

CHILDREN ARE NOT FOR SALE: EXAMINING THE EXPLOITATION OF CHILDREN IN THE U.S. AND ABROAD

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIME AND FEDERAL GOVERNMENT SURVEILLANCE

OF THE

COMMITTEE ON THE JUDICIARY

U.S. HOUSE OF REPRESENTATIVES

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**CHILDREN ARE NOT FOR SALE:
EXAMINING THE EXPLOITATION OF
CHILDREN IN THE U.S. AND ABROAD**

Wednesday, September 13, 2023

HOUSE OF REPRESENTATIVES

SUBCOMMITTEE ON CRIME AND FEDERAL GOVERNMENT
SURVEILLANCE

COMMITTEE ON THE JUDICIARY

Washington, DC

The Subcommittee met, pursuant to notice, at 2:20 p.m., in Room 2141, Rayburn House Office Building, the Hon. Andy Biggs [Chair of the Subcommittee] presiding.

Present: Representatives Biggs, Gaetz, Tiffany, Moore, Kiley, Lee, Fry, Dean, Cohen, and Johnson.

Mr. BIGGS. The Subcommittee will come to order.

Without objection, the Chair is authorized to declare a recess at any time.

We'll begin this Subcommittee hearing with the gentleman from California, Mr. Kiley, leading us in the Pledge of Allegiance.

Mr. KILEY. Please join me in submitting to the flag.

ALL. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Mr. BIGGS. Thank you.

We welcome everyone to today's hearing on the exploitation of children of the United States and abroad.

I now recognize myself for an opening statement.

I'm grateful that all of you are here today, both the witnesses, the Members of the Committee, and then also the audience. We appreciate you being here.

I wish we didn't have to hold a hearing on this topic because that would mean children in our country and abroad are safe from exploitation. Unfortunately, that is not the case. It is a fact that our children are not safe online, and it is utterly unacceptable. Predators use the internet to trick and exploit innocent children. Children are trafficked through social media apps. This is the worst type of evil.

To our strong survivor leaders in the room and watching from afar, we see you, we hear you, your voice matters, and we appreciate you, and we want to be supportive.

Reports of CSAM continue to grow exponentially, from 3,000 reports in 1998 to more than one million in 2014, 18.4 million in 2019, and more than 30 million last year. We cannot stand by and let this number grow continually.

While it seems like CSAM is something that happens in foreign countries or even in different neighborhoods from our own, it is much closer than anyone would think. This is a homegrown issue. We know the defenders prey on the most vulnerable populations, such as children in foster care. Groomers use techniques to normalize inappropriate conduct and encourage secrecy, especially using social media platforms.

There's no question these criminals must be prosecuted. While there are many solutions to combating this issue, we must ensure prosecutors are doing their jobs to put these criminals behind bars. We cannot accept lenient sentences or sweetheart plea deals for those who wish to bring harm to innocent children.

Today, between school and home, children have unfettered access to technology, and Big Tech is taking that opportunity to choose profits over people, over our children. Targeted algorithms connect consumers to information and content, including CSAM content, traffickers, predators, and drug dealers. It is well documented that traffickers and pedophiles use social media to target children and to share and engage with CSAM content.

The Wall Street Journal, along with top researchers across the country, ran a detailed account of Instagrams, quote, "vast pedophile network." The research found that Instagram enabled people to search explicit hashtags and connect users to accounts to advertise CSAM. One researcher gravely noted, quote, "Instagram is an onramp to places on the internet where there's more explicit child sexual abuse."

You would think social media companies would bend over backward to work with law enforcement and to remove this content from their platform and prevent it from happening at all. That is not the case. Facebook, Instagram, and TikTok allow the proliferation of abuse images and human trafficking on its platforms. Images are allowed to roam on the internet. Humans are bought and sold. Apple even threatened to remove both Facebook and Instagram's access to the App Store because the problem was so bad, yet Big Tech continues to allow these problems to occur. Targeted algorithms seem to be more profitable than investing and protecting children.

Big Tech seems to have no problem censoring speech or other things they consider disinformation, yet they allow these predators to access children on the internet and allow images to remain on the internet for years. That is unacceptable. Big Tech must be held accountable, and I look forward to hearing from our witnesses on how that can occur.

We know trafficking is an issue that occurs within the United States and abroad. Many of us have heard and seen the movie "Sound of Freedom" and how it opened our eyes to the horror that is occurring both in and outside our country. However, many do not know Hollywood attempted to shut the film down not wanting the American people to see the film and learn about these terrible crimes, yet the film became one of the most successful independent

films in history. It has grossed \$191 million and counting. “Sound of Freedom” truly exposed the worst of humanity and showed us how we can all play a part to keep children safe.

Our Committee is collaborating with Homeland Security Investigations to enhance our knowledge and understanding of investigations related to human trafficking and child exploitation. I express my gratitude to the special agents of HSI for their unwavering commitment to safeguarding children and liberating victims from the atrocities of human trafficking.

Many children, especially those crossing the border as unaccompanied minors, are not safe. Lax border policies promoted by the Biden Administration are leading to vulnerable children being exploited by cartels and smugglers as they attempt to come to America. The journey today for them is incredibly dangerous, and the risk of being sex trafficked is incredibly high while being smuggled across our border. In fact, the United Nations this week alone said, “the most dangerous immigration route is Mexico to the United States.”

In 2014, then President Obama stated, quote, “Don’t send your children unaccompanied. They might not make it.”

I have heard nothing like that from this administration. We need to be louder, stronger, and bolder.

I look forward to hearing from our witnesses on how we can enforce the law, hold Big Tech accountable, and protect our children from the horrific crime of sex trafficking because children are not for sale.

This topic is tough and, unfortunately, a necessary topic. I hope that we can each learn together. I think there will be broad aspects of support across this entire Committee, both sides of the aisle, and I look forward to working together with my colleagues across the aisle.

With that, I thank you again for being here, and I yield back.

Unfortunately, today, Ms. Jackson Lee, the Ranking Member, is unable to join us for health reasons. In her stead, I will recognize Ms. Dean for an opening statement.

Ms. DEAN. I thank you, Mr. Chair.

Chair Biggs, thank you for convening this important hearing today. I thank all of you for being here, both those in the audience and those who have come to testify before us.

It is an important hearing to discuss the deeply disturbing and pervasive issue that is plaguing our country and our world: Child exploitation. I’m standing in for Ranking Member Sheila Jackson Lee, who regrettably cannot be with us today, and I’m honored to be in her stead. I know that this subject is deeply personal to her, as it is to me, because, although the United States is a Nation known for its foundational ideals of liberty and protection of its citizens, we continue to struggle with the existence and prevalence of child exploitation.

It takes on various forms, ranging from child labor and sex trafficking to the production and distribution of child sexual abuse materials online, harassment, and sextortion. Perpetrators of these repulsive crimes hide within our society, preying on innocent and defenseless young people, their victims, who should be experiencing

the joys of their formative years. I take this particularly personally as a mother and as a grandmother of four.

Last Congress Ranking Member Jackson Lee convened a hearing on the Federal response to human trafficking that provided a wealth of information that I was able to apply in my own efforts to tackle the scourge of trafficking. Child labor trafficking, a sad reality in many industries around the globe and even in the United States, harms children's health, often deprives them of an education, denies them a normal childhood, and deprives them of their basic human rights.

Another ghastly aspect of child exploitation is child sex trafficking where children are lured away from the safety of their homes, their loved ones, their schools, their communities, stripped of their humanity, and exploited for various nefarious purposes. Roughly 25 percent of all human trafficking victims are children worldwide, and most of them being sex trafficked.

At this very moment, there are children as young as 11 years old in the United States and abroad who are forced to commit commercial sex acts and other unspeakable acts. Let me be clear, there is no such thing as a child prostitute. These young victims who have been exploited, abused, and trafficked, whether for sex or labor, deserve victim-focused, culturally informed responses that direct them away from the criminal justice system and toward services and programming critical to the restoration of their health and their dignity.

Some people would have us believe that the trafficking of minors is primarily an immigration problem, a result of poor control at our borders or a problem of urban impoverished children and youth. The reality is that the traffickers prey on stigmatized, forgotten, vulnerable American children and youths in suburban, rural, urban, in cities, in every corner of this country, only valuing them as commodities and not as the precious people that they are.

While any child can become a victim of sex or labor trafficking, some children and youth are more vulnerable than others. If we truly want to extend an end to the trafficking of children and youth or child exploitation of any kind, we will make certain that all children and youth are located, treated as victims, not criminals, and connected to the services and programs they need.

In this digital age of smartphones and handhelds, social media, direct messages, and TikTok, predators can victimize children and youth without having to move from one location to another. Online child exploitation has reached epidemic status globally. These individuals exploit children throughout the United States from anywhere in the world, and their criminal activity is often cloaked behind encryption. They also hide behind cute screen names, catchy hashtags, fake profiles with the goal of eventually coercing, manipulating, or even blackmailing their young victims.

Because child predators tend to prey on children even when they are in school, Ranking Member Sheila Jackson Lee introduced H.R. 30, The Stop Human Trafficking in School Zones Act, that would establish an enhanced penalty for child exploitation offenses that are committed within school zones or near school activities or other child center locations. This would apply to those individuals who

dare contact children while they are attempting to gain an education or participating in school-related activities.

Child sexual abuse material inflicts untold emotional damage on victims especially, as you point out, Mr. Chair, since the internet enables their repeated victimization each time images of their suffering are viewed. Recognizing the breadth and scope of this issue, it is our collective responsibility as representatives, all of us, to protect all our children and eradicate every form of child exploitation.

That's why I hope today's discussion will be not about blame, speculation, fearmongering, but about ideas and solutions. I have a few of my own.

First, we must adapt and strengthen our legal framework that exist to ensure that children and youth are protected, that perpetrators and facilitators of any manner of child exploitation are exposed and face severe consequences. That's why I introduced H.R. 3686, Stopping Harmful Image Exploitation and Limiting Distribution Act, the SHIELD Act. This is bipartisan legislation, and it will create new penalties. I'm also the original Cosponsor of H.R. 5082, The Revising Existing Procedures on Reporting via Technology Act, more we can talk about.

Second, we must also continue to support organizations that work tirelessly to identify, rescue, restore young victims, providing them with culturally specific care, counseling, and support that they need to heal. These organizations, like the ones represented here today, do lifesaving work.

Last, we must continue to provide public education and awareness, both of which play a pivotal role in preventing child exploitation. Child exploitation is an unconscionable reality that we must directly confront on a bipartisan basis. Every child deserves to be free from exploitation.

I thank you, the witnesses, who are here today. I thank you in the audience for your kind consideration of what we are talking about and your life experience. Today's conversations will lead to solutions.

As I'm yielding back, Mr. Chair, I ask unanimous consent to render the testimony of survivors from advisory board members of PACT into the record.

Mr. BIGGS. Without objection.

Ms. DEAN. Thank you.

I yield back.

Mr. BIGGS. Thank you.

That's also—for the record, I want to include a document, a letter to myself and Ranking Member Jackson Lee from Ending Online Exploitation of Abuse and Abuse of Children Coalition. Without objection.

Without objection, all the opening statements will be included in the record.

I will now introduce today's witnesses. We have a very distinguished panel with tremendous insight and experience and wisdom on this subject. We appreciate all of you being here.

Mr. John Pizzuro is the Chief Executive Officer of Raven, a non-profit organization focused on preventing child exploitation. He previously served with New Jersey State Police, including as the com-

mander of the New Jersey Internet Crimes Against Children. Welcome.

We welcome Ms. Vanessa Bautista. Ms. Bautista is a founding member of the Leadership Council for the Global Survivor Network and is a survivor of sexual abuse. The Global Survivor Network works with survivors of various forms of abuse and exploitation and advocates before local and national governments. Thank you for being here.

Ms. Lori Cohen. Ms. Cohen is the Chief Executive Officer of Protect All Children from Trafficking, or PACT. PACT works to protect children from sexual exploitation and trafficking through education, legislative advocacy, and partnerships. Thank you, Ms. Cohen, for being here.

Mr. Jose Alfaro. Mr. Alfaro serves on the Board of Directors of the Human Trafficking Legal Center. He is a public speaker, author, advocate, and a survivor of child sex trafficking. The Human Trafficking Legal Center connects trafficking survivors with pro bono legal representation and advocates on their behalf. Mr. Alfaro, thank you for being here.

Mr. John Tanagho—how's that? Is that close?

Mr. TANAGHO. That's fine.

Mr. BIGGS. Yes, thank you.

Mr. Tanagho is the Executive Director of the Center to End Online Sexual Exploitation of Children. The center partners with governments, companies, nongovernmental organizations, and other stakeholders to expose, neutralize, and deter the online sexual exploitation of children. Thank you, Mr. Tanagho.

Mr. Frank Russo. Mr. Russo is an Associate General Counsel and Director of the Center for Combating Human Trafficking at the American Conservative Union. The center advocates for policies that address the needs of victims and provide law enforcement with the tools necessary to hold traffickers accountable. Thank you for being here, Mr. Russo.

Ms. Anne Basham is the founder and Chair of the Interparliamentary Task Force on Human Trafficking. The task force is a consortium of members of Parliament and Congress, government leaders and survivors from more than 25 countries who work to stop human trafficking.

We welcome each of you and thank you for appearing today.

Now, we'll begin by swearing you in. If you would each rise and raise your right hand.

Do each of you swear or affirm under penalty of perjury that the testimony you are about to give is true and correct, to the best of your knowledge, information, and belief, so help you God?

Let the record reflect that the witnesses have all answered in the affirmative.

Thank you. You may be seated.

I want you to know that your written testimony will be entered into the record in its entirety. Accordingly, we ask that you summarize your testimony in five minutes. There should be a yellow light that appears when there's a minute left, and then, when it goes red, then we would ask you to end your testimony at that point.

Mr. Pizzuro, you may begin.

STATEMENT OF JOHN PIZZURO

Mr. PIZZURO. Chair Biggs, Ranking Member Jackson Lee, and distinguished Members of Congress. Thank you for the opportunity to testify today.

Legislation is falling behind the technology that's putting our children at risk. Every day our inaction to pass legislation results in children being victimized at ever increasing rates. As someone who's dedicated their life to protecting children, I can assure you we need better awareness, support, policy, and legislation to protect our children.

The sad reality is that protecting our children has not been a priority. I'm here to ask you to change that, making protecting our children a priority that they deserve to be.

The tech industry has provided limited solutions to protect our children. There's not been a decrease in online victimization. There's been a substantial increase. The tech industry's answer has been to reduce trust and safety teams, employ greater privacy measures, such as end-to-end encryption, and hide behind virtual private networks or VPNs. Everything they do to protect children is voluntary, which includes the information that they share with the National Center for Missing and Exploited Children and law enforcement.

