screening the victims. That was the reason for their being downgraded.

The CHAIRMAN. I see. There are labor reports about the sugarcane refineries in the Dominican Republic using underage individuals and basically not providing certain fundamental labor rights to its citizens. I would commend that to your attention as well.

Cuba is once again a Tier 3 country in the annual Trafficking in Persons Report. The Cuban regime actively employs forced labor practices through its foreign medical missions program.

As the TIP Report notes, by the end of 2021, Cuban medical missions were exported to close to 60 countries, where such workers were regularly threatened, denied salaries, forced to work under exploitive conditions, and had their travel documents seized.

Obviously, the Cuban regime will not end this inhumane practice. What concrete actions has your office taken to elevate the voices of victims of the Cuban regime's human trafficking scheme and to develop a diplomatic campaign to end these forced labor practices once and for all?

Ambassador DYER. Thank you for flagging this critical human rights abuse.

I think the most important thing that the office is doing, number one, is in addition to calling out Cuba's horrible state-sponsored trafficking of their medical personnel in the Cuban narrative, we actually call out every country who is hosting and therefore providing money and supporting Cuba in that state-sponsored program.

We listed this in 56 country narratives in the Trafficking in Persons Report and this—as you know, this TIP Report is what drives our foreign diplomacy. We are not only calling it out in the Cuban narrative, but also in the 56 country narratives that are by their using these medical personnel supporting that regime.

The CHAIRMAN. This is a set of circumstances where Cuban doctors and other medical personnel are sent to other countries.

The country pays Cuba, not the medical professionals. They take the passports away of these medical professionals so that they cannot leave and they are, in essence, hostage and it is the equivalent of slave labor, from my perspective.

These countries who are participating in this is equally as vile as the Cuban Government's use of these individuals in a human trafficking case.

Let me ask you this, Ambassador. The Government Accountability Office investigation in 2020 concluded that evaluating the effectiveness of anti-trafficking foreign assistance is difficult due to limited data, a focus on outputs versus—over outcomes and limited evaluation resources, among other factors.

What steps are you and the Department taking to sharpen our ability to successfully evaluate the effectiveness of our counter-trafficking assistance?

Ambassador DYER. The effectiveness of our program is of paramount concern to both me and to the entire office. Ironically, I was a Trafficking in Persons Office grantee back when I was leading the human rights department at an NGO so I am super focused on making sure that we are using our money in the best way possible.

We are—actually the GAO reports that have come out recently have not only given us sort of—they have supported that what we are doing is unique and effective, but they absolutely have given us specific areas for improvement, and we agree with those areas for improvement and we are making specific changes including there was a recommendation to standardize our processes and so we are doing that in our international programs department.

We are increasing accountability by setting target indicators in each of our grants and we are establishing, which I think is really important to make sure that we are using the money in the most efficient way possible—we are establishing sustainability plans for each of our grants so that when the money pulls out we know that our good work will continue to remain in force.

The CHAIRMAN. Finally, Mr. Walsh, speaking about effectiveness of anti-trafficking programming, we know that human trafficking has evolved since the TVPA was first passed in 2000, and that our efforts at addressing human trafficking have had some modest success worldwide.

I heard your testimony. In my own personal perspective, I think there is much more USAID could be doing. What type of anti-trafficking programming or advocacy has been most effective and what types of our foreign assistance have fallen short and can be improved?

Mr. WALSH. Thank you for the question.

I think that the problem varies so much from region to region that our instances of most effective programming are often very different from each other and tailored to local circumstances.

As examples of where I think we have been very effective, I would cite, for example, in Southeast Asia we have a number of programs in different countries to target trafficking in the fisheries industry, and because it is offshore, because it is often taking advantage of migrant labor, these are populations that are very prone to being exploited.

I think we have used the full range of our toolkit, including very modern technological solutions that are still very useful to a vulnerable population: so, for example, reporting mechanisms such that someone who is being held against their will on a ship in some facility adjacent to the fisheries industry has a lot more ability to access authorities than they maybe had in 2001 when this all started, and that is us trying to be flexible.

We pair that with a host of civil society organizations that are advocating with the governments of Southeast Asia to apply pressure, to tighten safeguards, to work with law enforcement to watch for this, and with support to victims, to survivors after we have found them.

Now that applies to lots of industries. I single out the fisheries one as one where we found especially exploitative circumstances that has grown in recent years, but by the same token, I think we have tried to help on the migration crisis in the Western Hemisphere by working in both source and transit countries in a variety of ways.

For example, in Guatemala one effort that we are—that we think has been especially useful is called—forgive me, I am not a Spanish speaker—but El Refugio de la Niñez and it is a shelter providing a full range of services to trafficking survivors aimed at providing immediate emergency care, psychosocial help, mental support, often physical and medical support, but also helping them to re-integrate into their own communities.

