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Mail-order Brides: Exploited Dreams

Mr. Chairman, Members of the Committee:

It is an honor to be here before you today. My name is Michele Clark, and I am the codirector of the Protection Project, a human rights research institute located at the Johns Hopkins University School of Advanced International Studies. For the past seven years, we have focused on documenting and analyzing the complex dimensions of human trafficking both in the United States and in countries around the world. We have worked with members of Congress, US Government agencies and American NGOs, as well as representatives of foreign governments and NGOs to develop sound policy and practice in the war against trafficking and to conduct training, here and overseas, on the provision of services to victims of trafficking, drafting anti-trafficking legislation, and identifying victims of trafficking.

Mr. Brownback, I would like to acknowledge your championship of this issue and your continuing, courageous efforts to end modern day slavery. On behalf of victims of trafficking in Central and South America, in the Middle East, in Eastern and Western Europe, in Africa and Southeast Asia, I would like to thank you for your commitment to the freedom of these men and women, too many of them children. As evidenced by the most recent Trafficking in Persons Report, documenting the status of human trafficking in 140 countries around the world, released in June by Mr. Miller and his extremely capable staff at the Trafficking in Persons Office, we have seen that significant progress has been made, and that the efforts of the US Government agencies involved in this battle, including the Departments of Justice, Health and Human Services, Labor, State and USAID are bearing fruit. We also recognize that we still have a long way to go.

Those of us who have been involved in the war against trafficking for a number of years have learned many important lessons which assist us in honing our own efforts to end modern day slavery. One lesson in particular has been the creativity and ingenuity of traffickers to adapt to different social, economic and political trends. Allow me to provide you with a few examples:

When Soviet Jews began leaving Russia en masse for Israel in the early 1990's, traffickers rightly assumed that the entrance into the country of a few thousand illegal women for the purposes of being forced into the brothels of Tel Aviv, Jerusalem and Haifa would pass unnoticed, given the large numbers of legal immigrants and the limited resources to process all newcomers. They were right, and the trade in women remained fairly covert until the mid nineties.

When the numbers of Chinese workers seeking to obtain illegal entry into the United States began to grow, smugglers started charging exorbitant fees for passage to California or New York. Instead of a family being able to scrape together the full fare, those seeking entry would pay a portion of their transportation up front and agree to pay the balance upon their arrival in the United States. In order to do this, they signed contracts which bound them to their employers until the debt was paid, turning a smuggling operation into a crime of human trafficking.

In countries around the world, we see how economic and social collapse, civil war and natural disasters have been used as vehicles to deceive, entrap and enslave vulnerable women and children into lives of cruel exploitation. Traffickers capitalize on desperation and need; they also exploit normal desires for a better life, for hope, for the fulfillment of dreams.

So it is not surprising that the industry of marriage should become a vehicle for exploitation. Nor is it surprising that the Internet, because of its immediacy, promises of anonymity and lack of accountability, should become the vehicle of choice for this exploitation to take place.

Overview of the Industry

The practice of pre-arranged marriages, or mail-order brides, conducted through a third party, is not new to the United States, and can be documented as far back as the Revolutionary War. The practice was further developed during the California Gold Rush and the pioneer move west when pictures of available women were distributed to men in isolated regions. At times the mail-order bride industry filled deeply human needs. Following the Armenian Genocide, matchmaking organizations facilitated marriages of "picture brides," or women displaced as a result of the Genocide, enabling them to make connections with other Armenians in different parts of the world, notably Canada. In this instance, the service enabled members of a tragically dispersed community to find one another and reestablish ties with members of their own ethnic group.

In the early nineteen nineties, the Internet replaced the picture catalogues and began posting photographs as well as profiles of young women interested in finding a foreign spouse, facilitating communication and providing men with access to a larger pool of applicants. Previously dominated by women from Southeast Asia (especially the Philippines), the rise of the Internet, coinciding with the fall of the former Soviet Union and the subsequent economic collapse which plunged many families into desperate economic conditions, contributed to the meteoric rise of the Russian mail-order bride industry.

How Large Is the Industry Today?