The truth is they do the bare minimum of what is required. Children remain vulnerable on these platforms as a result of poor moderation, the absence of age or identity verification, and inadequate safety mechanisms. The truth is we have not protected our children sufficiently due to the ever-increasing use of social media apps and the growth of their online lives. The risk for their harm has increased at such a significant pace that shielding them from abuse and exploitation has become untenable.

Today there are countless victims of CSAM, child trafficking, hands-on offenders, sextortion, and other exploitive crimes that we have yet to even identify. Those who would protect our youth are overburdened and underresourced, which makes children vulnerable. Our Nation's young people are unable to escape from the bombardment of post reels and online social interactions. AI and algorithms push children to those viewers who crave content and are interested in children. These same algorithms push harmful content to children.

A major disadvantage of a global society is that any offender can reach any victim anywhere in the world through any app or gaming platform. With AI, offenders can now machine learn and mimic the behavior of children to infiltrate their lives, allowing them to groom children at scale. Criminal organizations have used grooming techniques to sextort children so they might financially benefit. The financial component of profiting off children has increased exponentially.

The Cyber Tipline is challenging law enforcement not only with respect to quantity of leads, but also the quality of leads. Most of these leads provided by service providers are not actionable. The lack of uniformity of what is reported to service providers results in law enforcement being forced to sort through thousands and thousands of tips to find actionable cases.

As an example, in the last 90 days, there have been over 99,000 IP addresses throughout the U.S. that have distributed known child sexual abuse images and videos through peer-to-peer networks, yet 637, less than one percent, are being actually investigated.

The dark net has become a haven for child exploitation. Some forums and boards contain the most abusive child exploitation, videos, and images law enforcement has encountered. Chat forums allow offenders to create best practices on how to groom and abuse children. A post named "The Art of Seduction" has been viewed over 54,000 times on how to groom children.

We need the help of our lawmakers. Raven has currently supported and sponsored legislation in the Senate and the House from the Protect Our Children Act to stop CSAM, Project Safe Childhood, SHIELD, REPORT, and Child Exploitation EARN IT, and The Child Online Safety Modernization Act, and the Kids Online Safety Act.

Alas, some of these bills have passed their respective Committees, but there has been no vote on the floor. If there was ever a bipartisan call to action that everyone can agree on it's the protection of all our children.

We are at a point where we need to identify what works and provide authorities with sufficient resources to increase their capabilities. One simply can look at the statistics to determine the real story, what is truly happening to our children. Based on what I experience, I can confidently tell you three things: At the moment, (1) the predators are winning, (2) our children are not safe, and (3) those who are fiercely committed to protect them are drowning and will continue to unless we can get the legislation and resources they need to protect our children.

Thank you.

[The prepared statement of Mr. Pizzuro follows:]

TESTIMONY OF
CEO John Pizzuro, Raven
Commander, New Jersey Internet Crimes Against Children (Ret)
New Jersey State Police (Ret)

for the

UNITED STATES CONGRESS
COMMITTEE ON THE HOUSE JUDICIARY COMMITTEE – SUBCOMMITTEE ON CRIME
AND FEDERAL GOVERNMENT SURVEILLANCE.
**Children are Not for Sale: Examining the Threat of Exploitation of Children in the U.S.
and Abroad.**

September 13, 2023

Chairman Biggs, Ranking Member Sheila Jackson-Lee, and distinguished members of Congress thank you for the opportunity to testify today on Children are Not for Sale: Examining the Threat of Exploitation of Children in the U.S. and abroad. For me, there is no more significant issue than safeguarding our children, and helping those who are on the frontlines protect our children. So much so, that Raven was created with the singular mission to “Transform the Nations Response to Child Exploitation.”

Earlier this year, I testified before the Senate Judiciary and since then new threats have emerged for our children. Legislation is falling behind the technology that is putting our children at risk. Everyday our inaction to pass legislation results in children being victimized at ever increasing rates. As someone who has dedicated their life to protecting our children. I can assure you we need better awareness, support, policy and legislation to protect our children.

The sad reality is that protecting our children has not been a priority. I am here to ask that you change that and make protecting our children the priority they deserved it to be. Today our children live online and that is where they are at ever increasing risk. Tech Industry has provided limited solutions to protecting our children. Rather, our children are simply a part of their profit model. There has not been a decrease in online victimization only a substantial increase. The Tech industry's answer has been to reduce Trust and Safety teams, employ greater privacy measures such as end-to-end encryption, and hide behind Virtual Private Networks (VPNs). Everything they do to protect children is “Voluntary” which includes the information that they share with NCMEC and law enforcement. The truth is that they do the bare minimum of what is required. While there are certainly committed trust and safety individuals within tech companies, corporate structure and profit are the priority “If a tech company does not see a

problem, then they can't be responsible for the problem" It is that pervasive thinking that has led us to where we are.

The risk comes from our online world. I wish I did not have to be here to testify on this issue because it would mean our children are safe when they go online. The truth is, we have not protected our children sufficiently due to the ever-increasing use of social media apps and the growth of their online lives. Their risk for harm has increased at such a significant pace that shielding them from abuse and exploitation has become untenable. To quote a sentiment shared by thousands of global experts in this space: "We cannot arrest our way out of this problem." Today there are countless victims of Child Sexual Abuse Material (CSAM), Child Trafficking, Hands on Offenses, Sextortion, and other exploitative crimes. The sad reality is that we are failing to protect our children from the threats they face online. We are also failing to equip law enforcement with legislation and resources to identify victims and identify offenders.

Those who would protect our youth are overburdened and under-resourced, which makes children vulnerable. Our nation's young people are unable to escape from the bombardment of posts, reels, and online social interaction. Artificial Intelligence and algorithms push children to those viewers who crave content and are interested in children. These same algorithms push harmful content to children. A major disadvantage of our global society is that any offender can reach any victim, anywhere in the world, through any app or gaming platform. With AI, offenders can now machine learn and mimic the behavior of children to infiltrate their lives allowing them to groom children at scale. We live in a world where everyday tasks increasingly are accomplished through apps, from shopping, to making a flight reservation, to – sadly - even children buying drugs.

I am here today as the CEO of Raven, an advocacy group comprised of 14 professionals, including nine retired Internet Crimes Against Children (ICAC) Task Force Commanders, who have committed their lives to the advocacy and protection of children. The Internet Crimes Against Children Task Force Program (ICAC program) helps state and local law enforcement agencies develop an effective response to technology-facilitated child sexual exploitation and Internet crimes against children. The ICAC program is a national network of 61 coordinated task forces, with at least one in each state, representing more than 4,700 federal, state, and local law enforcement and prosecutorial agencies. These agencies are engaged in both proactive and reactive investigations, forensic investigations, and criminal prosecutions. This ICAC program also encompasses training and technical assistance, victim services, and community education.¹

¹ The ICAC Task Force program was developed in 1998 response to the increasing number of children and teenagers using the Internet, the proliferation of child sexual abuse images available electronically, and heightened

I am retired from the New Jersey State Police, where I served as the Commander of the Internet Crimes Against Children task force from 2015 to 2021. I personally experienced the struggles of how best to protect our children online. We witnessed children targeted by offenders across all platforms – no social media or gaming platform was safe from apps such as Snapchat, Twitter, Kik, Telegram, Discord, LiveMe, and Meetme, to gaming platforms and online games such as Minecraft, Roblox, and Fortnite. And these represent just a fraction of the places where offenders regularly interact with children. If the platform allows individuals to chat, or a way to share photographs and videos, I assure you there is a very real danger that offenders are using that access to groom or sexually exploit minors. Sadly, in addition to sexual exploitation, the platforms allow children to buy drugs such as Fentanyl.²

Our children's world has become focused on "likes," followers, and views, and in this way social media exploits vulnerabilities in our children's psychology. In an interview with Axios, the former President of Facebook stated, "That means that we needed to sort of give you a little dopamine hit every once in a while, because someone liked or commented on a photo or a post or whatever ... It's a social-validation feedback loop ... You're exploiting a vulnerability in human psychology ... [The inventors] understood this, consciously, and we did it anyway."³

That interview occurred on November 9, 2017 - more than five years ago, and our dependence on technology has only increased. Cell phones have become ubiquitous, even in elementary schools, providing offenders with an entirely new way to exploit children on the playground. Victims have become younger and younger. Especially as children have access to smart phones at an earlier age. Children are made vulnerable on these platforms as the result of poor moderation, the absence of age or identity verification, and inadequate or missing safety mechanisms. Of course, as the amount of screentime has increased, so has the likelihood the children can be groomed and manipulated.

online activity by predators seeking unsupervised contact with potential underage victims. The Providing Resources, Officers, and Technology to Eradicate Cyber Threats to Our Children Act ("the PROTECT Act") of 2008, (P.L. 110-401, codified at 42 USC 17601, et seq.), authorized the ICAC program through FY 2013. On November 2, 2017, the Providing Resources, Officers, and Technology to Eradicate Cyber Threats to (PROTECT) Our Children Act of 2017 was signed into law, reauthorizing the ICAC Task Force Program through FY 2022. More information is available at <https://www.icactaskforce.org/>.

² <https://ktla.com/news/local-news/mother-mourns-sons-death-from-fentanyl-laced-drugs-purchased-on-snapchat/>.

³ <https://www.axios.com/2017/12/15/sean-parker-facebook-was-designed-to-exploit-human-vulnerability-1513306782>

Grooming is defined as simply manipulating and gaining a child's trust, but it is much more than that. Grooming is what offenders do to victimize children, and it happens daily to unsusceptible children who cannot see the danger. Children do not know the threat online because they primarily engage in their online world in a safe place. As a result, the amygdala, the fear center of their brain, is not activated, and children do not see the danger. This is what offenders will capitalize on.

While sending compliments, virtual currency, gift cards, and other incentives are certainly part of grooming, today's offenders do even more to access children's trust. Offenders research children to know what they like, and do not like, what music they listen to and so on. The offender will then mirror their words and repeat the exact language. The child then will see someone who is just like them. Chat forums on Tor share success stories on successfully grooming children of all ages. Each offender will attempt to groom hundreds of children using various techniques beyond just sending a picture or a video. We discuss numerous "in real life" dangers in school curriculums, yet online grooming is not part of it.

The exploitation and trafficking of children has gone beyond the sexual gratification of offenders. Criminal Organizations have used grooming techniques to "sextort" children so they might financially benefit. The financial component of profiting off the exploitation of children has increased exponentially. Many of these criminal organizations are located outside the United States as they profit off the victimization of children residing in the United States. The identification of children trafficked and exploited has been challenging. There are thousands of children victims that law enforcement simply has not been able to identify.

As the New Jersey ICAC Commander, I struggled with the significant increases in investigations, arrests, and victims we faced each year. For example, in 2015 we received 2,315 Cybertips and made 125 arrests, and by the end of 2019 we had 8,000 Cybertips and we made 420 arrests. We understood the importance of trying to keep up, but even creative attempts to "do more with less" became unsustainable. And this was prior to COVID, when screentime increased substantially and cemented our children's reliance on apps. These challenges were frustratingly present with every ICAC task force across the United States. The most staggering increase we faced was self-generated CSAM cases – children taking sexual images of themselves as the request of offenders. These were not images of older teens sending photos of themselves to their boyfriends and girlfriends – we began to see images of 7, 8, and 9-year-olds in sexual poses. The

online landscape is horrifying because offenders know this is where our children live, and they recognize there are not enough safeguards to keep them at bay.

During one case, I received a call from a Child Advocacy Center in another state. The advocate told me a mother had just arrived with her 8-year-old daughter after she found sexual abuse videos on the child's phone. An offender had obtained a sexually abusive video of an 11-year-old girl, and then used that video to coerce 60 children to share sexually explicit videos of themselves. This included a video of a 12-year-old girl abusing her 1½-year-old brother. These child victims were located throughout the United States and Canada and were using a popular live-streaming app. This is one example of thousands of cases throughout the United States and the globe.⁴

The Protect Our Children Act of 2008 created a funding mechanism for Internet Crimes Against Children task forces that are responsible for conducting the majority of the child exploitation investigations in the United States. But things have changed in this space since 2008. In 2008 there was an average of one computer per household. Today, families in the U.S. have an average of 20 Internet-capable devices, including phones, tablets, laptops, and gaming consoles. And the volume of data investigators must comb through to find victims has increased significantly. Reactive investigations take place when law enforcement receives information, such as a CyberTip, that a crime has occurred. A proactive investigation involves the use of intelligence to try to identify potential offenders.

Today, law enforcement is often unable to proactively investigate child exploitation cases due to the volume of Cybertips. As a result of the exponential increase in Cybertips (these tips increased by 2,800% between 2012 and 2021) law enforcement agencies have been forced to become reactive, and most can no longer engage in the proactive operations that are designed to target the most dangerous offenders.⁴ In 2022, NCMEC received 32 million Cybertips yet 10% of those tips resolved domestically, meaning that 90% of NCMEC Cybertips are sent outside the United States. 175 of the 32 million Cybertip came from Apple despite, Apple having a 58.37% Market Share with iPhone in the United States.

It is important to understand that the CyberTipline is challenging law enforcement not only with respect to the quantity of leads, but also the quality of leads. According to data from several ICAC Task Forces only approximately 5% of Cybertips received from NCMEC result in an arrest. This has burdened ICAC and as a result they prioritize inefficient investigative leads due

⁴ Reactive investigations take place when law enforcement receives information, such as a CyberTip, that a crime has occurred. A proactive investigation involves the use of intelligence to try to identify potential offenders.

to the mandated prioritization of Cybertips. A solution would be the addition of discretionary language in the updated version of The Protect Our Children Act, this would give limited liability to Law Enforcement so they can go after the most egregious offenders and allocate their limited resources more effectively.

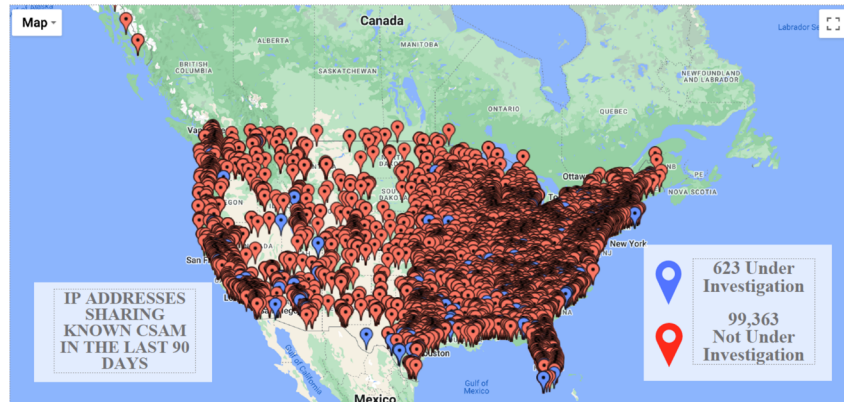
Most of the investigative leads provided by service providers, through NCMEC, to the ICAC Task Forces are not actionable, meaning they do not contain sufficient information to permit an investigation to begin. The lack of uniformity in what is reported by service providers results in law enforcement being forced to sort through thousands of leads trying desperately to identify worth-while cases. Cases where abusers and offenders who are considered particularly sadistic and dangerous. The *Ackerman* case out of the Fourth Circuit, and the *Wilson* case out of the Ninth Circuit, have also increased the burden on law enforcement officers trying to review CyberTips.