Sometimes they are from Guatemala and sometimes they started somewhere else, but having a shelter like that and a network of very professionalized support can help reduce the—for those who were migrants who were exploited on the way—can help reduce the likelihood of remigration, can help target those root causes that send people onward in the first place, and it has been embraced by a lot of the civil society community there.

I could give—there are other examples. Ukraine is a completely different context, obviously, but I think the fact that we were doing years and years of trafficking work—counter-trafficking work in Ukraine before Putin’s further invasion last year gave us this huge base to build upon such that when just the calamity of especially early February 2022 hit, there was already in place a national hotline with 6,000 people responding to reports of trafficking and, as the problem radically changed, there were tools in place to support that. I think that is true across a lot of Ukraine efforts, but it is especially true here.

In each of those cases, those are missions targeting local circumstances on their own. We have a fairly decentralized model, but I think that is where it is effective because the problem is so different in those places.

The CHAIRMAN. Well, I would like to have my staff follow up with you on—

Mr. WALSH. Of course.

The CHAIRMAN. —a few ideas that we have and some perspectives.

Senator Risch.

Senator RISCH. Thank you.

Madam Ambassador, you described the situation with scam operations, particularly in Asia, and the forced criminality. I guess we do not usually think of that sort of thing when we think of human trafficking.

Obviously, the intersection of those two is interesting. Could you give us some specific examples of how that works so we can kind of think about this a little more clearly?

Ambassador DYER. Thank you so much for that question because it is a really emerging issue that is of critical importance for us to better get our arms around.

What we are seeing happening is that there are frequently Chinese criminal gangs that are behind this. They are posting job opportunities on Facebook and other social media places that appear to be legitimate, and interesting—

Senator RISCH. In China or in other places?

Ambassador DYER. They are posting these in—all over the world. We have identified victims from 35 countries. Many times they are from the Philippines and Malaysia, Indonesia, but we have identified individuals from Japan, the United States, the U.K.

Senator RISCH. It is emanating from China?

Ambassador DYER. Yes.

Senator RISCH. That is where I get a little confused. How do they enslave someone an ocean away from them? How do they do this? Is it—

Ambassador DYER. They post the job. The individual accepts the job. They are frequently transiting through Thailand or Cambodia. Frequently they are going to these compounds. A lot of these are leftover empty buildings from COVID. They are frequently located in Cambodia, in Burma, across the border from Thailand.

Individuals think they are going for a legitimate IT job that is going to utilize their skills—linguistic skills, IT skills.

When they get there, they are literally locked in a room and they are not allowed to leave, and they are given a quota of how much money they have to get from scam operations and if they do not make that quota they are tortured. They are deprived of food and water. They are under intense pressure to meet this quota.

Some of these—the reason we know how this is happening some of them have escaped to tell us about it. There was recently—and this was actually in the news—a cyber scam compound in the Philippines where more than a thousand individuals were located and freed.

They were from all over, as we said, 35 countries, targeting a unique population that is not normally what we think of as the target or vulnerable to trafficking because these are people with education, linguistic skills, and often IT skills.

Senator RISCH. Interesting. Did you say you had people that got caught up in that even from the United States? Is that—

Ambassador DYER. Yes, sir. To my knowledge, so far there was one individual from the U.K., one individual from the U.S., one individual from Japan—we actually spoke about it when I had the opportunity to visit Japan earlier this year—and then many individuals from other Southeast Asian countries, but really there are individuals from Africa.

Because one of the benefits is if they get a broad target, then that individual can target secondary victims for their online scams from the country that they are from. They sound like a person from the U.K., the U.S., a country in Africa, and they are more effective at running these romance scams and fraudulent scams.

Senator RISCH. They are lured there and then held against their will once they get there?

Ambassador DYER. Yes, sir. Yes, sir.

Senator RISCH. My time is limited here, but I do want to touch on what I think is probably the most obvious matter we hear about in the news and that is the Uyghurs in China.

Tell me about that. What do you do about that? What is the efforts that are being targeted at that?

Ambassador DYER. I think this is a situation where we need to use all tools available. It is not something that there is going to be a silver bullet for.

Thank you. I appreciate you raising this issue.

As you will note, the Trafficking in Persons Report goes into significant detail about the PRC's inappropriate, horrible human rights abuses, specifically their forced labor of Uyghurs and other ethnic and religious minorities, frequently located in the Xinjiang autonomous region.

We are holding—so one tool is call it out in the TIP Report, not only what China is doing, but also which we also call out in the TIP Report, places where this is occurring in other countries.

For example, we flag in the TIP Report that China's Belt and Road Initiative is impacting 13 countries and so that is brought up in each of those countries' narratives so that those countries can be more aware of what is going on and more proactive to ensure that their own citizens are not falling prey to China's tactics as well as Chinese citizens.

In addition to formal Belt and Road Initiative projects, we also have identified PRC-affiliated projects—not Belt and Road Initiative, but just PRC-affiliated, and we have followed up forced labor trends in 14 additional countries where this is called out.