The simplest Google search for "mail-order brides" yields a minimum of 500,000 web page entries with names such as "The Natasha Club", "Brides4U", "Plant-Love",

"Goodwife", and "LoveMe". Out the first twenty entries on the Google search, only one entry deals with the possibility of abuse and negative outcomes of matches arranged on line. The majority of the entries are dedicated to Eastern European, Latina and Asian women profiled as mail-order brides looking for husbands. On an average Google page, firms offering Russian brides comprise about 30 percent of all advertisements.

Several Sites advertise themselves as warehouses. The "Mail-Order Bride Warehouse," available at <u>www.goodwife.com</u>, provides a good indicator of the popularity of the international match-making industry, which boasts 12,804,307 hits since August 31, 1997.

As of June 2004, we were able to find over 400 websites based in the US offering international marriage broker services; this number does not include the number of firms operating overseas. It is estimated that outside of the US, there are over 500 websites operating in the Former Soviet Union alone, with more than 62,000 Russian and 30,000 Ukrainian women listed in their rosters.

The mail-order bride industry is largely unregulated. Web-based companies appear and disappear everyday. The international on-line matchmaking business appears to be thriving largely because of increased Internet use worldwide, low overhead and start-up costs, and the seemingly endless supply of eligible foreign women. Today, any man with Internet access, an electronic photo (even ten years old) and a credit card number can shop.

Who Are the Brides And Where Do They Come From?

In 2002, 18,621 former fiancées were adjusted to permanent residence status in the United States. Out of that number, 4, 739 were from Europe (1,476 from Russia and 861 from Ukraine); 9,358 were from Asia (1,361 from China; 2,392 from the Philippines, 2,418 from Vietnam); and 966 were from South America (346 from Brazil, 301 from Colombia)ⁱ.

The mail-order bride trade follows traditional trafficking patterns, with brides coming from the Former Soviet Union Countries, Asia and Latin America, and the clients coming from the West (including Europe and North America). The nationalities most represented in the mail-order bride industry are from Eastern Europe (with a strong emphasis on Russia and Ukraine), Asia (specifically the Philippines, China, Vietnam and Thailand), and Latin America (most prominently represented by Columbia, Brazil and Costa Rica).

Clients are from the US, Canada, Europe (notably Germany, Sweden and Norway), and Japan.

A Legitimate Industry Goes Sour – From Legitimate Practice to Exploitation and Abuse.

While the mail-order bride industry is not in itself an illegitimate business, it is characterized by several important features which render it susceptible to exploitative practices. Without appropriate safeguard regulations, the industry will continue to be ripe for exploitation by unscrupulous business owners. Because it is a commercial enterprise, it favors the interests of the paying clients, usually men, over the interests of the brides.

Commercialization of the Mail-Order Bride Industry

At their earliest inception, most matchmaking institutions, even the picture bride industry, included the involvement of parties that knew the groom and/or the bride personally. The "matchmaker" of song and movies was a regular fixture in many cultures. The mailorder bride industry as it has developed today is a largely impersonal, multi-million dollar business where a profit-based corporation now fills the role of the middleman. While some matchmaking organizations still take a personal approach to their business, the vast majority of mail-order bride matches now take place through the mediation of Internetbased matchmaking organizations, where connections occur in bulk, catalogs contain hundreds or thousands of profiles of available brides, and where matchmakers rarely have personal contact with their clients. With the spread of the Internet, anyone with a web connection is now able to run a matchmaking business. The industry has thus ballooned greatly in recent years, and has become more commercial. Many online mail-order bride websites have taken a web-based merchandising approach to their matchmaking, one in which the male clients are taken through a process of "Browse, Select, Proceed to Checkout". Some organizations, such as Alena Russian Brides Marriage Agency, even use computer icons similar to those found on Internet catalogue sites, complete with pictures of shopping carts and money back guarantees:



A Foreign Affair, at the <u>www.loveme.com</u> website, reprints an informational piece with permission of Maxim magazine, which provides another type of illustrative description of the contemporary mail-order bride industry: "It's a snap to narrow the field. Though your typical guy won't admit it, 20,000 women are more than he can handle. *Luckily, AFA* [A Foreign Affair] *has made searching its voluminous database as easy as ordering a pizza*"ⁱⁱⁱ. As the mail-order bride industry becomes an increasingly commercial affair, this

leads the clients to view marriage with a foreign woman as a commercial transaction, one characterized by a "satisfaction guaranteed, or your money back approach." Further, if the client is not satisfied with the provided product, he can always "return and exchange" his bride, which some men have done with disastrous consequences. In the famous Anastasia King case, Indle G. King Jr. was convicted in September 2002 for the first-degree murder of his *second* mail-order bride. According to King's testimony, he had not been satisfied with his first "product" ^{iv}. He then righted that wrong by taking revenge on his second try.