As noted above, the sheer volume of Cybertips also prevents law enforcement from pursuing proactive investigative effort that would efficiently target the most egregious offenders. For example, peer-to-peer file sharing investigations and operations used to allow ICAC Task Forces to efficiently locate and apprehend hands-on offenders.⁵ In the last 90 days, alone, there have been 99,363 IP addresses throughout the United States that have distributed known CSAM images and videos through peer-to-peer networks. Yet only 637 - less than 1% - are being investigated (see Exhibit 1). Consistently, 75% of these cases have resulted in successful prosecutions. Significantly, the most rigorous studies involving interviews with offenders have shown that between 57% and 85% of individuals arrested for these crimes have committed undetected sexual abuse of minors; on average, those offenders have assaulted between 10 to 13 victims.⁶ Due to the overwhelming volume of Cybertips, law enforcement is simply not investigating peer-to-peer to the degree that it wants and should.

⁵ <https://www.nj.gov/njsp/news/2016/20160818.shtml>

⁶ <https://www.ojp.gov/ncjrs/virtual-library/abstracts/butner-study-redux-report-incidence-hands-child-victimization-child>.

EXHIBIT 1



ICAC Task Forces throughout the United States used to regularly conduct undercover operations targeting offenders who traveled to meet and assault individuals they believed were 10- to 14-year-olds. All of these undercover investigations are performed using social media apps or online ads that solicit the sexual assault of children. When arrests are made, investigators rarely find it is the first time the offender has traveled to sexually abuse a child.

These offenders bring drugs, alcohol, sex toys, and other paraphernalia. In one an offender brought a dog leash and collar so he could be “walked” by a 12-year-old.⁷ Task forces throughout the U.S. would conduct these operations on a routine basis, and they were very successful. The North Florida ICAC task force, for example, conducted 48 of these operations, arresting thousands of individuals, and obtained a conviction rate of 98.7%. Unfortunately, task forces are no longer able to perform these types of operations - they are resource intensive, and the volume of reactive cases prohibits it.

⁷ <https://www.nj.gov/oag/newsreleases19/pr20190424a.html>.

The Darknet, including Tor, has become the newest online haven for child exploitation.⁸ Some forums and boards contain the most abusive child exploitation videos and images law enforcement has encountered. Chat forums allow offenders to create “best practices” on how to groom and abuse children effectively. A post named the “Art of Seduction” that explained how to “seduce” children was read more than 54,000 times. Other posts discuss the best way to introduce sexual activity to children without alarming them or offer such topics as “Thoughts on having oral sex with 0-2-year-olds.” (See Exhibit 2). These conversations are horrific, yet Tor is easily downloaded as a web browser, and children and teens can install it on their phones and begin accessing it within minutes. It is estimated that 12% of Tor users come from the United States and all I would have to do is go to the App store to download the App to my Apple or Android device.

EXHIBIT 2

SUBJECT / STARTED BY		REPLIES / VIEWS	LAST POST
	Guidelines and Staying Safe Started by Glover	9 Replies 58,859 Views	08 July, 2022, 10:37:54 by thewhitelights
	Pedomom: Thinking about my daughter having sex arouses me totally Started by animes + 1 2 3 +	38 Replies 40,361 Views	Today at 17:29:39 by Olsson
	Underage Kids and Orgasms Started by dantevergil + 1 2 3 +	30 Replies 23,944 Views	Today at 07:10:02 by littleboylost
	confused mom Started by anna34 + 1 2 +	15 Replies 5,462 Views	08 May, 2022, 21:58:30 by anna34
	With whom did you make Pedo experiences? Started by Pedomom + 1 2 3 +	30 Replies 20,552 Views	07 May, 2022, 19:44:54 by RogerTheShrubber
	Masturbating around children Started by Enchantress + 1 2 3 +	37 Replies 22,129 Views	25 April, 2022, 17:00:08 by amymewen
	How to stop with those less than legal age? Started by Robotboy	5 Replies 1,378 Views	24 April, 2022, 03:42:03 by L6love127
	new kids Started by goku	11 Replies 3,081 Views	23 April, 2022, 13:06:58 by SecondChance
	Baby sitting a friend's 9 year old daughter twice a week Started by Exister + 1 2 +	29 Replies 11,972 Views	20 April, 2022, 22:09:16 by L6love127
	Thoughts on oral sex with kids 0-27 Started by TenderHeart2 + 1 2 3 +	50 Replies 31,591 Views	19 April, 2022, 12:03:11 by SecondChance

In one undercover operation a registered sex offender paid to sexually abuse an 11-year-old, spoke about how he was able to victimize his two-year-old nephew, and described how he groomed children into providing him with child sexual abuse videos.⁹ The offender sent screen shots of his texts with children with whom he had connected using Kik, which revealed his

⁸ The Dark Net is an encrypted portion of the internet that is not indexed by search engines where users can communicate anonymously without divulging identifying information, such as a user's location. Tor is one network on the Dark Net.

⁹ <https://www.justice.gov/usao-cdca/pr/sacramento-county-man-sentenced-25-years-prison-sexual-exploitation-child>.

technique for convincing them to send him sexually explicit material. He admitted sexually assaulting a massage therapist and indicated he wanted to kidnap an eight-year-old child, but he was afraid of being caught.

The individuals arrested by the New Jersey ICAC Task force on the Darknet paid to sexually assault and traffic children. These children were young as three years old. The offenders traveled to New Jersey from the UK, Germany, Canada and all throughout the United States. In my experience offenders will be hands on offenders. They are on Tor, to be anonymous, so they can find and victimize children. The only thing that stops them from being a hands-on-offender is the likelihood of being caught. One offender referred to himself as a category 3 pedophile, meaning he would only act if the opportunity presented itself with likelihood of being caught.

Another offender, a Jersey City police officer, used the Wikr and Kik apps to communicate with his victims. He used those apps to communicate undercover investigators, where he attempted to pay to sexually assault an 8- and 10-year-old girl. He then traveled to Atlantic City with condoms and cash, with the intent of abusing the child. These are just a few examples of the depravity that law enforcement deals with daily. The crimes that lead to their apprehension is nearly always only the tip of the iceberg – there is never just one victim.

The details of these undercover investigations shock the conscience. There is no shortage of case reports describing the sexual abuse of 11-year-olds. Or a mother who is targeted by an offender because her 5-year-old is too young to text but is of the age interest for the offender. Or the offender who brought a stuffed animal for the 10-year-old he was going to rape, along with a bottle of Viagra and other sexual devices for when the Viagra failed.

The impact of these cases does not only affect our children. They impact the law enforcement community. Investigators, prosecutors, child advocacy professionals, and everyone involved in these horrendous acts must bear witness to the depraved images, sounds, words, videos, and case specifics eroding their mental health. The toll these cases place on law enforcement's mental state comes with a price. We need to support these law enforcement professionals from a wellness standpoint. Many times, our law enforcement professionals suffer in silence with limited resources. Every day I would come to work and worry about the damage these cases do to the people investigating them every day. I am concerned about the lack of resources available to the law enforcement community from a wellness standpoint. No one can prepare you for what you see in these cases; once you see them, they are challenging to unsee. These cases will stay with investigators throughout their lives to the detriment of their lives and families.

The reality is everything happens online. Offenders, including registered sex offenders, are lurking in the same places where our children are communicating with their friends or playing online games. There is very little to stop these predators from communicating with, and then grooming, any child they perceive as vulnerable. Those who seek to police these spaces need significant help if they are to bring about change.

We need the help of our law makers. Raven has currently supported and endorsed legislation in the Senate and House such as The Protect Our Children Act, Stop CSAM, Project Safe Childhood, Shield, Report, End Child Exploitation, Earn It, Child Online Safety Modernization Act and The Kids Online Safety Act. Alas, some of these bills passed their respective committees yet there has not been a vote on the floor. Some groups oppose legislation under the guise of privacy, or unwanted regulation. The reality is that we have failed to move the needle and even though current bills do not do enough to protect our children and support those who protect them we need to make progress. If there was ever a bi-partisan call to action that everyone can agree on it's the protection of all our children.

This summer, I took a short walk on the beach in Point Pleasant. It was a beautiful 80-degree day, and along my half-mile walk I counted 67 children and teens on their phones, 12 of whom were making a TikTok video. I then came across a four-year-old who was lost and could not find his parent. Statistically, at least 1/4 of those children will be victimized. We are at a point where we need to identify what works and provide authorities with sufficient resources to increase their protective capabilities. Children need our help. Every day, social media companies write posts and release one press release after another in which they tout their successes at keeping children safe. While appreciated, these actions constitute mere drops in the bucket. One simply can look at the statistics to determine the real story - what is truly happening to our children. Based on what I have experienced, I can confidently tell you three things: At the moment the predators are winning, our children are not safe, and those who are fiercely committed to protecting them are drowning and will continue to so unless we can get them the legislation and resources, they need to protect our children.

Mr. BIGGS. Thank you, Mr. Pizzuro.
The Chair recognizes Ms. Bautista.

STATEMENT OF VANESSA BAUTISTA

Ms. BAUTISTA. Chair Biggs; Ms. Dean, on behalf of Ranking Member Jackson Lee; and distinguished Members of the Subcommittee, thank you for the opportunity to testify.

My name is Vanessa. I am Asian American. I'm a survivor of child sexual abuse in the Philippines, and today I am a founding member of the Global Survivor Network, an international group of survivors, and a human rights advocate.

I was only eight years old when the abuse started. It finally stopped when I found the courage to pick up the phone, trembling, and my hands shaking, called my best friend at school, and she answered. Through the tears, my hands shaking still, I told her: "I don't want to be here anymore. I need help."

I was put in a shelter home in the Philippines where there's so many children like me. I became a part of a survivor group, healing together and advocating for protection together. Today I don't speak just for myself, but I speak on behalf of all my brothers and sisters in our survivor network group.

Joy is one of my survivor sisters. She was seven years old. She should have been going to school, playing with friends. Instead, she was taken into a room and abused in front of a camera every day for 10 years. Her abuse was livestreamed to pedophiles around the world. Perpetrators logged into the cameras, into the computers and forced her to do terrible things in front of a camera.

I share this because the threat of child sexual exploitation is very real. I know as a country we can be divided along partisan lines, but the one thing we can all agree on is that children need to be safe.

We are here because we agree that children should not be bought and sold. We are here because the Congress has the power to act. In 2008, Congress came together to pass the Protect Act, so children were safe. However, crimes have continued to evolve since then, and our responses also have to evolve.

Offenders in the U.S. should not be able to log online in the privacy in their own homes and with a simple click of their mouse violate the privacy and dignity of little children as far as like the Philippines.

We need to create and enforce strong regulations so that children are protected. Today as we consider proposed legislation, I want to leave you with three key recommendations.

(1) *Survivor representation*. I want to encourage us to keep survivor experiences at the forefront. I am pleased that there is a provision requiring survivors to serve on the National Commission on Online Child Sexual Exploitation, and I strongly recommend that this provision be included in the final version of the EARN IT Act and that people with lived experience of this crime be included on this commission.

(2) *Financial restitution*. Survivors have been exploited for profit, and so it only makes sense that offenders must be held financially accountable. These offenders have taken years from survivors. They took 10 years from Joy, so she must be compensated. We

must build systems where the money goes straight directly to survivors, so they can heal and be restored.

(3) *Removal of child sexual abuse materials.* Remember that the act of abuse is recorded online, and imagine that the most vulnerable, painful memories of your life are just one online search away. How can we expect survivors to carry on with their lives when their privacy is violated every day? In 2021, Apple promised child safety measures, and two years later, our survivor groups, we are still petitioning for them to remove these images of abuse. All child sexual abuse should not be distributed online and existing material has to be removed.

Please hold tech companies and social media platforms accountable when they fail to keep children safe and incentivize them to do better in the future.

Thank you.

[The prepared statement of Ms. Bautista follows:]



GLOBAL SURVIVOR NETWORK

Testimony of Vanessa Bautista, Global Survivor Network
Before the
House Judiciary Committee
Subcommittee on Crime and Federal Government Surveillance

“Children are Not for Sale: Examining the Threat of Exploitation of Children in the U.S. and Abroad”
September 13, 2023

Chairman Biggs, Ranking Member Jackson Lee, and distinguished members of the subcommittee, thank you for the opportunity to testify and for being present here today. My name is Vanessa. I am Asian American. I am Filipino. I am a survivor of child sexual abuse in the Philippines. Today, I am a human rights advocate and a founding member of the [Global Survivor Network](https://globalsurvivornetwork.org) (GSN) – an international group of survivors shaping and leading a movement to protect people from violence.¹

I wish to begin by thanking you on behalf of the GSN and especially our members from the [Philippines Survivor Network](https://globalsurvivornetwork.org) (PSN). You have given survivors of childhood sexual exploitation an opportunity to warn the world about this terrible crime and to share our recommendations for fighting it.

I was only 8 years old when the abuse started. It finally stopped when I found the courage to pick up the phone. Trembling, I dialed the number of my best friend at school. She answered. Through the tears, my hands shaking, I said, “I don’t want to be here anymore and I need help.”

I was put in a shelter home in the Philippines. There were so many others like me. Our stories were not the same, but the feelings of shame, the trauma, the crippling pain, and the decision to pick up the pieces and move on—that was the same. I became a part of a survivor group, healing together, advocating for protection together. Today, I don’t speak just for myself, I speak on behalf of my brothers and sisters in the PSN.

Last week, International Justice Mission and the University of Nottingham Rights Lab released an unprecedented [report](#) on the trafficking of children for the production of child sexual abuse material (CSAM) in the Philippines. It revealed that 471,416 Filipino children were subjected to this crime last year – 1 in 100 children.

Joy² (a pseudonym to protect her identity) is one of my PSN survivor sisters. She was seven years old when the abuse started. She should have been going to school and playing with friends. Instead, she was taken into a room and abused in front of a camera every day for ten years. Her abuse was livestreamed to pedophiles around the world. Perpetrators logged onto their computers

¹ Learn more about the Global Survivor Network at <https://globalsurvivornetwork.org>.

² Joy is a pseudonym used to protect identity.

LEARN MORE AT [GLOBALSURVIVORNETWORK.ORG](https://globalsurvivornetwork.org)

and forced her to do awful things in front of the camera. I share this because the threat of child sexual exploitation is real and the effects of trauma last long after the abuse is over.