I think that in addition to the TIP Report we need to use and we are using our diplomatic and multilateral diplomacy—bilateral diplomacy—to talk to these countries to make sure that people are not unwittingly supporting these programs under the guise of getting infrastructure in their country.

A third important area is the Trafficking Persons Office participates in the Forced Labor Enforcement Task Force where we are aggressively working on implementing, thanks to Congress, the Uyghur Forced Labor Prevention Act.

We are adding entities to this list so that we can make sure that Americans are not unwittingly using goods and products that were made by individuals held in slavery in the Xinjiang autonomous region.

Senator RISCH. Well, it is a difficult subject because at the same time that we are trying to tamp down the things that are going on between U.S. and China, China is very sensitive to this. They deny it is going on. They deny it is going on and say that we are dead wrong on that. How do you thread that needle?

Ambassador DYER. Very carefully, sir. Very carefully.

I think that we have to both try to improve that diplomatic relationship. I actually believe that we can do what we can from afar. We can work on those—the Uyghur Forced Labor Prevention Act. We can try to prevent goods from coming in and, certainly, we can encourage other countries to do a better job of making sure that they are not unwittingly supporting China through these infrastructure projects.

Of course, the best way would be if China changed themselves and that is only going to happen, as you wisely pointed out, if we can have a better relationship with them.

That would be the most, pardon me, direct way. I think that we need to use every single one of those tools because this is a problem that is going to require it.

Senator RISCH. Thank you. Thank you, Mr. Chairman. My time is up.

The CHAIRMAN. Thank you.

Senator Ricketts.

Senator RICKETTS. Thank you, Mr. Chairman, and thank you to our panelists for talking about this important topic.

Human trafficking is a despicable crime and not only does it inflict severe trauma on its victims, but it demonstrates just a sickening disregard for human dignity.

As governor of Nebraska, I worked with my attorney general, Doug Peterson, and my wife, our First Lady Susanne Shore, to be able to combat human trafficking in our state—with Interstate 80 going through, it is a corridor for this—and we had a four-part plan to do that.

One was raising awareness with regard to the public by using rest areas, educating emergency room docs, letting the public know you got to be aware for people who have lost control of their phone—who do not have control of their phone, do not have control their ID.

In emergency rooms, if you have, for example, a barcode tattoo—those sorts of things. In our Nebraska Department of Health and Human Services, we have focused on trying to raise that awareness from that standpoint.

We also, secondly, passed laws to strengthen the penalties for human trafficking and be able to prosecute those cases more effectively.

Third, we empowered law enforcement to more effectively apprehended criminals through our Operation United Front human trafficking investigation that spanned 12 states.

Then, finally, we increased the support for survivors who need care and support—I think, Mr. Walsh, you were talking about that as well—after experiencing human trafficking.

Ambassador Dyer, how are U.S. domestic efforts to combat human trafficking perceived internationally and how do these perceptions positively or negatively affect U.S. foreign policy efforts in this area?

Ambassador DYER. First of all, Senator, thank you so much for your work in Nebraska. I noted, as you were talking about the things that you focused on, that they covered all three of the Ps—we have prevention, prosecution, and protection. Thank you for your leadership on that.

With regard to the U.S. domestic efforts, we cover in our TIP Report the U.S. efforts and as you will see, we cover them in a great deal of detail and we have assessed that overall the U.S. is actually doing a really good job. We maintain our position as a leader in this space.

We are increasing not only identified victims, increased prosecutions, identified increasing numbers of victims who are receiving

services, as you wisely pointed out, from government-funded programs. All of this is laid out.

Obviously, as every country, even those that are on Tier 2, we have room for improvement. We absolutely have room for improvement.

One of the things that we have specifically said is that we need to do a better job of making sure that victims of trafficking are not held or penalized for crimes that they were forced to be doing.

Senator RICKETTS. I got to believe that helps us when we are trying to make the case internationally that other countries need to do more as well.

Ambassador DYER. I completely agree with you, sir.

When we are engaging in our bilateral and multilateral diplomacy, it helps our position when we are recommending changes to other countries when we can say, look, we hold ourselves accountable, too.

We recognize when we do stuff good and we recognize when there is room for improvement, and I think that that really strengthens our case and makes that diplomacy much more effective.

Senator RICKETTS. I want to switch gears and build on what Senator Risch was talking about with regard to the Uyghurs in Xinjiang province, and about a million Uyghurs have been put into these forced labor camps and about 100,000 are actually doing this forced labor—I should say reeducation camps, the million—the 100,000 in forced labor.

This is just despicable what the PRC is doing, and I certainly understand the challenges that we have in trying to raise awareness with the countries that are supporting this.

What further actions does the State Department plan to take to implement the UFLPA and its coordination with the Forced Labor Enforcement Task Force participation?

Ambassador DYER. The JTIP participates in that Forced Labor Enforcement Task Force and one of our chief missions is to fully implement the *Uyghur Forced Labor Protection Act*—the UFLPA.