Money-back guarantees usually mean that, if a client does not find a satisfactory match within a specified time, he is entitled to a refund of his money. Within this framework, matchmaking organizations have little incentive to seek out information from their male clients as to their potentially negative personal histories including criminal records and marital history. In the interest of profit, what matters is the quantity of the matches being made by the matchmaking organization rather than the quality of the matches made.

Commercial Stereotyping in the Mail-Order Bride Industry

Matchmaking organizations build their business by taking advantage of and marketing cultural stereotypes. The danger with these stereotypes stems from their inherent flaws in describing reality and the possible consequences of such misrepresentations. In relationships like those of the mail-order bride variety, where partners know very little about each other, stereotypes can play a destructive role, potentially leading to abuse. Many matchmaking websites advertise their mail-order brides (implicitly, or in some cases, explicitly) as submissive, docile, faithful and loving domesticated wives who are looking to build a traditional, old fashioned home in which they will cater to their man. It is not unlikely that the men who choose to pursue the search for a wife through the mailorder bride path might be looking for just such a woman. It is also likely that a man who is seeking out a submissive woman is not seeking an equal partnership, but rather a relationship of dominance and control^v. It is further likely that a man who marries a bride from a mail-order match will expect her to fit this stereotype. However, stereotypes are unlikely to reflect the reality of the personalities of even a minority of the women which they advertise. It then becomes likely that if a wife turns out not to "live up" to the advertised standard, the husband, who was seeking control in a relationship, might turn to abuse in order force the wife to live up to that standard. While little research has been done to investigate this issue, the little information available does point to the fact that men seeking mail-order brides might indeed be searching for the stereotyped women. Even more poignantly, the businesses of mail-order brides would not be marketing a stereotype for which there is little demand. A Filipina quotes a letter which she has received from an interested man who found her photo through the "Intimate Submissives Website": "... I need to find myself a nice submissive young lady who wants and needs to have me control ... teaching a young woman to submit fully to my wishes... If my wife does not obey me, I am perfectly willing to punish her in whatever way I think is right...^{vi}" In a less gruesome, but still telling quote, a young American potential groom states about women in Ukraine "The girls here, their values and ethics are like American girls back in the 1950s, they're willing to put their family first, to put their man first

instead of themselves^{vii}." And to sum it up, an illuminating commentary quoted on A Foreign Affair's website from Maxim Magazine: "Why it [Mail-order Bride Industry] beats the real world: "Unless you work for the United Nations, your odds of being introduced to this many foreign women are a zillion to one. And with a round-trip ticket to Moscow running some \$1,500, shelling out \$10 for one woman's address is a hell of a lot more cost-efficient. Bonus: fewer tedious discussions about the "relationship" when your fiancée's vocabulary is limited to yes, sex, and green card!^{viii}"

Inherent Bias Against the Mail-Order Bride: Exploitation of Conditions of Vulnerability

As the mail-order bride industry is first and foremost a business, the customer's satisfaction is logically the central concern. Because the paying clients are male, the bride is reduced to the condition of commodity. Protective mechanisms exist to safeguard the potential husbands, but not the potential brides. The mail-order brides face conditions of vulnerability prior to marriage with their potential grooms, during the matchmaking process, and after the marriage takes place.

Informational Vulnerability

A significant imbalance leading to a condition of vulnerability concerns the information about partners available to prospective brides and grooms. Potential brides generally receive information which has been volunteered by the potential husband himself. While matchmaking organizations have incentive to provide their paying male clients with "quality" brides, the incentive is much smaller for providing the prospective brides with similar information about their possible husbands, especially considering the seemingly unrelenting supply of available brides. Matchmaking organizations commonly do not screen their male clients for past criminal records or records of domestic violence, abuse or restraining orders. According to Bob Burrows, the President of Cherry Blossoms, one of the longest-running and largest mail-order bride agencies in the United States, a "serial murderer could write to [Cherry Blossoms] and there's no screening done.^{ix,}' While background checks on the brides are sometimes provided to the potential husbands to minimize the chances of the foreign woman "swindling" the male clients, the same background checks are not done about the potential husbands to minimize chances of abuse against the brides. The industry therefore almost en masse ignores the potential repercussions of these marriages on the women, while focusing squarely on the potential repercussions of the marriages on the men, leaving the brides to be in a more vulnerable position than the grooms.