This is how my friend [Ruby](#)³, who was trafficked as a 16 year old, describes it: “Even after I was rescued, I had suicidal thoughts and most of my suicide attempts happened in the aftercare shelter I was brought to. My mind was unstable. Staff there said that I had the loudest laughter during activities. But I would bang my head against the bathroom walls when I am alone, bang my head against my room walls during a quiet midnight while everyone is fast asleep. I would cover my whole face with a thick pillow and try to suffocate myself while crying.”

This is a very real, tangible, urgent problem that needs to be addressed. And I know, as a country, we may often be divided along partisan lines, but the one thing we can all agree on is, that children like Ruby and Joy need to be safe. We are here because we agree that children should not be bought and sold.

We are here because Congress, especially this committee, has the power to act on legislation that is ready for consideration. We have come together on this issue before. In 1996, Congress amended the Communications Decency Act and in 2008, Congress acted to pass the PROTECT Act, to keep children safe. However, crimes have continued to evolve since then, and our responses must evolve because we have a mandate to protect children.

Offenders in the U.S. should not be able to log online in the privacy of their own homes, and with a simple click of their mouse, violate the dignity of small children – my friends – in the Philippines.

What policymakers also need to understand is that while the Philippines is an epicenter of this crime against children, it is not a problem that Filipino authorities can solve alone. The government of the Philippines has exerted tremendous effort to investigate the trafficking of children to produce sexual exploitation material, bring victims to safety, and hold traffickers accountable under the law. But the scale of trafficking of children to produce CSAM overwhelms their best efforts. And that is because this crime is fueled and exponentially scaled by predators around the world. A global crime requires a global fight to end it.

We need to create and enforce strong regulations so that children are protected.

Today, as we discuss the necessity for this committee to consider proposed legislation that has already been introduced during this session of Congress, I want to implore you with 3 things:

1. **Survivor Representation:** I want to encourage us to keep survivor experiences at the forefront. I am pleased to know that a version of the EARN IT Act includes a provision that would require 4 members appointed to serve on a new National Commission on Online Child Sexual Exploitation to “be survivors of online child sexual exploitation or have current experience in providing services for victims of online child sexual exploitation in a non-governmental capacity.” I strongly recommend that this provision be included in the final version of the EARN IT Act and that people with lived experience of this crime should be included on this commission.

³ Ruby is a pseudonym used to protect identity. Her story was featured on a podcast produced by Cadence Media called “Finding Ruby”: <https://fightofmy.life>.



2. **Financial Restitution:** Survivors have been exploited for profit, and so it only makes sense that offenders must be held financially accountable. In April of this year, the Philippines Anti-money Laundering Commission released a study of suspicious transaction reports involving payments for online sexual abuse of children. The top four countries in terms of offenders paying for online CSAM were the U.S. (by far), the U.K., Australia, and Canada. This is urgent. These offenders have taken years from survivors' lives. They took 10 years from Joy. She must be compensated. We must build a system where survivors directly receive financial restitution to heal, recover and reclaim the lost years of their lives.
3. **Removal of Child Sexual Abuse Materials:** It is essential to remember that in this crime, an act of abuse is recorded and streamed digitally. Imagine the most vulnerable, painful, exploitative moments of your life are just one online search away. How can we expect survivors to carry on with their lives when their privacy is violated every day? In 2021, Apple promised child safety measures, and 2 years later, our survivor groups are [still petitioning](#) to remove images of abuse and protect children online. All CSAM should be prevented from being distributed online, and existing material has to be removed. Please hold tech companies accountable when they fail to keep children safe on their platforms and incentivize them to do better in the future.

Thank you for incorporating the voices of survivors into this hearing and I look forward to your questions.



Mr. BIGGS. Thank you very much.

Mr. TANAGHO.

STATEMENT OF JOHN TANAGHO

Mr. TANAGHO. Chair Biggs, Congresswoman Dean, thank you for the invitation to testify at this important hearing.

My name is John Tanagho, and I serve as Executive Director for International Justice Mission's Center to End Online Sexual Exploitation of Children. IJM is a global, nongovernment organization that protects people in poverty from violence.

We are at a crisis point when it comes to child sexual abuse and exploitation online. I spent seven years living in the Philippines leading IJM teams to combat the trafficking of children to produce new child sexual exploitation material, especially in livestreams. This is the in-person sexual abuse of children by adults in the Philippines while foreign offenders watch and direct the abuse live online for a fee. This is Pay-Per-View CSAM live on demand.

Based on IJM's experience supporting over 340 Philippine-led police operations, the abuse usually includes rape, children forced to engage in sex acts with other children, and even children who are harmed in other degrading ways such as in bestiality. Victims are abused for two years on average, with the median age only 11 years old. IJM has even supported Philippine police in bringing infants to safety.

Offenders, including in the U.S., can pay as little as \$33 to watch and direct a child being sexually abused in a livestream. Last week IJM released findings from our two-year research study, *Scale of Harm*, estimating that in 2022, nearly half a million Filipino children were sexually abused to create images, videos, and livestreams for sale to offenders around the world. That is one in 100 Filipino children.

Global tech platforms remain fertile ground for this abuse, with Australia's e-Safety Commissioner reporting that companies are failing to address child sexual exploitation in livestreams or video calls. The United States is the No. 1 country of offenders paying for and directing this abuse, with 34 percent of Philippine cases involving U.S.-based offenders according to IJM's 2020 study. In April of this year, the Philippine Anti-Money Laundering Council reported that the highest number of payments for child sexual exploitation flagged by financial institutions in suspicious transaction reports came from the U.S.

Make no mistake, offenders who abuse children online also pose a threat to abuse kids right here. In fact, 58 percent of respondents reported feeling afraid that viewing CSAM might lead them to commit abuse in person according to a survey in the Stanford Internet Observatory's *Journal of Online Trust and Safety*.

Laws are urgently needed to prevent child sexual abuse online. Companies must prioritize the safety and privacy of victims by expediting detection, reporting, and removal of CSAM. Early detection and reporting allow law enforcement to bring offenders to justice and victims to safety.

IJM prevalent studies across crime types show that replacing offender impunity with accountability can also serve to prevent future harm by deterring offenders. At the same time, the sheer scale

of child sexual abuse material necessitates technological prevention. Companies should deploy tools in video chat and messaging apps to disrupt the production of CSAM.

Today's phones and apps are not safe by design precisely because they are built without any technology to prevent child abuse images and video from being taken, streamed, or shared. Without tech safeguards designed to prevent abuse, offenders operate with ease and impunity.

Imagine cars without seat belts, airbags, or antilock brakes. Without laws, child exploitation online is a global crisis spiraling out of order. That's why IJM supports the EARN IT Act to change the incentives for tech companies to do everything in their power to prevent child exploitation on their platforms.

In closing, some lobby against online safety legislation under the so-called banner of privacy or free speech. Australia, a well-respected democracy, passed an online safety bill in 2021 requiring tech transparency and safety by design. Free speech and privacy are alive and well in Australia. If Congress passes online safety legislation to protect kids, the sky won't fall here either.

Thank you.

[The prepared statement of Mr. Tanagho follows:]



Testimony of John Tanagho, International Justice Mission
Before the
House Judiciary Committee
Subcommittee on Crime and Federal Government Surveillance

“Children are Not for Sale: Examining the Threat of Exploitation of Children in the U.S. and
Abroad”
September 13, 2023

Chairman Biggs, Ranking Member Lee – thank you for the invitation to testify at this important hearing. My name is John Tanagho, and I serve as Executive Director for International Justice Mission (IJM)’s Center to End Online Sexual Exploitation of Children. IJM is a global nongovernment organization (NGO) that protects people in poverty from violence. IJM partners with authorities in 31 program offices in 16 countries to combat modern slavery, violence against women and children, and other forms of abuse. Since 1997, we have supported governments to bring victims to safety and wholeness, hold perpetrators accountable, and strengthen justice systems.¹

IJM’s Center to End Online Sexual Exploitation of Children protects children in the Philippines and scales the fight against this crime globally. The Center leverages and shares effective practices and models from IJM’s Philippines program to enhance justice system and private sector responses to online sexual exploitation, resulting in sustainable child protection and offender accountability.²

I appreciate the opportunity to provide testimony at such a critical moment. Put plainly – we are at a crisis point when it comes to child sexual abuse and exploitation online.

At an alarming scale, child sex offenders from around the world seek out traffickers online in countries like the Philippines, paying them to livestream the sexual abuse and exploitation of specific children in specific ways as directed by these offenders in real time. And this represents just one form or modus operandi of child sexual abuse online, separate from financial sextortion, grooming, non-consensual sharing of intimate images, and other child abuse online.

¹ <https://www.ijm.org/>

² Learn more about the Center’s work at ijm.org.ph/center and on [LinkedIn](#). Contact us at endosec@ijm.org.

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I spent seven years living in the Philippines, leading IJM teams to protect children from this particularly pernicious form of trafficking, where vulnerable victims are trafficked to produce new child sexual exploitation material, or CSEM³, especially in livestreams.

In IJM's casework experience from 2011 to 2023, demand-side offenders, including from the U.S., use popular internet platforms with live video and chat functions to issue graphic and specific abuse instructions. This sexual abuse is livestreamed for the offender's sexual consumption and documented in photos and videos that create new CSEM. But this is no virtual crime. This is the in person sexual abuse of children by adults in the Philippines while foreign offenders watch and direct the abuse online in real-time for a fee.

This is basically pay-per-view CSEM, live on-demand.

Based on IJM's experience supporting over 342 Philippine government-led law enforcement operations, the abusive conduct usually includes forcible sexual penetration, constituting rape in the Philippines and many other jurisdictions. Children are forced to engage in sex acts with other children, sexually abused by an adult, and sometimes harmed in other degrading ways, such as in bestiality.⁴ This is consistent with the severity of harm to children in extreme child sexual abuse material globally. In 2022, the U.K. based [Internet Watch Foundation](https://www.iwf.org.uk/) found that "extreme child sexual abuse" online doubled in just two years (with such abuse defined as images/videos involving penetrative sexual activity, sexual activity with an animal, or sadism).⁵

In the Philippines, victims are abused for **two years** on average, in part because the abuse goes undetected and unreported online. According to a 2020 study published by IJM, the median age

³ Child Sexual Exploitation Material (CSEM) is any visual or audio (and/or any combination thereof) representation of children (under the age of 18) engaged in sexual activity or of minors engaging in lewd or erotic behavior recorded, produced and/or published to arouse the viewer's sexual interest. Child sexual abuse material (CSAM), which depicts the contact sexual abuse of a child, is a subset of CSEM. See ECPAT Luxembourg, Interagency Working Group (2016), "Luxembourg Guidelines," https://www.ilo.org/ipec/Informationresources/WCMS_490167/lang-en/index.htm.

⁴ See exemplary cases involving U.S. demand-side offenders, <https://www.justice.gov/usao-mdfl/pr/florida-man-who-financed-and-patronized-child-sex-trafficking-ring-philippines-pleads>; <https://www.scmp.com/news/world/united-states-canada/article/3164587/us-man-who-live-streamed-sex-abuse-filipino>

⁵ Internet Watch Foundation, "'Extreme' Category A child sexual abuse found online doubles in two years." 25 April 2023, <https://www.iwf.org.uk/news-media/news/extreme-category-a-child-sexual-abuse-found-online-doubles-in-two-years/>.

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of victims is only 11 years old, and children as young as infants were also abused. Research by the [Australian Institute of Criminology](#) found that sex offenders pay as little as \$33 dollars to direct and watch a child sexually abused in a livestream. This is consistent with IJM's experience, and payment amounts typically increase with the number of children abused, the severity of abuse, and the younger age of victims.

Congress should make no mistake here: These are not just pictures or videos online. Behind every livestream is a real child, suffering serious emotional and physical trauma. Even after being brought to safety by law enforcement, there is no end to their continued exploitation and the invasion of their privacy, as offenders share and trade images and videos of child abuse in encrypted messaging apps and online.

I have heard from survivors of this abuse, who recount its devastating impact. Ruby⁶, who was sexually abused in livestreams as a 16-year-old, recalls how the abuse eroded her will to live:

While doing every disgusting show [in front of the computer camera with the customer], I lost every bit of my self-esteem to the point where I felt disgusted with myself as well. It's like being trapped in a dark room without any rays of light at all. There's no point in living at all.⁷

IJM Scale of Harm Study Measures the Prevalence of this Crime

With that backdrop, I will now share data on the prevalence of this crime in the Philippines. In 2021, International Justice Mission, together with the University of Nottingham Rights Lab, a world-leading human trafficking research institution, launched the *Scale of Harm* project to develop and implement a mixed-methodology producing prevalence estimates of trafficking of children to produce new CSEM, including via livestreaming, in the Philippines.

A prevalence estimate is critical to determine the protective impact of government and multi-stakeholder efforts over time. In other words, prevalence estimates are crucial to ascertain if multi-stakeholder efforts are working to accomplish the most important goal, namely, protecting more children from child sexual abuse and exploitation in the first place (i.e., prevention). After all, successful child protection interventions should lead to fewer children being harmed in the first place.

⁶ All names with an * indicate a pseudonym.

⁷ Ruby recounts her story from start to finish in a 6-part podcast series, *The Fight of My Life: Finding Ruby*, <https://fightofmylife/>

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Prior externally validated IJM prevalence studies⁸ on various forms of violence have proven that increased perpetrator accountability – through detection, arrest, and prosecution – can have a disproportionate impact on reducing crime within the context of a trauma-informed, holistic justice system and societal response. For example, externally validated prevalence studies showed between 72% to 86% reductions of in-person child sex trafficking in commercial establishments and red-light districts in Philippine regions.⁹

IJM's *Scale of Harm* study is unique in that it employed survivor engagement throughout. Alongside delivering a national household survey, survivor engagement was a critical component. Survivor consultants and leaders informed and co-designed the survey by drawing from their lived experience of exploitation and community knowledge in the Philippines. This includes co-designing and enhancing research instruments such as the survey questionnaire and protocols. Survivor consultants also co-designed and facilitated two focus group discussions with Filipino survivor leaders from the Philippine Survivor Network.

IJM's *Scale of Harm* study reveals a significant and alarming national prevalence of trafficking of children to produce new CSEM.¹⁰ In 2022, nearly **half a million Filipino children**, or 1 in 100 Filipino children, were sexually abused by adults to create new CSEM for sale to offenders around the world. The study also found that approximately nearly a quarter of a million adult Filipinos, or roughly 3 in every 1,000, were involved in this financially motivated CSEM production. The *Scale of Harm* summary report provides additional findings along with our seven recommendations, co-developed with survivor leaders.