What we have been doing so far, we—as you know, the UFLPA allows anything that is from the Xinjiang region or made with goods to be put on a list that will be preventing those products from coming into the United States.

In addition, each of the members of that Forced Labor Enforcement Task Force can recommend entities to be added to that list. Even if it is not something that is clearly based in that region, that is the area that we have been working most on.

You may have seen that we recently voted and added two additional entities to that list. That process is ongoing. In fact, I was working on that earlier before I came in today.

Senator RICKETTS. What challenges do we have? Because European—goods are still making it into the European marketplace. What are some of the challenges and what can we do about it to prevent this?

It is just terrible that goods made by forced labor in the People's Republic of China are making their way into Europe. This is just horrible. It is despicable.

Ambassador DYER. I think there are two challenges, and I appreciate you asking about them.

Number one is we have to be sure that we are doing our due diligence because these supply chains are extremely complicated. They are complex, and the PRC is engaging in active subterfuge to hide and make it difficult to see clearly these chains.

It is one of the areas that we actually mentioned in the Trafficking in Persons Report, this affirmative effort to make it hard to check to see how the supply chains are working.

This is actually something we brought up, and we want to be sure that we are doing our due diligence and so that is what is the most difficult part. We are actively engaging on it now to be sure that we are correctly and accurately assessing it so that we can prevent Americans from unwittingly purchasing these products.

Senator RICKETTS. Great. Thank you very much.

Chairman.

The CHAIRMAN. Thank you. I just have one or two final questions.

In December of last year, the Treasury Department imposed sanctions under the Global Magnitsky program targeting individuals and companies involved in human trafficking abuses.

One set of actions targeted forced labor aboard distant-water fishing vessels operating out of China. The other targeted a national of the Philippines for sex trafficking and the rape of young girls.

Ambassador, given the Global Magnitsky sanctions, and other targeted sanction programs, are only rarely used for human trafficking, is this something we can expect to see more actions like these in the future and can you tell us what role you see for increasing the use of targeted sanction tools in the broader U.S. effort to address human trafficking?

Ambassador DYER. Thank you, Senator.

I believe that using the use of these sanctions is one important tool. We should not put all of our eggs into that one basket, but it is absolutely an important tool and the TIP office is responding to that by actually creating a specialized individual in our office, a very senior knowledgeable whip-smart Foreign Service officer who is focused exclusively on identifying additional targets for Global Magnitsky sanctions.

We were very heartened to see that several of the successful sanctions did involve forced labor—the ones that you pointed out—and so we are actually putting additional effort.

Please know that while we put that in and we are aggressively seeking additional names to seek Global Magnitsky sanctions, we are not putting all our eggs. This is something that we are doing in addition to the TIP Report—our programming, our bilateral and multilateral diplomacy.

The CHAIRMAN. Let me ask you another question. Migrant laborers are three times more likely to be trafficked than others are.

How is the State Department addressing the trafficking of migrant laborers, given they are often difficult to track and too frightened to share their experiences? Do you know when the Administration's global labor strategy will finally be released?

Ambassador DYER. With regard to your first question regarding migration, I am grateful to you for bringing it up and I appreciate your focus on this because we absolutely do know that migrants are uniquely vulnerable to human trafficking.

They have many of the characteristics that human traffickers are seeking. They are afraid to call the police. They are on the move. They are desperate. They do not necessarily have a plan.

Our part—the trafficking in persons part—in addressing the unique vulnerabilities to trafficking of migrants is several-fold. One is we are tracking the risks not only in the home countries, but along the migration pathways and then we are engaging in intense bilateral and multilateral diplomacy and discussions with those countries so that they are aware of their own risks and we have actually pulled them out in the Trafficking in Persons Report. We use that TIP Report in our discussions with them to show here is where you have areas of risk.

In addition, we are specifically encouraging these countries that are along the migration route to do a better job of screening migrants, referring them to services, and then making sure that comprehensive services actually are available for those who do show signs of being trafficked.

We are also using our foreign assistance in a very targeted way to make sure that we are actually supporting some of the regional approaches. We recognize that migration is not something that the United States is going to solve alone.

We have got to have not only a whole-of-government approach, but a whole of region approach and so we are really working closely with our allies and countries and partners in the region.

The last thing that we are doing is making sure that as we are creating safe legal migration—pardon me, as we are creating lawful migration pathways, we want to make sure that those pathways do not have inherent vulnerabilities built into them.

We want to make sure there is no ability to have extreme labor recruitment fees so that when they come into the U.S. they owe so much money that that can be used against them. We want to make sure that they are not inappropriately tied to a specific worker and that they can leave if there is an abuse.

Once again, I feel like this is sort of a whole comprehensive response and we are doing our best to make sure that we have this really balanced approach.

The CHAIRMAN. The global labor strategy you talked about?