Economic Vulnerability

Most matchmaking organizations make their profits from the arrangement of marriages between two worlds – the first and the third. Similar to the trafficking in persons industry, husbands tend to come from wealthy, stable economies, while the brides originate from economically unstable or vulnerable environments. Additionally, the mail-order brides are in conditions of economic vulnerability before and after their marriage to their firstworld husbands. Most women search for a husband abroad out of economic need, as demonstrated by the one-way direction of the marriages – no websites exist advertising American or German women as mail-order brides in El Salvador or the Ukraine, for example. However, when these brides find themselves married in the first world, they are dependent economically on their husbands especially in the early days of their lives in a new country. They thus continue to face economic vulnerability and dependency until the time comes when they are able to support themselves financially.

Cultural Vulnerability

An additional bias stems from the fact that the brides enter a foreign country, a foreign culture, and a foreign community, in which few of them have any networks of support other than the husband – the matchmaking agencies tend not to stay involved in the future of a marriage. The husband, who has brought a wife into his natural environment, is by default in his comfort zone, while the wife is vulnerable to the intricacies of a culture she is not familiar with, often without the knowledge of the language. She is again dependent in many ways on the husband until she begins to navigate the culture herself.

Legal Vulnerability

Additionally, because the brides are usually from a foreign country, they are in a legally vulnerable status, dependent on their newly found husbands for continued legal presence in their new homes. In the United States, a woman arriving on a fiancée visa is to be married to her proposed fiancée within 90 days of entry (there is no legal way to extend this limit), or she is to face deportation. Upon marriage, she is granted a conditional resident status, which is again dependent on her husband, as applications are filed jointly. Again, before the expiration of the continued status, the wife and the husband must appear in court together to request removal of conditionality. Divorce cannot be an option for two years, otherwise the wife loses her immigrant status. The bride is therefore continuously placed at the mercy of her husband and lives under the constant threat of possible deportation^x. While recent laws have been enacted to allow immigrant women who have suffered abuse at the hands of their American husbands to file alone for permanent residence, few women are informed of this law. In 1996 matchmaking organizations were required by law to disclose information about immigration laws to its brides or pay \$20,000 fines, but it is not clear how well-enforced this law has been. The legal bias is therefore also in favor of the men, and not the brides.

Lack of Industry Regulation

The low start-up costs and the ease of creating a matchmaking organization online create conditions that are ripe for abusive practices. Few standards exist for the operation of these agencies other than the US imposed fine for failure to disclose immigration information. For example, in a rare effort of the mail-order bride industry to self-regulate, matchmaking agencies which market brides through catalogs as well as over the Internet, claim that they refrain from sending catalogs to prison addresses. However, some journalists have found references to access to catalogs within the prison system^{xi}. The

lack of regulation of the industry leaves it open to a wide array of potential criminal violations, the most important being the trafficking in persons for sex and labor under the guise of mail-order marriages, the ease of entry of organized crime into such business, and the recruitment of minors as potential mail-order brides, as well as the organization of sex tours which could involve minors under the guise of "romance tours". Nongovernmental organizations have linked matchmaking organizations based in Russia with Russian organized crime, and romance tours have been observed to serve as fronts for high-level prostitution rings^{xii}. Marie Claire Belleau, in "Mail-order Brides in a Global World," quotes an interview with a Canadian Social Worker in a shelter for immigrant women who have experienced spousal abuse, who states that "In the worst case scenario, the First World Husband assumes the role of a pimp, who takes away the bride's passport and forces her into prostitution. At one extreme, the pimp may go so far as to undertake serial sponsorships of immigrant women to supply new recruits for prostitution rings. If this is the case, he will hold the bride in debt bondage because he paid for her to immigrate to North America, and then force her to participate in slavery-like practices in order to obtain her freedom.^{xiii}" Without regulation, web-based matchmaking organizations can easily recruit women into prostitution rings. Some may charge potential brides exorbitant fees for matching them up with a husband, and then place them in debt bondage. The Council of Europe has recently pointed to the lack of regulation of the mail-order bride industry in its April 2004 Report on Domestic Slavery: Servitude, Au Pairs and Mail-order Brides," and called for some type of regulation. The Council of Europe stated that "it is in the interest of the more serious agencies to accept some type of regulation... the persons responsible for a site should be clearly identifiable, users of the site should be forced to identify themselves, marriages should be kept track of, and an emergency contact number should be provided for when things go wrong. Agencies should also do a background check on the prospective bridegroom to check for a criminal record (e.g. domestic violence or procurement) when couples come close to marriage." Further, the Council of Europe recommended considering including "mail-order brides" in the scope of its draft convention against trafficking in human beings, and the development of an accreditation system for matchmaking agencies which would commit them to adherence to a number of agreed upon minimum standards which would serve to protect the potential mail-order brides.