Governments Like the U.S. Must Address Demand-Side Offenders Who Fuel Ongoing Abuse

Governments must holistically address demand-side offenders within their jurisdictions. This includes requiring tech and financial sector detection and reporting, applying effective justice system responses, and implementing upstream offender prevention efforts.

⁸ See International Justice Mission's prevalence studies: <https://www.ijm.org/studies>.

⁹ Haarr, R. (2017). Evaluation of the Program to Combat Sex Trafficking of Children in the Philippines: 2003-2015. https://ijmstoragelive.blob.core.windows.net/ijmna/documents/studies/philippines-csec-program-evaluation_2021-02-05-063357.pdf.

¹⁰ International Justice Mission. *Scale of Harm: Research Method, Findings, and Recommendations – Estimating the Prevalence of Trafficking to Produce Child Sexual Exploitation Material in the Philippines*, Summary Report.

https://assets.ijm.app/IJM_Scale_of_Harm_Summary_Report_Sept_2023_f733d4e011.pdf

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Relevant to this testimony, according to available data, the United States is the number one demand-side country of offenders paying for and directing abuse of Filipino children. According to a 2020 IJM study, 34% of Philippine cases involve U.S.-based offenders.¹¹ Moreover, according to an April 2023 report by the Philippine Anti-Money Laundering Council, since 2015, individuals in the United States have apparently sent the highest number of payments for suspected child exploitation online flagged by financial institutions in suspicious transaction reports. Over 67,000 of these suspicious transaction reports occurred in the 18-month period from mid-2020 to 2022, accounting for 52.25% of all reports.¹² This 18-month period saw nearly **\$7.3 million in suspected child exploitation-related transactions enter the Philippines from U.S. senders**, according to the Anti-Money Laundering Council report.

Legislators, prosecutors, and judges in demand-side countries, such as the U.S., need to be extremely clear about what online sexual exploitation of children is and who is driving it. Online sex offenders direct and cause live sexual abuse by paying and instructing in-person traffickers to violate young children of specific ages, at specific times, in specific ways. They produce child sexual abuse material every time they watch and record the new abuse from the comfort of their homes. Plainly put, demand-side sex offenders are the minds and money behind the most horrific child abuse imaginable.

There can be a temptation to view these offenses as “image-based” or “online.” But real, physical sexual abuse is often the result of the demand created by sexually motivated offenders, even if they commit the abuse from the comfort of their homes. Detective Inspector Jon Rouse APM, the 39-year veteran of Internet Crimes Against Children of the Queensland Police Service and Australian Federal Police (Task Force Argos), said this about a demand-side offender who paid for and directed livestreamed abuse:

¹¹ International Justice Mission, “*Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society*,” 2020, <https://www.ijm.org.ph/assets/resource/IJM-OSEC-in-the-Philippines-Analysis-and-Recommendations-for-Governments-Industry-and-Civil-Society-Full-2020.pdf>.

¹² Anti-Money Laundering Council. (2023). Online Sexual Abuse and Exploitation of Children in the Philippines: An Evaluation Using STR Data (July 2020 – December 2022), <http://www.amlc.gov.ph/16-news-and-announcements/454-online-sexual-abuse-and-exploitation-of-children-in-the-philippines-an-evaluation-using-str-data>.

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[The offender] may as well have been in the room with the kids. The fact he was seeing it in the virtual world is irrelevant...what happened to those kids happened because of him.¹³

In IJM's 12-years of experience combating this crime, we have seen demand-side sex offenders proliferate a global criminal industry by directing, paying for, and producing new child abuse material from the comfort of their homes. Hiding behind their screens, they abuse the most vulnerable children around the world live in video calls. And in many countries, these offenders fail to be held accountable in ways commensurate to the harm they caused.¹⁴

Offenders who use the internet to abuse children overseas or view CSAM also pose a threat to commit hands on abuse in the U.S. and other countries. [Recent research](#) from the Australian Institute for Criminology suggests that individuals who view livestreamed CSAM have already crossed the psychological barrier to contact offending, by directing and watching the live sexual abuse of a child online – which is on par with abusing the children themselves.¹⁵ This may partly explain why, according to [IJM research](#), 9% of known demand-side offenders in our 2020 study also traveled to the Philippines to abuse children in person.¹⁶

Nearly half of respondents to a recent [survey](#) in the [Stanford Internet Observatory's](#) Journal of Online Trust and Safety said they had sought direct contact with children through online platforms after viewing CSAM, and 58% reported feeling afraid that viewing CSAM might lead to them committing abuse in person. Moreover, according to research by Finnish NGO [Protect Children](#) who surveyed CSAM users, “nearly half (42%) of the respondents reported that they had sought direct contact with a child through online platforms after viewing CSAM, and 58% reported feeling afraid that viewing CSAM might lead to sexual acts with a child or adult.”¹⁷

¹³ The Sydney Morning Herald, 3 June 2017. *Children as young as two rescued from Philippine cybersex abuse dens.* <https://www.smh.com.au/world/children-as-young-as-two-rescued-from-philippine-cybersex-abuse-dens-20170603-gwjmg5.html>

¹⁴ International Justice Mission. *Falling Short: Demand-Side Sentencing for Online Sexual Exploitation of Children - Composite Case Review, Analysis, and Recommendations for the United Kingdom* (October 2020). <https://paragonn-cdn3.ams3.cdn.digitaloceanspaces.com/ijmuk.org/images/EMBARGO-8-NOV-20-IJM-REPORT-FALLING-SHORT-Demand-Side-Sentencing-for-Online-Sexual-Exploitation-of-Children.pdf>

¹⁵ https://www.aic.gov.au/sites/default/files/2023-05/ti671_overlap_between_csa_live_streaming_contact_abuse_and_other_child_exploitation.pdf

¹⁶ https://ijmstoragelive.blob.core.windows.net/ijmna/documents/studies/Final-Public-Full-Report-5_20_2020_2021-02-05-055439.pdf

¹⁷ <https://www.suojellaanlapsia.fi/en/post/redirection-final-report-3>

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Moreover, even those offenders who begin by viewing, possessing, and sharing CSAM – without producing – fuel the demand for new abuse of children. In their Exploiting Isolation report released in June 2020, Europol states:

The demand for such [CSAM] material perpetuates the ongoing abuse of children by [offenders] and others. It is likely that the increase in the circulation of online CSAM in recent weeks will continue to feed the cycle of physical sexual abuse of children and their victimisation in real life and online. This is particularly so because offender forums often require the production of “never before seen” CSEM, motivating new victimization of children.¹⁸

Research by [Michael Salter](#) (Associate Professor of Criminology at New South Wales University) reveals [strong links](#) between viewing violent and extreme adult pornography and child sexual abuse across the U.S., U.K. and Australia.¹⁹ Professionals at the UK-based charity Lucy Faithful Foundation who help men overcome viewing CSAM report that a common pathway to offending is heavy pornography use leading to habituation and desensitization. Analysis of qualitative data in a [CSAM dark web survey](#) by Finnish NGO Protect Children revealed that respondents may begin searching for CSAM when they are “bored”, “unexcited” or “tired” of adult pornography.²⁰ In addition to achieving prevention through offender accountability leading to deterrence, governments should seek to go upstream to understand and disrupt some pathways to CSAM offending.

With such a significant demand-side offender problem, the United States should lead the way by ensuring that local, state, and federal law enforcement are sufficiently resourced to investigate U.S.-based offenders who pay for, direct, and remotely produce child sexual abuse material.

When impunity reigns – as it does today – no one is safe. It is therefore encouraging to see national governments stepping in. For instance, as part of a comprehensive partnership, IJM supported Philippine authorities through strengthening justice system responses to bring to safety over 1,100 victims and others at-risk. Justice system capacity to address these crimes in

¹⁸ Europol, ‘Exploiting Isolation: Offenders and Victims of Online Child Sexual Abuse During the COVID-19 Pandemic’, (Report, 19 June 2020) 4. <https://www.europol.europa.eu/publications-documents/exploiting-isolation-offenders-and-victims-of-online-child-sexual-abuse-during-covid-19-pandemic>.

¹⁹[https://www.linkedin.com/feed/update/urn:li:activity:7067105756017225729/?commentUrn=urn%3Ali%3Acomment%3A\(urn%3A7067105756017225729%2C7067213251788374016\)&dashCommentUrn=urn%3Ali%3Afsd_comment%3A\(7067213251788374016%2Curn%3Ali%3Aactivity%3A7067105756017225729\)](https://www.linkedin.com/feed/update/urn:li:activity:7067105756017225729/?commentUrn=urn%3Ali%3Acomment%3A(urn%3A7067105756017225729%2C7067213251788374016)&dashCommentUrn=urn%3Ali%3Afsd_comment%3A(7067213251788374016%2Curn%3Ali%3Aactivity%3A7067105756017225729))

²⁰ <https://www.suojellaanlapsia.fi/en/post/redirection-blog-02-russian-speaking-csam-users>

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the Philippines is stronger than before and continues to grow through NGO and international partnerships. Philippine law enforcement, prosecutors, and social services have prioritized trauma-informed, child protection efforts. Within its first four years of operation, the Philippines Internet Crimes Against Children Center, or PICACC, made possible the safeguarding of 644 individuals from online sexual exploitation and the arrest of 131 suspects. With more widespread global cooperation, imagine how much more could be done.

Protecting children from these crimes requires coordinated global efforts from governments, the tech and financial sectors, civil society, and survivor leaders. Offender impunity must end on both the source and demand side, and with more offenders in the U.S. driving child sexual abuse online globally, the U.S. should ensure it is doing its part.

Protecting Children Globally Requires a Strong US Policy Response

As child sexual abuse online rages, governments can help reduce the production of first-generation child abuse materials, including livestreamed exploitation. Government legislation should create requirements or standards for tech companies to make their platforms and products safe by design. We need to expect more technological prevention from companies, not simply more reporting.

Unfortunately, global tech platforms, including those headquartered in the U.S., remain fertile ground for child sexual abuse and exploitation online, according to reporting from Australia's eSafety Commissioner in its December 2022 Basic Online Safety Expectations report, which indicates that companies are not taking action to detect child sexual exploitation and abuse in livestreams or videos calls.²¹

It is encouraging, therefore, that as of this testimony, governments such as the [UK](#), [EU](#), and [Canada](#) are stepping up with their own attempts to pass online safety legislation to protect children. Without strengthened laws, child exploitation online is a global crisis spiraling out of control. For example, in 2022, NCMEC's CyberTipline received reports containing 37.7 million videos related to suspected child sexual exploitation, [8.3 million of which were unique](#).²² To put that in context, there are about [649,692 movies](#)²³ in existence in the world. This means there are

²¹ eSafety Commissioner, "Basic Online Safety Expectations: Summary of industry responses to the First mandatory transparency notices." December 2022, <https://www.esafety.gov.au/sites/default/files/2022-12/BOSE%20transparency%20report%20Dec%202022.pdf>.

²² <https://www.missingkids.org/test/cybertiplinedata-draft>

²³ <https://www.imdb.com/pressroom/stats/>

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roughly 1,177.53% more unique suspected child sexual exploitation videos reported to NCMEC in 2022 alone than movies produced throughout history.

As the host of major multi-national tech companies weaponized to abuse children, the U.S. has a critical role to play. That's why IJM supports the EARN IT Act, to change the incentives and ensure tech companies do everything in their power to prevent child sexual exploitation on their platforms.

Online child sexual exploitation is clearly a global crime, requiring a coordinated global response by government, civil society and the private sector. For instance, while NCMEC is a congressionally mandated, U.S.-based organization, of the 32 million reports that the CyberTipline received in 2022, nearly 90% resolved to a location outside of the U.S. The sheer amount of CyberTipline reports consistently outpace law enforcement's capacity to respond in almost every country, especially in developing contexts.

IJM has firsthand experience working alongside under-resourced law enforcement partners in responding to this challenge. In partnership with NCMEC and through funding by the U.S. State Department's Office to Monitor and Combat Trafficking in Persons, among other partners, IJM's Center to End Online Sexual Exploitation of Children provides specialized training that builds capacity for investigators as they learn to access, review, and act on CyberTipline reports through NCMEC's Case Management Tool. IJM has provided such trainings in Kenya, Nigeria, Ghana, Malaysia, and the Philippines.

The extension of the preservation window for CyberTipline report contents, as proposed in both the EARN IT Act and the REPORT Act, will help give law enforcement much needed time to triage and respond to CyberTipline reports. Critically, these proposals will also improve the quality of reports electronic service providers (ESPs) submit, which can have a downstream impact of more victims identified and arrests made.

In this session of Congress alone, there have been five bills introduced in the House of Representatives with the aim of protecting children from online sexual exploitation: EARN IT Act, Project Safe Childhood Act, Preventing Child Sex Abuse Act, REPORT Act and Child Online Safety Modernization Act. (Relevant legislation in this issue area introduced in the Senate this session includes the STOP CSAM Act and Kids Online Safety Act, which do not have House companions at the time of this hearing.) These legislative initiatives encompass a range of provisions, all geared toward promoting greater transparency within the tech industry, expanding the scope of detection and reporting of CSAM, implementing safety by design principles, extending the period for preserving content, and reducing the time it takes to remove illicit material from online platforms. These bills, though distinct in their approaches, share a common goal: safeguarding children in the digital realm.

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While none of these bills is a silver bullet that will entirely eliminate the issue, they each offer a significant step forward in providing enhanced protection and preserving the dignity of children worldwide. By supporting and implementing these measures, we have the potential to foster safer online communities – not only for our nation’s children but also for children across the globe. While we welcome all legislative efforts to protect children online, IJM believes that the EARN IT Act presents the most promising opportunity to cultivate safer online communities. By establishing a commission of diverse experts charged with collaboratively formulating best practices, this legislation has the potential to guide NGOs, tech companies, civil society organizations, and government bodies toward the most effective approach to addressing online sexual exploitation of children. It will ensure that tech companies are doing everything in their power to prevent child sexual exploitation on their platforms, and even enhances the reporting and preservation requirements for tech companies to the CyberTipline.

From [IJM’s experience in training international law enforcement partners on CyberTipline investigations](#),²⁴ it is clear that updates are desperately needed to the existing reporting framework. IJM supports the enhanced reporting requirements in the EARN IT Act that will improve consistency, quality and timeliness in reports of suspected child sexual exploitation sent from online service providers to the CyberTipline.

Moreover, a recent report from the Organization for Economic Co-operation and Development (OECD) examined the top 50 online platforms’ transparency reporting and their policies and procedures in relation to child sexual exploitation and abuse. It found that 80% of platforms provided no detailed policy on online sexual exploitation of children and 60% of platforms did not issue a transparency report on such abuse.²⁵ We urgently need this type of transparency from tech companies to hold them accountable for their actions and inactions to combat child sexual abuse. This type of reporting can influence benchmarking to show progress in the fight against child sexual abuse, impact policy decisions, and determine resource allocation needs for governments, NGOs, and tech companies alike.