Ambassador DYER. Oh, thank you, sir. I actually checked on that before I came because I thought you might ask. It has not been released yet and I do not have a specific timeframe on when it is coming. I know it is being worked on, and I am happy to get back with you to let you know their latest update.

The CHAIRMAN. I would appreciate knowing that.

Finally, Mr. Walsh, we know that lack of protections for workers can drive human trafficking. If we hope to end forced labor, we have to increase our focus not just on prosecutions, from my perspective, but on support for workers' rights. We know worker-driven social responsibility programs can prevent human trafficking.

What are your views on that, and is USAID using resources and pivoting programs to invest more in expanding labor rights?

Mr. WALSH. Yes. Absolutely. Thank you for the question.

I would say our flagship worker rights program is the Global Labor Program, which you have been amazing supporters of for decades now, that works all over the world, especially to support unions, other forms of collective bargaining organizations.

We have tried to—a couple years ago when the Global Labor Program increased by a few million dollars, we tried to use it to get at some of the most vulnerable populations that we maybe were not getting at before and who often do not have access to the traditional tools of organization.

It is kind of two nascent programs. One is in East Africa and one is in Southeast Asia, and they target migrant workers who often are in the informal economy—sometimes you could call it the gig economy—and it gives them tools to report abuses that may or may not cross the line into trafficking literally, but are often quite abusive.

It provides services to them, whether it is legal assistance, the kinds of medical and mental help that I referenced before, and then in East Africa it is focused especially on, again, migrant, often informal economy workers, but who are often women or people with disabilities—so really the most vulnerable—and trying to provide those same services.

I would also just say that under the Global Labor Program, there have been a lot of questions about the Uyghurs in Xinjiang, one of, if not the defining human rights atrocities of our age, and something that USAID is trying to do is to focus really on the forced labor part of this problem.

I would kind of echo what Ambassador Dyer said in that the devilishly complicated part of this is how tangled, marbled supply chains are and how difficult it can be to find where the forced labor is.

We are trying to help solve that problem by commissioning what I would say is some of the most useful action-oriented research that I have ever come across in my government career and it aims at—first, we did this for the cotton industry, which is central in Xinjiang, and then we did it for the automotive industry—different parts of the automotive industry—and it is aimed at finding what factories, what companies, what specific facilities either are demonstrably employing forced labor or are very suspicious to be.

There are others who have done this work on the outside for other industries, but it is so important to have a lot of eyes on this problem identifying specifics and that is both inside and outside of China because a lot of times the supply line is—or the use of forced labor—is somewhere else.

With that information in hand, it gives us the ability to start advocacy and to start going to companies to break themselves free of this enormous blight on their operations, sometimes to work with governments to shut down loopholes or individual areas.

It is kind of a two-part play, find the forced labor and then go after it, but I think we can make kind of an outsized contribution with a relatively small amount of money in this way.

The CHAIRMAN. Well, if I was a purchaser of supplies, then anything I saw from Xinjiang would raise my antenna. It does not take a rocket scientist to figure out that if you have a million Uyghurs

in a concentration camp, there is a high probability that you are going to end up with trafficked products and supplies.

Senator Risch.

Senator Risch. Nothing further, Mr. Chairman, except to say thank you. You guys are doing Heaven's work. There is no question about it. We appreciate what you do.

The CHAIRMAN. Well, on behalf of the committee we thank you both for your testimony. Thank you for the very insightful, Ambassador, aspects you gave and very succinct.

I think you should give the State Department a course on how to answer questions that are substantive. At the end of the day, they would very well avail themselves of—

Senator Risch. There is a couple other agencies you can include. [Laughter.]

The CHAIRMAN. Senator Risch suggested there are other agencies as well. I will be just happy if you can get the State Department to do that.

The record for this hearing will remain open until the close of business on Friday, June 23. Please ensure that questions for the record are submitted no later than tomorrow.

With the thanks of the committee, this hearing is adjourned.

[Whereupon, at 11:39 a.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

RESPONSES OF AMBASSADOR CYNTHIA DYER TO QUESTIONS SUBMITTED BY SENATOR MARCO RUBIO

Question. Last week, the State Department released its annual report on trafficking in persons. As you know, along with the detailed reports on each foreign country's actions to combat trafficking, the State Department also releases a relatively-short report to highlight specific cases the Department has discovered in the previous year. It is absurd and shameful that this report failed to highlight two of the most alarming instances of modern-day slavery: the Chinese Communist Party's acts of genocide against the Uyghur population, where individuals are subjected to forced labor, trafficking, and unjust mass detentions, as well as Cuba's "medical brigades," which force Cuban medical professionals to work overseas in terrible conditions so the regime can profit. For example, on page 43 of your office's 2023 Trafficking in Persons Report, there is an entire page dedicated to an instance of trafficking involving a Tier 3 country, China, and a Tier 1 country, the United States. The highlighted example intimates the United States is somehow sponsoring human trafficking, while we actively investigate and prosecute this heinous crime:

How do you believe this example plays to domestic Chinese media and propaganda outlets that falsely seek to paint a picture of the United States as a country where Chinese are at risk?