Regulation is urgently needed to eliminate the existing biases that favor the male clients and to counter with protective regulation the conditions of vulnerability mail-order brides find themselves in within the contemporary context of the mail-order bride industry.

Documentation of Abuse

Physical Abuse: Ngan, a twenty-one year old Filipina came to the United States having married a U.S. citizen through an international matchmaking organzation. She endured repeated physical assaults at the hands of her husband who had decided that he had not receive the picture bride that he had ordered. Frightened in the beginning, Ngan did not report what had happened to her. As the violence increased, Ngan's neighbors rescued her, and from the hospital she was placed in a shelter for battered Asian women^{xiv}.

Physical Abuse, Forced Motherhood and Threats of Deportation: In a story of forced motherhood, Raco, a twenty-four year old Filipina, married a US citizen, who had corresponded with her romantically for ten years. Soon after her marriage, Raco began to be severely beaten by her husband. Because she did not want to bear children immediately, the assaults against her became more severe. When Raco did become pregnant, she was threatened by her husband who said that he would not sponsor her permanent residence if she did not carry the child to term. She finally fled to a shelter, after the beatings continued to intensify even when she decided to keep the child^{xv}.

Physical Abuse, Threats of Deportation, Restriction of Movement and Murder: In the most famous mail order bride abuse case, Anastasia King from Kyrgyzstan married Ingle King, Jr., who strangled her to death in September 2000. It has been reported that in her diaries, Anastasia wrote that he she was sexually and physically assaulted by King, that he withheld her college tuition, restricted her freedom of movement, and threatened her with deportation and death^{xvi}.

Physical Abuse and Murder: Alla Barney, a twenty-six year old Ukrainian mail order bride was stabbed to death by her husband, Lester S. "Stuart" Barney, 58, after she had obtained a restraining order against him and temporary custody of their son on allegations of abuse. Alla had met Barney through an online mail order bride service^{xvii}.

Physical Abuse and Murder: After a year long courtship, Susana Remerata, a Filipina, married Timothy Blackwell, who had found her on the Asian Encounters website. After their wedding in the Philippines, Blackwell became abusive and attempted to choke Susana on several occasions. Susana had filed for divorce, but before the proceedings were set to begin, Blackwell shot and murdered Susana and her unborn child in a Seattle Courthouse^{xviii}.

Sexual Abuse of a Child, Forced Labor: Norman H. McDonald pled guilty to sexually abusing his Ukrainian mail order wife's daughter since the age of 3. McDonald had also forced his wife to hold several jobs^{xix}.

Physical Abuse, Failure to Provide Immigration Information: Nataliya Fox, a Russian who came to the United States on a K-1 visa, has recently filed a lawsuit against Encounters International, a long-standing matchmaking service in Maryland. Nataliya was originally set to marry a Virginian whom she had met through Encounters, but upon the failure of that marriage, Encounters set her up with another match, James Fox. Nataliya and James were married within the month, however Nataliya was severely assaulted by James while she was breastfeeding their newborn daughter. A few months prior to that incident, Nataliya had informed Encounters that her husband had hit her. Nataliya's lawsuit charges Encounters with failing to have run a background check on her husband's previous history (which includes an accusation from a former fiancée of his attempt to strangle her to death) and with failing to provide her with the legally required immigration information about her ability to self-petition for permanent residence as a battered immigrant woman. James Fox is currently married to another mail-order bride^{xx}.