Privacy vs. Child Protection Debates Lack Survivor Voices and Balance

While tools exist to detect known and new child abuse in images, recorded and live video, implementation of online safety rules, tools, and systems is uneven across companies, with

²⁴ <https://www.missingkids.org/blog/2022/online-child-abuse-has-no-borders-ncmec-training-out-of-africa>

²⁵ <https://www.oecd.org/publications/transparency-reporting-on-child-sexual-exploitation-and-abuse-online-554ad91f-en.htm>

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no established standards or action. That is why online safety legislation is essential, to create industrywide standards for child protection and consumer safety online.

But why, as of this testimony's date, has U.S. Congress, the United Kingdom, European Union, Canada and others not already passed such online safety legislation? Globally, proposed online safety legislation has been lobbied against by a host of actors. Most of them lobby against online safety legislation under the so-called banner of data or user privacy or free speech. But take the case of Australia, a well-respected democracy and Five Eyes' nation, which passed an online safety bill in 2021 requiring tech transparency and safety by design.²⁶ Free speech and privacy are alive and well in Australia. And if Congress passes online safety legislation to protect kids, the sky won't fall here either.

While privacy is essential, innovative solutions exist and can be further developed to make data protection and child protection compatible, striking the right balance.

Crucially, debates about online safety bills have lacked survivor voices and balance. They have been marked by hyperbole and exaggerated claims. In considering how best to regulate digital spaces in a post-pandemic world, it is essential that governments listen directly to survivor leaders, including those from the Global South who are speaking out about the issue. Survivor leaders, such as from the [Philippines Survivor Network](#), have unique expertise and credibility to advise on building a digital landscape that gives no opportunity for exploitation. They have already consulted on both the [UK Online Safety Bill](#) and²⁷ the World Economic Forum Global Principles for Digital Safety,²⁸ and have advocated for passing of [EU legislation](#).²⁹

Case-in-point in the debate pitting privacy vs. protection: In 2021, [Apple announced](#) child safety measures that were met with a cacophony of responses, both critical and supportive, from a variety of sources.³⁰ International Justice Mission, through its Center to End Online Sexual Exploitation of Children, applauded Apple for its proposed child safety initiatives related to iCloud Photos and Messages specifically. Two years later, Apple [faces criticism](#) from child safety advocates and investors calling on Apple to do more to protect children from

²⁶ <https://www.esafety.gov.au/newsroom/whats-on/online-safety-act>

²⁷ <https://www.ijmuk.org/stories/survivor-letter-to-uk-government-online-safety-bill>

²⁸ https://www3.weforum.org/docs/WEF_Global_Charter_of_Principles_for_Digital_Safety_2023.pdf ("Our thanks to Ruby, Liberty and Joy (pseudonyms), International Justice Mission IJM, Philippines Survivor Network").

²⁹ <https://globalsurvivornetwork.org/stories/philippine-survivors-urge-eu-parliament-and-union-council-for-stronger-legislation>

³⁰ <http://apple.com/child-safety/>

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sexual abuse online, after having pulled their proposals. IJM is a proud signatory to the [HEAT Initiative-led open letter](#) calling on Apple to do more, as they initially promised.³⁴

While Apple's proposed initiatives were imperfect – and significant room exists across the tech sector to improve detection, disruption, and reporting of child sexual abuse – Apple's proposed moves were a positive step forward.

Strong opposition to Apple's announcement – and to online safety actions more broadly – are primarily presented under the banner of “privacy.” Common objections describe a slippery slope toward government abuses and mass surveillance. To be clear, the child safety solutions proposed by Apple have not been corrupted for such dire ends.

Critics fear a hypothetical future risk while apparently dismissing a very real, current, and widespread harm: Untold numbers of vulnerable children have been and are being abused, exploited, and otherwise victimized by the continued production, possession, and distribution of such images. In fact, due to uneven detection and reporting across tech companies, the world does not actually know how many children globally are sexually abused to produce CSAM, or how many such live videos, recorded videos, or images of child sexual abuse and exploitation are produced and shared online. But we do know from *Scale of Harm*, that nearly half a million Filipino children are estimated to have been sexually abused to create image, videos, and livestreams for sale to offenders.

At the same time, we know that tech companies have both the moral obligation and the combined resources necessary to create and implement advanced safety technologies to safeguard children.

The current conversations surrounding proposed tech online safety actions and bills risk elevating the hypothetical corruption of child safety solutions over the known and rampant misuse of existing technology to harm children. As a survivor-centered organization, IJM deeply respects what survivors of child sexual abuse tell us and others in this space: Children are entitled to have every image memorializing the most painful and dehumanizing moments of their lives detected, reported, and removed from illegal circulation.

In contrast, offenders have no legal or privacy right to illegally create, possess, or share child sexual exploitation material. In fact, these acts undeniably violate the privacy of victimized children. Unlike the hypothetical harm critics fear, the global crisis of child sexual abuse and exploitation is all too real.

³⁴ <https://www.documentcloud.org/documents/23935189-apple-letter-to-heat-initiative>

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In the face of privacy arguments against Apple's child safety measures, a group of child sexual exploitation survivors, the Phoenix 11, have rightly identified this advocacy in the name of privacy as incomplete:

What about our right to privacy? ... It is our privacy that is violated each time an image of our child sexual abuse is accessed, possessed or shared.³²

While others have provided more technical reviews of Apple's plans, the voices of survivors have not been sufficiently prominent. IJM has seen firsthand the harm and trauma children experience when sexual abuse and exploitation go undetected and unreported. We've also seen the very good reality of protection and hope when that abuse is uncovered and those victims are identified and brought to safety, with their offenders held to account.

Since 2011, IJM has supported law enforcement in the Philippines to safeguard over **1,180 victims and at-risk individuals** from sexual exploitation by in-person traffickers whom online sex offenders pay for new abusive content. Among those protected are children like [Joy, Ruby, Cassie, Chang, and Marj](#).

Joy,* a survivor leader, advocates for improved detection and reporting, informed by her own story of abuse:

I think there should be a technology that will detect CSAM. Because in my experience, I was abused when I was still young but I was only rescued after several years after the abuse. It is better that children will be rescued earlier by early detection. With early detection, there will be less children that will be further abuse if perpetrators are detected or arrested early on. Foreigner pedophiles must also be detected and stopped early on because they create the demand for CSAM both on the production and livestreaming.

Ruby,* now an adult survivor leader, describes the trauma she endured as a 16-year-old:

I felt disgusted by every action I was forced to do just to satisfy customers online. I lost my self-esteem and I felt very weak. I became so desperate to escape, to the point that I would shout whenever I heard a police siren go by, hoping somebody would hear me.

Marj* was first exploited at the age of 13 by her friend's older sister and explains:

³² <https://protectchildren.ca/en/press-and-media/news-releases/2021/phoenix-11-apple-statement>



I was confused because I was just a child. I was shaking. Then, I felt different. I felt ashamed. But I also had nowhere else to go.

The act of forcing her to take explicit pictures was painful enough, but as Marj shared with IJM: “...that abuse, I did not expect that it would spread. That it would be sent to other people.”

Take it from these brave survivors and others³³: Survivors are harmed first by the abuse they suffer, and then repeatedly through the violation of their privacy by offenders who share images and videos depicting their sexual exploitation. As explained more in the next section, on-device (or “client-side”) and other innovative safety features – such as those proposed in 2021 by Apple – are a step toward protecting the privacy of survivors while reasonably respecting the privacy of users.

While Apple’s situation is exemplary, this is not about any single company. Improving the tech industry’s detection, disruption, and reporting of child sexual abuse is critical to protecting victims and survivors from ongoing harm. Innovations like on-device solutions hold significant promise precisely because of the potential to balance user privacy with child protection.

Fortunately, child safety leaders within the tech sector have expressed commitment to address this abuse, with the Technology Coalition’s Executive Director writing in its first-ever annual report:

We are resolved to drive forward the improvements in technology and systems that will ultimately eradicate the online sexual abuse and exploitation of children on our platforms.³⁴

Child safety announcements by Technology Coalition members, including [Apple](#), [TikTok](#), [Meta](#), and [Google](#), are steps in the right direction, with much more to be done. Yet the past and ongoing backlash against these efforts and online safety legislation could discourage the development and adoption of additional real-world protections for children. That is why online safety legislation is urgently needed, because children cannot rely on individual companies to successfully navigate these child safety debates.

³³ The Canadian Centre for Child Protection, Survivors’ Survey: Executive Summary (2017) https://protectchildren.ca/pdfs/C3P_SurvivorsSurveyExecutiveSummary2017_en.pdf

³⁴ The Technology Coalition Annual Report (2021). <https://www.technologycoalition.org/annual-report>

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And for victims and survivors, none of this is hypothetical; instead, it is very real and urgent. There are plain reasons why the wheel of child sexual abuse online is spinning fast: there is minimal detection, reporting, mitigation or disruption and impunity is the norm. Offenders are not afraid of being detected by police as they hide their abuse in encrypted messaging apps and video calls, and they know that online platforms do little to detect or prevent their ongoing abuses. And this is where the debate about the details of online safety legislation is very practical for victims. Maybe if all platforms deployed tools to detect and report new or “first-generation” CSAM, children would be spared dozens or hundreds of specific acts of sexual abuse and exploitation. Maybe victims would be identified and brought to safety weeks or months after abuse, instead of years later.

Conclusion: Justice & Tech Solutions Exist, Ready for Deployment at Scale

In conclusion, most experts agree, there is no single approach to protect children from sexual abuse and exploitation. Rather, like other public health and crime prevention efforts, effective prevention is multi-sectoral and multi-faceted.

Companies must prioritize the safety and privacy of victims, by expediting detection, reporting, and removal of CSAM. Early detection and reporting allow law enforcement to do their job of bringing offenders to justice and victims to safety. Based on IJM prevalence studies across crime types, replacing offender impunity with accountability can also serve to prevent future harm by deterring offenders.

At the same time, the sheer scale of child sexual abuse material necessitates technological prevention in video-chat and messaging apps. Critical safeguards should be deployed to disrupt the production of new CSAM. Safety technology that can detect and disrupt child sexual abuse in real-time, such as [SafeToWatch](https://safetonet.com/safetowatch/), already exists.³⁵

A safety by design approach can play a central role in *preventing* harm from ever taking place. And when it does happen, companies need to quickly detect and report the maximum amount of information so law enforcement can do their job. As governments replace offender impunity with offender accountability, that too will serve to prevent future harm by deterring a subset of offenders. In other words, safety by design combined with effective justice responses can create a shield for children, exponentially increasing their protection online and in the real world, both before and after initial harm. The combination of these two responses can ultimately change societal norms when it becomes harder to find and create CSAM online and more costly for offenders to do so.

³⁵ <https://safetonet.com/safetowatch/>



We must come to a realization: Today’s phones and apps are not “**safe by design**” precisely because they are built without any technology intended to prevent child abuse images and videos from being taken, streamed or shared. We should no longer take this reality for granted; we should no longer accept this perverse status quo, that phones, tablets, and computers should be at the full, unmitigated disposal of offenders to create new child abuse images, videos, and livestreams without any friction. Just as we have demanded child and consumer safety in all types of products from cars to car seats, to cribs and playgrounds – to make children safer – Congress and the U.S. public should demand that tech companies build their products and platforms safe by design, anticipating through expert consultation how they can be abused, and building in safety as a priority.

Scale of Harm’s research finding that nearly half a million Filipino children were abused to create CSEM is a prime example of what happens when tech platforms have no guardrails. **Without tech safeguards designed to prevent abuse, offenders operate with ease, anonymity, and impunity.**

Imagine cars without seatbelts, airbags, or antilock brakes? Or imagine if we routinely allowed daycare workers, teachers, coaches, and others who work closely with children to do so without undergoing background checks and safeguarding training? Or imagine if we had no government regulations or requirements for infant car seats, playground safety, and the other safety standards governments require in the physical world to keep children safer? Congress and the American public would never stand for it. We consider such safety features as common sense and good practice in the offline world, and the same should apply to digital platforms.

It is critical that individual companies clearly understand and appropriately respond to the scale of harm occurring on or via their platforms, which is why IJM’s Center to End Online Sexual Exploitation of Children collaborates with industry on improved detection, disruption and reporting. In November 2022, I spoke passionately at the [Singapore FinTech Festival](#),³⁶ the largest financial tech gathering in the world. I called on tech and financial sectors to embed child safety into their platforms and products, encouraging them to partner with NGOs working to make [communities safer](#).

But what can companies do when the abuse happens in “real-time” and how can privacy concerns be addressed? Safety technology, such as [SafeToWatch](#)³⁷ and others, promises to technologically prevent and disrupt the production and sharing of new CSAM, even in [end-to-end encrypted](#) environments.³⁸ Such real-time threat detection tools are designed to disrupt

³⁶ <https://www.youtube.com/watch?v=xia8H781yuo>

³⁷ <https://safetonet.com/safetowatch/>

³⁸ <https://safetonet.com/safetowatch-commentary-wired-magazine/>

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the display of child sexual abuse happening live on video conferencing platforms. Implemented on devices or in apps, such technology could prevent child sexual abuse material production without unfairly invading someone's privacy. If used for purely preventative or disruption reasons, no reports need be submitted to law enforcement.

Use of this type of technology could help remedy the phenomenon of livestreamed sexual abuse, whether for-profit or in grooming and sextortion contexts. So far, tech companies are doing next to nothing to address livestreamed abuse. For example, in 2022, Australia's eSafety Commissioner issued legal notices to seven tech companies requiring them to report on how they are tackling child sexual exploitation on their platforms. The [report revealed](#) "that the providers are neither taking action to detect CSEA in livestreams (insofar as any of these could be regarded as livestreaming services) or taking action to detect CSEA in video calls or conferences."³⁹ All companies should voluntarily use the best available technology to combat CSAM in images and recorded/live video, and if not, then Congress should require it.

While internet service providers should block access to URLs hosting known CSAM and also ensure the CSAM is deleted or removed, other tools can prevent the upload of known CSAM online in the [first place](#) (as reported by the Internet Watch Foundation).⁴⁰ Such mitigation measures are critical to stemming the growing tide of child sexual abuse online.

While still reacting to harm by detecting and removing CSAM already online, companies should move increasingly upstream to prevent CSAM production and distribution in the first instance, including testing of emerging, sophisticated on-device ("client-side") technologies. These technologies can be privacy protective. With industry-wide change, offenders can have nowhere to hide and nowhere online to abuse children with impunity.

To stem the growth of these violations of children's rights, it will take a coordinated global effort among legislators, criminal justice systems, tech and financial sectors, civil society and survivor leaders. The challenges are complex, but child protection solutions – in the justice, tech, and financial sectors – already exist. It is time for key stakeholders to prioritize broad deployment of these comprehensive child protection systems.