Answer. We remain deeply concerned about the long-standing and well-documented state-sponsored human trafficking in both the PRC and Cuba. In addition to ranking these countries as Tier 3, the report also found that there was a government policy or pattern of human trafficking in both countries. The TIP Report further emphasized the egregious nature of trafficking in these countries by referencing the concerns about forced labor in Cuba's medical program in 56 country narratives, concerns about forced labor in China's Belt and Road Initiative in 13 narratives, and concerns about other PRC affiliated projects in 14 country narratives. The examples included in the Introduction to the 2023 TIP Report are meant to be illustrative and serve as an opportunity to highlight emerging or overlooked issues. The examples also represent the many—though not all—forms of human trafficking and the wide variety of places in which they occur. They are designed to underscore that human trafficking can and does happen anywhere.

Question. Is the cited example emblematic of most human trafficking cases involving Chinese being trafficked into the United States?

Answer. The TIP Report is credible in part because of its track record of highlighting instances of trafficking regardless of where they occur, including in the United States. This cited example is based on a documented case in which an adopted Chinese national alleged forced labor and other exploitation by an American family. (See Chinese-born woman sues adoptive parents for allegedly locking her in basement, forced slavery and racist treatment, *NBC News*, Feb. 3, 2023, <https://www.nbcnews.com/news/asian-america/chinese-born-woman-sues-adoptive-parents-alleging-forced-slavery-rcna68876>). It reflects one of the ways in which foreign national children may be subjected to human trafficking. The example illustrates how children may be vulnerable to trafficking even within a Tier 1 country.

Question. Can you provide examples of human trafficking in China involving Uyghurs or other groups?

Answer. State-sponsored forced labor persists under the PRC Government's ongoing genocide and crimes against humanity against predominantly Muslim Uyghurs, ethnic Kazakhs, ethnic Kyrgyz, and members of other ethnic and religious minority groups in the Xinjiang Uyghur Autonomous Region. The PRC Government reportedly continued to place these groups, including ethnic Tibetans, in vocational training and manufacturing jobs as part of an ostensible "poverty alleviation" and "labor dispatch program" that featured overt coercive elements. Through numerous witness testimonies, it is well-documented that PRC authorities and authorized commercial entities subject many individuals to forced labor in internment camp-adjacent or off-site factories producing garments, automotive components, footwear, carpets, yarn, food products, construction materials, holiday decorations, building materials, solar power equipment, polysilicon and other renewable energy components, consumer electronics, bedding, hair products, cleaning supplies, personal protective equipment, face masks, chemicals, pharmaceuticals, and other goods for domestic and international distribution.

Question. In responses to my questions during your confirmation process you stated, "the United States must continue to take strong action to promote accountability for the PRC's actions and strengthen market defenses against the import of goods produced through forced labor in Xinjiang. If confirmed, I will continue to work with the international community to alert businesses and other entities to the reputational, economic, and legal risks of involvement with entities in or linked to Xinjiang. I will promote coordination efforts within international business specific to tracing supply chains and identifying high risk sourcing from companies linked to abuses in the Xinjiang region to support our shared interest of eradicating forced labor from global supply chains."

Now that you have been confirmed, can you describe what you have done, to date, to alert businesses to the risks of operating in Xinjiang and identifying companies linked to abuses there?

Answer. The 2023 TIP Report described that the PRC did not take any steps to change policies in response to mounting public concern over abuses within Xinjiang and the contamination of international supply chains with goods produced by PRC state-sponsored forced labor there in 2022. I will continue to raise risks of working in Xinjiang in appropriate media and business engagements following the report's release.

I recently met with the Chamber of Commerce's Task Force to Eradicate Human Trafficking, where I urged Task Force members to invest in comprehensive due diligence in their own supply chains specifically related to any connections with entities based in Xinjiang, highlighted the State Department's efforts to prevent and address forced labor in our own government contracts, and offered resources and partnership in these efforts.

The Department of State also partners with Forced Labor Enforcement Task Force (FLETF) agencies to amplify this unified message; for example, in March 2023, the State Department's Special Representative for International Labor Affairs spoke at the Forced Labor Technical Expo hosted by U.S. Customs and Border Protection, which offered a global platform for industry to share best practices on the latest technologies to advance supply chain transparency, risk mapping, and the traceability of goods and services. As the State Department representative to the FLETF, I am also working with FLETF colleagues to implement the Uyghur Forced Labor Prevention Act (UFLPA), including by adding new entities to the UFLPA Entity List.

Question. This week, Volkswagen announced that they are planning an external audit of their facility in Xinjiang. Given that the CCP has raided the offices of western consulting and auditing firms in China, is there any way we can trust an audit in Xinjiang conducted by a firm tolerated by the CCP?