Mr. Chairman, members of the committee, on behalf of these women, and the thousands more whose stories we never hear about but who endure lives of horrible abuse, we urge you to take aggressive action to protect these women who, in many cases, have done nothing more than tried to follow their dreams.

Thank you for your time.

^{xiv} Michelle J. Anderson, "A License to Abuse: The Impact of Conditional Status on Female Immigrants," From the website, Mail Order Brides and the Abuse of Immigrant Women, synopsis of by Anderson,

Michelle J., accessed on July 11, 2004 at http://nostatusquo.com/ACLU/Anderson/brides/pg1.html.

^{xv} Michelle J. Anderson, "A License to Abuse: The Impact of Conditional Status on Female Immigrants,"

From the website, Mail Order Brides and the Abuse of Immigrant Women, synopsis of by Anderson,

Michelle J., accessed on July 11, 2004 at http://nostatusquo.com/ACLU/Anderson/brides/pg1.html.

^{xvi} Mae Bunagan, "Cash on Delivery," accessed on July 12, 2004 at

http://www.digitas.Harvard.edu/~perspy/issues/2002/nov/mae.html.

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^{xviii} Mae Bunagan, "Cash on Delivery," accessed on July 12, 2004 at

http://www.digitas.Harvard.edu/~perspy/issues/2002/nov/mae.html.

^{xix} "Man Pleads guilty to Sex Abuse of Mail-Order Bride's Daughter," The Associated Press State and Local Wire, February 26, 2004.

^{xx} Nadya Labi, "The Business of Mail-Order Marriage," Legal Affair, accessed on July 12, 2004 at <u>http://www.legalaffairs.org/issues/January-February-2004/story_labi_janfeb04.html</u>.

ⁱ USCIS 2002 Yearbook of Immigration Statistics, accessed July 9, 2004 at

http://uscis.gov/graphics/shared/aboutus/statistics/IMM02yrbk/IMM2002.pdf.

ⁱⁱ Picture and quote from Alena Russian Bride Marriage Agency, accessed July 9, 2004 at http://www.alena-marriage-agency.com/.

ⁱⁱⁱ A Foreign Affair, accessed July 10, 2004 at, http://www.loveme.com/information/maxim.shtml.

^{iv} David Fisher, "Indle King Found Guilty of Killing Mail-Order Bride," *Seattle Post-Intelligence Reporter*, February 22,2002.

^v Robert J. Scholes, PhD, "The "Mail-Order Bride" Industry and Its Impact on U.S. Immigration," accessed July 9, 2004 at http://uscis.gov/graphics/aboutus/repsstudies/Mobappa.htm, quoting Glodava, Mila and Richard Onizuka, "Mail Order Brides: Women for Sale," 1994.

^{vi} Quote from Media Rights, synopsis of "Say I Do "Mail-Order Brides"," accessed July 10, 2004 at http://www.mediarights.org/search/fil_detailphp?fil_id=06229.

^{vii} Sara Rainsford, "Romance Tourists' Head East," BBC News, July 9, 2002.

 ^{viii} A Foreign Affair, accessed July 10, 2004 at, http://www.loveme.com/information/maxim.shtml.
^{ix} Quote from Vanessa B.M. Vergara, "Abusive Mail-Order Marriage and the Thirteenth Amendment," Northwestern University Law Review, Summer 2000.

^x Vanessa B.M. Vergara, "Abusive Mail-Order Marriage and the Thirteenth Amendment," Northwestern University Law Review, Summer 2000.

^{xi} Lena H. Sun, "The Search for Miss Right Takes a Turn Toward Russia," *The Washington Post*, March 8, 1998.

^{xii} See, for example, "Crime and Servitude: An Expose of the Traffic in Women for Prostitution from the Newly Independent States," Global Survival Network, 1997.

^{xiii} Marie-Claire Belleau, "Mail-Order Brides in a Global World," Albany Law Review, 2003.

^{xvii} Troy Graham and Joseph A. Gambardello, "Police say Husband Killed His 'Mail-Order' Wife," The Inquirer, October 1, 2003. Accessed on July 12, 2004 at