³⁹ eSafety Commissioner, "Basic Online Safety Expectations: Summary of industry responses to the First mandatory transparency notices." December 2022, <https://www.esafety.gov.au/sites/default/files/2022-12/BOSE%20transparency%20report%20Dec%202022.pdf>.

⁴⁰ <https://annualreport2022.iwf.org.uk/tech-rd/our-role-in-the-safety-tech-challenge/>

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Just as urgent global collaboration and resource investment helped curb the COVID-19 pandemic, a global, urgent multi-sectoral response can so too protect millions of children from offenders eager to harm them online and in person.

In closing, there are just some words that should never go together:

livestreamed child sexual abuse
child sexual exploitation material

The opportunity for Congress is to help make those phrases history. Now.

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Mr. BIGGS. Thank you.
The Chair recognizes Mr. Alfaro.

STATEMENT OF JOSE ALFARO

Mr. ALFARO. Mr. Chair Biggs and Members of the Subcommittee, it is an honor to testify before you today.

I was born and raised right here in the United States in a small rural town in Texas, and I was kicked out of my home at the age of 16 for being gay. There were no resources for the LGBTQ community within my hometown, and I was terrified of sharing with anyone what I was going through, since I had already been rejected by my own family.

I had nowhere to go and no one to turn to. I was on my own and was quickly in the hands of my trafficker. I went online to look for resources. It took my trafficker, Jason Daniel Gandy, less than two hours to proposition me online. Jason trafficked me through his massage business where he locked me in a room with adult men who were allowed to rape and abuse me.

I believe that I was silenced by society long before I was silenced by my trafficker, but he also added to that silencing by telling me that if I ever shared with anyone what happened to me, then I would go to prison. I stayed silent for seven years after my escape. Because of the harm that was done to me, I self-medicated, abusing drugs and alcohol as a way to cope. I had several suicide attempts. I dropped out of school, and I was homeless.

I needed for one person to recognize that I was not OK and that I needed support as a homeless and trafficked youth, but no one saw me, not the homeless program that I was enrolled in, not the school system, not my doctors, and certainly not law enforcement. I was invisible.

In 2014, a friend told me that Jason Gandy had been arrested. I was put in contact with the Federal prosecutors working on the case. This was the first time I put a name to what happened to me, human trafficking.

In 2018, I and three other male survivors testified in the Federal trial. Jason Gandy was sentenced to 30 years in prison with no chance of parole, and he was also ordered to pay restitution.

I have reflected on the trafficking I experienced as a child, and I have six recommendations to share with you today.

The U.S. Government should strengthen and add resources for the LGBTQ community. Currently, in certain States, LGBTQ resources and education are banned for minors. This will continue to perpetuate trafficking. The lack of resources for LGBTQ youth will cause more vulnerabilities and more trafficking of these young people.

We need more resources for homeless youth. I don't think I have to elaborate further on that one.

Stop using language that stigmatizes young people. Language matters. The label runaway stigmatizes children. There is just one difference between a missing child and a runaway child, the term. People search for missing children, but runaway children are often stigmatized as bad children. "Runaway" is a term associated with children who are marginalized and children who are poor. To often no one is looking for runaway children.

Train law enforcement to identify male victims of trafficking and educate the public that trafficking can happen to males.

Improve victims' compensation and restitution. Criminal restitution is mandatory. In my case, the government had forfeited Jason Gandy's assets. The Federal Treasury kept the money. It took me two years and a team of pro bono attorneys to receive the restitution ordered by the court.

There is a need for bipartisan legislation to prevent trafficking and hold traffickers accountable because technology gives predators access to children almost everywhere, and it is critical that we provide safe spaces for all children.

In closing, human trafficking is a systemic issue. Marginalized and underserved communities are impacted disproportionately. If we want to help end human trafficking, we have to start with prevention.

We need better systems to protect all children. Human trafficking is not a gender-based issue, but a human issue. We have to identify vulnerabilities and intervene to support all children no matter their gender, their race, or their sexuality.

The current politics around the LGBTQ community are hateful and horrifying. After hearing my story today, I hope you can see how certain legislation and hatred can perpetuate human trafficking. Harm to LGBTQ young people creates more vulnerabilities in almost vulnerable communities.

Thank you for your time today.

[The prepared statement of Mr. Alfaro follows:]

**Testimony
of
Jose Alfaro**

Written Testimony
for Hearing
before the House Judiciary Subcommittee on
Crime and Federal Government Surveillance

“Children are Not For Sale: Examining the Threat of
Exploitation of Children in the U.S. and Abroad”

Rayburn House Office Building
September 13, 2023

My Journey as A Trafficking Survivor

I was raised in a small, rural, conservative and religious town called Navasota in Texas. My family first generation from Mexico, we grew up poor in a small home where there was domestic violence and child abuse.

Because there was no money for child care, we would stay next door at our aunts house where there were teenagers who began sexually abusing me by the age of four.

Child protective services and police were called into the home several times but nothing was ever done because our parents taught us to lie and we were interviewed in front of them.

As I got older the abuse at home got worse and I was also being bullied at school because boys would call me gay if I was too feminine.

At the age of fifteen I began dating a guy in a nearby town and it wasn't long until my father found the messages between us and physically assaulted me. This was my first interaction with law enforcement because I called them. When they arrived, instead of being viewed as a victim, I was viewed as a perpetrator. Because I was gay, the police failed to protect me. I was asked to pack a bag and leave.

When I arrived back home the next day, my parents asked, "How are we going to fix you?" They moved me four hours away, with an older cousin, to attend a new school in a new city where I knew no one.

When I went home for the summer, my parents kicked me out permanently because I would not go to conversion therapy. My parents didn't care to report me as missing. Instead I was just labeled as a runaway.

Homeless and desperate, I didn't know where to go or who to turn to so I went online. That is how I met Jason Gandy, my trafficker.

Jason empathized with me and promised me a life of security, love, and care. Out of desperation, I went to stay with him. And it wasn't long until the grooming began.

Jason took me in, but he had a proposal. He told me that one day I would want to live a life of my own and he thought it would be a great idea for me to work for him in his massage business.

I expressed concern that I did not know how to give a professional massage. But Jason told me that my inexperience should be the least of my worries. He told me that if anyone found out that I was sixteen years old and providing massages without a license, I would be sent to prison. I was terrified.

When the first massage happened I entered a makeshift room. There was a naked adult man on the massage table. The door shut and was locked behind me. I knew that I was in trouble. I tried to resist but was told to comply. I was raped and abused.

This was one of many massages. Even though I was not always locked in a room or tied down, I knew that I could not leave or say no. As time went on, I began to plot how I could escape.

Life After My Escape

I survived for seven years not knowing that what happened to me was sex trafficking. My trafficker told me to never share any information with law enforcement. He told me that I would be in trouble. That I would be arrested.

I carried all of my abuse with me and blamed myself. I didn't know whom to reach out to for help. I tried to cope with my PTSD, anxiety and depression by using drugs and alcohol. I was arrested three times. I dropped out of college after my first semester.

In 2014, a friend told me that Jason Gandy had been arrested. I contacted the national Human Trafficking Hotline; they connected me with the Department of Homeland Security and the federal prosecutors working on the case.

This was the first time I put a name to what happened to me.

Years later, I am still learning how to remove the blame from myself.

In 2018, I testified against Jason Gandy, along with three other male survivors. Based on our testimony in the federal case, Jason Gandy was sentenced to 30 years in prison with no chance of parole.

I now serve as an expert, advising the National Center on Missing and Exploited Children and serving as a Member of the Board of Directors of the Human Trafficking Legal Center. In the years since my escape, I have reflected on the trafficking I experienced as a child. And I have some recommendations to share.

Recommendations:

- Policymakers and law enforcement must understand how homophobia, gender bias, and racism play a role in human trafficking.
 - Homophobia played a major role in my invisibility and vulnerability. It silenced me and so I wasn't able to fully expose what was happening to me. I was homeless because I was gay. Many children face rejection from their families because they are gay. This was the reason why I was homeless. And that is what made me vulnerable to Jason Gandy.
 - Gender Bias – the sense that men and boys cannot be victims – was the reason I passed through many systems and was never offered the proper resources or help. People assumed I was okay and could take care of myself. Or they believed I was a perpetrator, or just a rebellious kid. Or they did not believe that boys could be trafficked.
 - Racism was the most obvious factor. I couldn't hide the color of my skin. Many times people looked the other way. They did not care about what I was going through because I was Latino. My trafficker also targeted me because I was Latino. He knew

that Latino males who were gay would not be accepted by their parents. He knew that these children and teenagers would be looking for support. I know this because all the other survivors Jason Gandy trafficked were Latino and gay.

- The U.S. government should strengthen and add resources for the LGBTQ community and male survivors.

After I was kicked out of my home there were no resources for LGBTQ individuals. I didn't know of a safe place for myself. I was terrified of telling anyone what I was dealing with. I feared that people would reject me, like my parents had done. I feared that I would be arrested and be punished. Currently in certain states, LGBTQ resources and education are banned for minors. This will continue to perpetuate the issue. The lack of resources for LGBTQ youth will cause more vulnerability and more trafficking of these young people.

We need more public awareness around male sex abuse and trafficking. Most males do not feel comfortable coming forward until they are in their 50's-70's. This issue is heavily stigmatized and I do not believe the data around male sex trafficking is accurate. I receive messages from men in their 50's to 70's, thanking me for having the courage to speak out because they didn't have the courage to do so. There is also not enough resources for men who have been sexually abused. Currently there is only one safe home within the United States that serves adult male survivors of human trafficking located in Denton, Tx.

- End conversion therapy in all 50 US states

Conversion therapy is not the answer to "fixing" a child. Currently conversion therapy is only banned in less than half of the country. If I had chosen to go to conversion therapy I don't know where I would be today. I don't know what would have happened to me.

- Stop using language that stigmatizes young people

I recently sat in a meeting with NCMEC. Suddenly, for the first time in my life, I identified as a homeless and missing youth. But I didn't understand why I didn't identify with those categories at the time. I learned that the reason why I was never considered missing is because I was labeled a runaway. No one was looking for me. No one saw the signs. No one cared enough to look into my situation. I was dismissed as a runaway – not as a missing child -- because I was male, gay, and Latino. The label, runaway, stigmatizes children. This is a gap. There is only one difference between a missing and runaway child: the difference is that the term. Runaway is a term associated with children who are marginalized and children who are poor.

- Improve Homeless shelters/ programs

When I was enrolled in the homeless youth program, I was never questioned about abuse. No one ever looked into my situation. I believe that if someone had looked into my situation and looked into who I was living with, then they would have quickly realized that I was being abused and was homeless. I wish they would've have explained to me what resources were available. I probably would not have said yes to any resources in the moment but I would have come back in a time of need and this could have prevented me from meeting my trafficker.

- Train law enforcement to identify male victims of trafficking

In 2022 I conducted a case study with the prosecutors from my case and was told that initially when they caught my trafficker in London with a 15-year-old, unrelated, teenaged boy, they thought that they had uncovered a child sexual abuse material case. Even with all of the signs of human trafficking present, they offered Jason Gandy a plea. He did not take the plea. But if

he had, he would have received a slap on the wrist. Jason Gandy trafficked children – if the government had not eventually figured this out, I and two others would never have come forward. Two years later, I heard about his arrest. The prosecutor said that I was the reason they realized this was a human trafficking case. When I asked the question, “Why did no one recognize that this was a human trafficking case from the beginning? Is it because we were male?” Their response was that law enforcement were not trained to identify male victims of sex trafficking. They did not know it could happen to males.

- Train child welfare agencies to identify signs of abuse and neglect.

Child protective services came into our home as kids. Even though we had bruises on our bodies, nothing ever happened. This was partly because our parents taught us to lie. And every time CPS would show up, we were questioned in front of our parents. The proper protocols were not enforced.

- Train staff working with in the education system

All of the red flags and signs were present while I was in high school. I was in and out of school constantly. I was absent for long periods of time and I had switched to three different high schools in one year. My counselor knew I was having a hard life outside of school but never questioned me, never asked what was happening. She also never reported the abuse.

- Improve victims compensation and restitution

The federal court ordered restitution – compensation in a criminal case -- to me. But the court did not order restitution for any other survivors in the case. Restitution is mandatory. Even after the order – and after the government had forfeited Jason Gandy's assets – I did not receive any money for restitution. The federal Treasury kept the money. It took me two years and a team of pro bono attorneys to finally receive the pitiful amount of restitution ordered by the court. This is unacceptable.

- Survivors need pro bono attorneys

As a child sex trafficking survivor, I needed a lawyer. All survivors need counsel to navigate the complicated legal process. With pro bono counsel in my corner, I was able to file a civil suit against my trafficker in federal court under the Trafficking Victims Protection Reauthorization Act. I won. Survivors need lawyers. With pro bono counsel, we can fight for justice.

Conclusion:

Human trafficking is a systemic issue. Marginalized and underserved communities are impacted disproportionately. We have systems in place that are supposed to protect and serve these communities. But these systems at times cause more harm, and do not equally protect children. I do not understand how we have one of the most vulnerable populations, children, homeless with no safe space to go to and no food to eat. Some kids will find a way to survive. Traffickers prey on desperation. Abusers take advantage of vulnerability. If we want to help end human trafficking we have to start with prevention. We need better systems that protect every person in need of protection and support. We must understand that human trafficking is not a gender based issue but a human issue. We have to identify red flags for all

children and adults, no matter their gender, race, and sexuality. And we have to remove biases from this work and see humans as human.

The current politics around the LGBTQ community are hateful and horrific. After hearing my story, I hope you can see how certain legislation and hatred can perpetuate the issue of human trafficking. Harm to LGBTQ young people creates more vulnerabilities in already-vulnerable communities.

Mr. BIGGS. Thank you, Mr. Alfaro.
The Chair recognizes now Ms. Cohen.

STATEMENT OF LORI COHEN

Ms. COHEN. Dear Chair Biggs, Ranking Member—

Mr. BIGGS. Is your microphone on? Thank you.

Ms. COHEN. Got it.

Dear Chair Biggs, Ranking Member Jackson Lee, and distinguished Members of the Subcommittee. Thank you for inviting me and my respected colleagues to discuss how we can better protect—

Mr. BIGGS. Ms. Cohen, I don't want to interrupt you, but could you pull the mic just a little bit closer to you, please. Yes, we all want to hear from you.

Ms. COHEN. Thank you.

Mr. BIGGS. We know you have an important message.

Ms. COHEN. Should I start over?

Mr. BIGGS. Yes, that would be fine.

Let's go ahead and restart the five. There we go.

Ms. COHEN. All right. Dear Chair Biggs, Ranking Member Jackson Lee, and distinguished Members of the Subcommittee. Thank you for inviting me and my respected colleagues to discuss how we can better protect children from trafficking and online exploitation.