Answer. As documented in the Department's 2023 TIP Report special interest box "Deceiving the Watchdogs: How Unscrupulous Manufacturers Conceal Forced Labor and Other Labor Abuses," there is much reporting from NGOs and academics that audits can be unreliable, with manufacturers using a variety of tactics to conceal labor and human rights abuses from auditors.

The 2023 TIP Report explains that the PRC Government and affiliated commercial entities continued to engage in a concerted campaign to dispel accusations through vehement denial in public messaging; state-ordered politically motivated academic research; falsified cotton production and harvest mechanization data; localized propaganda campaigns targeting consumers in trade partner countries; the establishment of false supply chain policy initiatives as alternatives to preexisting international monitoring and compliance programs; new sanctions on foreign government officials critical of PRC abuses; and pressure on international companies.

Therefore, I would find it difficult to expect an objective and independent audit from a firm located in Xinjiang and allowed to continue operation by the CCP.

Question. Since passage of my *Uyghur Forced Labor Prevention Act*, what actions has the Department taken to end the use of human trafficking and slave labor of Uyghurs or other groups in Xinjiang?

Answer. I represent the State Department on the DHS-led Forced Labor Enforcement Task Force. We are working expeditiously with our interagency partners to expand the Uyghur Forced Labor Prevention Act (UFLPA) Entity List, consistent with the law and facts, and prevent goods made with forced labor from entering U.S. supply chains.

In April 2022, the State Department submitted to Congress a report outlining the United States' diplomatic strategy to address forced labor in Xinjiang, as required by the UFLPA. The strategy adopts a whole-of-government approach to increasing international awareness of and addressing forced labor as one of the many human rights abuses being committed amidst the ongoing genocide and crimes against humanity in Xinjiang, including how the United States will promote accountability for perpetrators of forced labor and other human rights abuses. The State Department continues to work closely with Congress, other federal departments and agencies, NGOs, the private sector, and our allies and partners to prevent the importation of goods produced with forced labor.

Alongside these efforts to implement the UFLPA, the Administration has taken concrete measures to promote accountability for genocide, crimes against humanity, and other violations and abuses in Xinjiang and globally. Specifically, it has issued visa restrictions, financial sanctions under the Global Magnitsky program, export controls, and import restrictions such as Withhold Release Orders.

Question. In March, Chairman Menendez and I wrote to Secretary Blinken regarding Cuba's continued international medical "missions" across the globe. These international "missions" are really a modern-day human trafficking scheme that exploits approximately 50,000 Cuban medical professionals who are not compensated for their work. The regime then profits from this abuse. In our letter, we urged Secretary Blinken to do more to discourage countries in the region from supporting the Cuban regime's human trafficking. What steps is the Administration taking to end the Cuban regime's exploitation and human trafficking in the region?

Answer. For the fourth year in a row, the Department determined there is a Cuban Government policy or pattern to profit from labor export programs with strong indications of forced labor, particularly its foreign medical missions program. Cuba was again ranked Tier 3 in the 2023 TIP Report. The Department is urging foreign governments to investigate the specific conditions government-affiliated Cuban workers face in their countries to ensure these programs comply with international human rights obligations and commitments and internationally recognized labor rights, as well as determine whether indicators of forced labor—including withholding of wages, confiscation of travel and identity documents, deception in entering into contracts, restriction of movement, and threats and intimidation for leaving the program—are present in the programs. The 2023 TIP Report noted the risks of forced labor in Cuba's labor export program and documented their current or previous presence in 56 country narratives; we also included recommendations to screen government-affiliated Cuban workers for trafficking indicators if the brigade was active during the reporting period.

Question. Which countries and organizations continue to utilize these Cuban medical "missions"?

Answer. While accurate information is difficult to obtain, by the end of 2021, as the Cuban Government reported, there were government-affiliated Cuban workers in 60 countries. According to multiple sources, including press reports, NGOs, inter-

national organizations, and government officials Cuba's labor export program, including the medical "missions," operated or currently operates in Algeria, Andorra, Angola, Antigua and Barbuda, The Bahamas, Bahrain, Barbados, Belize, Bolivia, Botswana, Brazil, Burkina Faso, Cabo Verde, Chad, Djibouti, Dominican Republic, Ecuador, Equatorial Guinea, Eswatini, Ethiopia, The Gambia, Ghana, Guatemala, Guinea, Guinea Bissau, Guyana, Haiti, Honduras, Italy, Jamaica, Kenya, Kuwait, Lesotho, Liberia, Maldives, Mauritania, Mexico, Mozambique, Namibia, Niger, Nicaragua, Palau, Panama, Peru, Portugal, Qatar, St. Lucia, St. Vincent and Grenadines, Saudi Arabia, Seychelles, Sierra Leone, South Africa, Suriname, Tanzania, Timor-Leste, Togo, Trinidad and Tobago, Türkiye, Uganda, United Arab Emirates, Uruguay, Venezuela, and Zimbabwe; as well as in some overseas departments or territories, such as Anguilla, British Virgin Islands, French Guiana, Grenada, Montserrat, Martinique, and Turks and Caicos.

RESPONSES OF MR. JOHNNY WALSH TO QUESTIONS
SUBMITTED BY SENATOR MARCO RUBIO

Question. USAID uses an Agency-Wide Standard Operating Procedure (SOP) to counter Trafficking in Persons (C-TIP) with many international organizations, donors, NGOs, contractors and assistance recipients to ensure USAID itself does not contribute to human trafficking. The SOP further requires C-TIP training for all employees, a C-TIP clause in every contract, grant, and cooperative agreement, and requires USAID employees to report trafficking violations to the USAID Office of Inspector General (OIG). Last year, USAID announced a program to increase the capacity of Lebanon's solar industry. In a briefing with my office, USAID noted that they would purchase solar panels available on the "local market" and explained that these would likely be panels produced in China. Does USAID have safeguards in place to ensure that USAID programs overseas do not purchase products or materials made with the forced labor and trafficking of Uyghurs?

Answer. USAID recently issued two revised Procurement Executive Bulletins (PEB 19-03 and PEB 16-01) to remind partners that the Combating Trafficking in Persons provisions in both contracts and assistance awards prohibit the use of forced labor in the performance of federal contracts, grants, and cooperative agreements. USAID provided a list of resources maintained by the U.S. Government to help partners identify potential sources of forced labor in their supply chains. These resources include the U.S. Customs and Border Protection (CBP) Withhold Release Order (WRO) list, the Department of Commerce Entity List, a Department of Labor list regarding forced and indentured child labor, as well as the aforementioned UFLPA Entity List. USAID is engaged in a broader USG approach to address forced labor in supply chains, including the solar supply chain. This involves improving traceability and supporting the development of alternative supply chains among other efforts.

As an observer member of the Forced Labor Enforcement Task Force (FLETF), USAID is also working with the U.S. interagency to support the Uyghur Forced Labor Prevention Act (UFLPA) enforcement strategy, including building the UFLPA Entity List.

Question. How does USAID ensure those who work for our implementing partners who do not speak or read English, are aware of the OIG tip line?

Answer. USAID has award requirements in place in both contracts and grants to ensure that implementing partner staff are aware of its trafficking in persons prohibitions. Specifically, all partners are required to make their staff aware of the U.S. Government's prohibitions, and for partners with large awards, they must establish an awareness program and a process for staff to report violations that are context-specific and include consideration for the involvement of non-U.S. citizens.

Although USAID implementing partners must be able to conduct business in English, when conducting outreach to implementing partners, USAID Missions take efforts to ensure that the information provided is in the appropriate language, including through the offering of translations. During recent outreach efforts by USAID's Responsibility, Safeguarding, and Compliance (RSC) Division in El Salvador and Indonesia, the RSC provided information on OIG reporting in both English and the local languages. The RSC is also exploring additional translation services to make its safeguarding resources available in multiple languages.

The USAID OIG conducts their own outreach on their hotline with implementing partners and USAID defers to the OIG on the specifics of the rollout of their new hotline format.

Question. Are there USAID C-TIP OIG contact details or processes for reporting trafficking violations available in any language other than English?

Answer. Individuals may and USAID-funded organizations must report Counter-Trafficking in Persons (CTIP) allegations to OIG's virtual Hotline portal which is accessible on the Fraud Awareness and Reporting (<https://oig.usaid.gov/report-fraud>) page of OIG's public-facing website. The portal can also be accessed directly via this link (<https://oigportal.ains.com/eCasePortal/InvestigationsCaptcha.aspx>). Non-English speakers looking to disclose allegations to the OIG can select the language of their choice at the top of the Fraud Awareness and Reporting (<https://oig.usaid.gov/report-fraud>) page.

Further, USAID OIG is committed to ensuring comprehensive, independent oversight of USAID's support of Ukraine and its people in response to Russia's invasion. The OIGs of USAID and the Departments of State and Defense jointly developed and distributed a Hotline Poster in English ([https://oig.usaid.gov/sites/default/files/2023-01/Hotline Information for Reporting Ukraine-Related Misconduct—0.pdf](https://oig.usaid.gov/sites/default/files/2023-01/Hotline%20Information%20for%20Reporting%20Ukraine-Related%20Misconduct-0.pdf)) and Ukrainian ([https://oig.usaid.gov/sites/default/files/2023-01/Hotline Information for Reporting Ukraine-Related Misconduct %28Ukrainian%29—0.pdf](https://oig.usaid.gov/sites/default/files/2023-01/Hotline%20Information%20for%20Reporting%20Ukraine-Related%20Misconduct%20Ukrainian-0.pdf)) to encourage timely and transparent reporting of misconduct, including CTIP, compromising the United States' support to Ukraine and its people. The posters list how, and what, to confidentially report and features CTIP prominently.