I am Lori Cohen, the Chief Executive Officer at PACT, Protect All Children from Trafficking, previously known as ECPACT-USA. PACT remains a proud member of the global ECPACT network, active in over 100 countries. We are survivor informed. I'd like to recognize PACT board member and survivor counsel liaison Katrina Massey, who has joined us today for this testimony.

Mr. BIGGS. Welcome.

Ms. COHEN. PACT is deeply concerned about the welfare of unaccompanied minor children traveling to the United States. Many of them did not wish to leave their homes, but gang violence, war, repressive governments, gender-based persecution, and catastrophic climate events left them with an impossible choice. They face death, sexual abuse, or torture if they remain or risk their lives through a perilous journey to the United States in hope of securing freedom.

COVID-19 exacerbated this migration, and we noticed an increase in migrant arrivals as early as April 2020. In 2022, PACT published a study with ECPACT-Mexico, ECPACT-Guatemala, and Yale University that explored the impact of the pandemic on child migration, trafficking, and sexual exploitation.

Half the experts indicated that COVID-19 spurred an increase in trafficking. However, 44 percent lacked the information to answer this question, and 67 percent could not say whether the migrant children they served were directly affected by sexual exploitation.

We called the report undetected because the people and institutions meant to prevent and stop trafficking don't even know how to identify it.

Our report also explored the role of technology in youth migration. As with trafficking, half the experts could not tell us whether these children had been affected by online grooming. This figure is alarming as current research indicates that nearly all CSAM is created abroad. The National Center for Missing and Exploited Chil-

dren found that of 32 million reports that a Cyber Tipline received in 2022, 89.9 percent resolved to locations outside the United States.

Information about trafficking and grooming is lacking on both sides of the border. When visiting shelter facilities for migrant children and their families in Southern California, we learned that trafficking screening was not incorporated into safety protocols. Likewise, limited training of Customs and Border Patrol raises concerns of missed opportunities to identify at-risk children.

In Fiscal Year 2022, CBP processed over 120,000 unaccompanied minors, but reported only a handful of instances of child trafficking to the Office on Trafficking in Persons as mandated by the Trafficking Victims Protection Act.

Similarly, CSAM content creation abroad has a domestic nexus. Our existing regulatory structure and unchecked demand for pedophilic content have enabled U.S.-based exploiters to access CSAM with ease. The Internet Watch Foundation recently noted that our Nation accounts for 30 percent of the world's CSAM URLs, displacing the Netherlands after that country cracked down on illicit websites.

If we want to shut down CSAM, we need legislation that stops it from being hosted on U.S.-based platforms and enforce penalties against U.S. citizens who are fueling the demand for this despicable content.

We also need to look ahead to the next development in child exploitation, the use of artificial intelligence to generate sexually explicit imagery of children. Last week, attorneys general from all 50 States wrote to Congress asking you to expand existing laws against CSAM that explicitly cover AI-generated materials, a request that we support fully.

PACT urges Congress to pass the child protection bills that have been introduced, including the EARN IT Act, Project Safe Childhood Act, the No Trafficking in School Zones Act, and stop CSAM so that we can prevent human trafficking, online sexual exploitation, abuse of children, and help survivors access justice.

Most importantly, PACT urges the Federal Government to target demand, which ultimately drives the profit fueling this criminal enterprise.

Again, thank you for allowing me and my colleagues to speak on the realities of human trafficking.

[The prepared statement of Ms. Cohen follows:]



**United States House of Representatives
Committee on the Judiciary
Subcommittee on Crime and Federal Government Surveillance**

WRITTEN TESTIMONY BY

Lori Cohen
Chief Executive Officer for PACT, Protect All Children from Trafficking
formerly known as ECPAT-USA

**For a Hearing Entitled: Children are Not for Sale: Examining the Threat of
Exploitation of Children in the U.S. and Abroad**

Wednesday, September 13th, 2023

Dear Chairman Biggs, Ranking Member Jackson Lee, and distinguished Members of the Subcommittee.

Thank you for inviting me and my distinguished colleagues here today to discuss how our nation can better protect children in the United States and overseas. My name is Lori Cohen, and I am the Chief Executive Officer at PACT, Protect All Children from Trafficking, previously known as "ECPAT-USA," the first organization in this country to raise awareness about the dangers of child sex trafficking and exploitation. PACT recently updated our name to emphasize that all children, regardless of their background or circumstances, have a fundamental right to grow up free from trafficking and exploitation. We advance this mission through advocacy, private-sector engagement, and education, all of which are informed by the women and men who serve on our Survivors' Council.



We are deeply appreciative that this subcommittee is examining the well-being not only of children residing in the United States but also those living abroad. PACT remains a proud member of the global ECPAT network, active in over 100 countries worldwide, and we work closely both with ECPAT International's central office in Thailand and with regional members, most significantly, with our sister organizations in Latin America. As a result, our research, outreach, and educational material reflects these domestic and international perspectives and is available in a broad range of languages.

SCOPE OF THE PROBLEM AND THE CHALLENGES OF DATA COLLECTION

Every year, millions of children are victims of human trafficking. While [reliable data is difficult to come by](#) because of the illicit nature of this crime¹, the most recent report published in 2022 by the International Labor Organization (ILO), estimated that some [3 million children](#) were trafficked globally, with over half of them trafficked for commercial sexual exploitation.² The ILO report noted that trafficking occurs in almost every country of the world. In the United States, we similarly see that trafficking happens in all communities, in every state, and in every city. In 2022, the National Center for Missing and Exploited Children (NCMEC) received [18,336](#) reports of child sex trafficking.³ Other US estimates include a 2021 National Human Trafficking Hotline identification of [2,365](#) trafficked children,⁴ and the Department of Health and Human Services, Office on Trafficking in Persons certification of 2,226 foreign national minors as victims of human trafficking in 2022.

Unfortunately, the reality is much worse than what is being captured by the federal government. A 2016 study done in Texas found that there were almost [79,000 child victims](#) of sex trafficking in the state.⁵ In a survey of 600 runaway and homeless youth in Atlanta, GA, [39.9%](#) experienced some form of trafficking.⁶ And in my hometown of New

¹ <https://nap.nationalacademies.org/read/25614/chapter/6>

² <https://www.unodc.org/unodc/en/press/releases/2023/January/global-report-on-trafficking-in-persons-2022.html>

³ <https://www.missingkids.org/cybertipline/data>

⁴ <https://humantraffickinghotline.org/en/statistics>

⁵ <https://repositories.lib.utexas.edu/bitstream/handle/2152/44597/idvsa-2016-human-trafficking-by-the-numbers.pdf>

⁶ <https://www.mdpi.com/2076-0760/10/2/32>



York City, [the Administration for Children and Families](#) estimated that over two thousand young people are believed to have been sexually exploited or at risk for sexual exploitation in 2019.⁷ These estimates are widely believed to undercount the real scope of the problem in this country. Improved data collection is essential to providing meaningful interventions.

While the trafficking of even one child is alarming, the scope of this crisis is dwarfed by the terrifying proliferation of child sexual abuse material (CSAM) during the pandemic. In 2022, NCMEC, received more than [32 million](#) reports of suspected child sexual exploitation, an increase of more than 10 million reports since the pandemic's start in 2020, 99.5% of which regarded incidents of suspected CSAM.⁸ Other forms of exploitation included an 82% increase in online enticement of children for sexual acts, fueled by the doubly predatory practice of sextortion, where an exploiter demands money or further images of sexual acts under threat of exposing the child to friends and family. This criminal scheme has deadly consequences, as a growing number of boys have [taken their lives](#) rather than suffer exposure or the fear of harm to loved ones.⁹

Migration, Child Sex Trafficking, and CSAM

PACT is also deeply concerned about the welfare of unaccompanied minor children traveling to the United States. As an attorney who has devoted nearly three decades to representing migrants, asylum seekers, refugees, and survivors of human trafficking from Eastern Europe, Asia, and Latin America, I have learned from my clients the perils of traveling to the United States in search of safety. Significantly, most of my clients did not want to leave their homes, but gang violence, war, repressive government regimes, gender-based persecution, and catastrophic climate events left them with an impossible choice: face death, sexual abuse, or torture if they remain in their home country, or risk

⁷ <https://ny1.com/nyc/all-boroughs/news-all-day/2023/01/24/human-trafficking-continues-to-plague-city>

⁸ <https://www.missingkids.org/cybertipline/data>

⁹ <https://nypost.com/2023/08/30/parents-reveal-teen-sons-committed-suicide-after-sex-tortion/>



their lives through a perilous journey to the US in the hopes of securing safety and freedom.

The onset of COVID-19 exacerbated many of the factors leading to migration, and we began to note an increase in migrant arrivals as early as April 2020. In 2022, [PACT published a study](#) conducted in partnership with ECPAT México, ECPAT Guatemala, and Yale University that explored the impact of COVID-19 on child migration and the vulnerability to trafficking and sexual exploitation. We surveyed 164 experts from nongovernmental organizations, shelters, and government officials in Mexico, Guatemala, Honduras, and El Salvador. Respondents painted a dire picture of the lives of youth from those regions, listing multiple forms of violence as a primary push factor for migration, as well as a risk factor for child trafficking. When asked if COVID-19 spurred an increase in child trafficking, 50% replied “yes” and only 6% replied “no.” What is most significant, perhaps, is that 44% of these experts could not answer the question. Similarly, a whopping 67% of respondents could not answer whether the migrant children they served were directly affected by sexual exploitation. These individuals, charged with protecting migrant children, lacked the basic training and tools to recognize and identify trafficking indicators. We titled the report “Undetected” because the people and institutions meant to prevent and stop trafficking don’t even know how to screen for trafficking.

This lack of information exists on both sides of the border. When I traveled with a team of Yale students to visit transitional shelter facilities for migrant children and their families in Southern California, we learned that screening for trafficking was not incorporated into safety protocols. PACT also learned that our own government institutions like Customs and Border Patrol (CBP) receive very limited training on human trafficking, resulting in missed opportunities to identify at-risk children. In FY22, CBP processed over [120,000 unaccompanied minors](#) but reported only a handful of instances of child trafficking to the Office on Trafficking in Persons as mandated by the Trafficking Victims Protection Act.¹⁰

¹⁰ <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters-by-component>



[The ‘Undetected’](#) report also explored the role that technology played in youth migration and found that 71% of the children served had access to some type of smartphone. Approximately one-quarter of respondents found this technology helped children stay in contact with loved ones, learn of safe passage routes, and connect with other children, slightly over one-third found that technology hindered child safety, and 40% found that cell phones offered both benefits and risks. In the words of one UN worker in Guatemala, “technology will always be a double-edged sword.”

As with the challenges in identifying trafficking, however, fully 50% of the experts surveyed could not answer the specific question of whether any of the children they were assisting had been affected by online grooming for sexual purposes. This figure is of particular concern, as current research indicates that nearly all CSAM is created outside the United States. NCMEC found that, of the 32 million reports that the CyberTipline received in 2022, **89.9%** resolved to locations outside the US. The prevalence of extraterritorial CSAM creation is further underscored by the [report](#) published last week by the International Justice Mission, which found that **half a million** children in the Philippines were trafficked into producing CSAM.

The prevalence of CSAM content creation abroad should rightly remain a concern of this subcommittee, as there exists a strong nexus to the United States. Our existing regulatory structure, and unchecked demand for pedophilic content, have created a permissive environment in which US-based exploiters can access CSAM with ease. The [Internet Watch Foundation](#) recently noted that, by the end of March 2022, the US held the dubious distinction of accounting for 30% of the global total of child sexual abuse material URLs, taking the title from the Netherlands after the country cracked down on illicit websites.¹¹ Similarly, the International Justice Mission (IJM) noted that the live streaming of a child being sexually abused was typically broadcast to a viewer from

¹¹

<https://www.iwf.org.uk/news-media/iwf-in-the-news/the-us-now-hosts-more-child-sexual-abuse-material-online-than-any-other-country/#:~:text=any%20other%20country-,The%20US%20now%20hosts%20more%20child%20sexual,online%20than%20any%20other%20country&text=Experts%20predict%20that%20without%20new,world%2C%20new%20research%20has%20found>



a Western country, who paid as little as \$25 to watch. If we want to get serious about shutting down CSAM, we need to pass legislation that stops it from being hosted on US-based URLs and enforce penalties against US citizens who are fueling the demand for this despicable content.

We also need to look ahead to the next development in child exploitation: the use of Artificial Intelligence to generate sexually explicit imagery of children. Last week, [attorneys general](#) from all 50 states and four territories sent a letter to Congress asking for the establishment of an expert commission to study how generative AI may potentially be used to exploit children through the creation of child sexual abuse material (CSAM). The AG's also seek to expand existing laws against CSAM that explicitly cover AI-generated materials. PACT supports efforts to shut down AI-generated CSAM immediately.

PACT's Response to Preventing Child Sex Trafficking and Online Exploitation

Knowledge is key to the prevention of child sex trafficking and online exploitation, and PACT has worked closely with key partners to launch free online training for students and businesses where trafficking has been known to occur. A free e-learning course, developed in partnership with the American Hotel and Lodging Association, has been completed by over 1 million members of the hotel industry since February of 2020, and an online game, the 'Social Identity Quest', created with Hard Rock International that teaches the consequences of healthy and unhealthy social media practices has been accessed by over 1.2 million students over the past year. We've also scaled out online safety workshops for parents and caregivers, to provide them with the tools to ensure that their children are using internet technology safely. PACT has hosted workshops, both online and in person, in 28 states to teach parents about topics such as catfishing and sextortion, but also how to navigate challenging conversations with their kids and create an environment of trust and safety.

We are also deeply engaged in seeking to stop the exploitation of migrant children arriving in this country. While the overwhelming majority of them are arriving here in



search of safety, PACT remains concerned that the lack of screening and safety protocols, combined with a shortage of safe housing, economic stability and social services, puts these recent arrivals at risk of trafficking and exploitation. Thanks to the support from the Department of Health and Human Services, Administration on Children and Families, Office of Trafficking in Persons, our bilingual Educational Team has worked closely with the Brentwood Union Free School District to develop Spanish and English language curricula to serve Brentwood students, a significant percentage of whom are from Central America. Similarly, PACT is conducting outreach to recently arrived children in New York City to make them aware of the risks of trafficking and avenues for assistance. Nationally, thanks to a grant from the Department of Transportation's Federal Transit Administration, we are working with experts to develop an impactful communications campaign to educate commuters and transit workers about the identification and safe reporting of child trafficking. Our hope is that Congress will support increased outreach and access to preventive services to ensure that none of these recently arrived children are trafficked for sex.

POLICY RECOMMENDATIONS

The movement to end child sex trafficking and exploitation requires coordinated efforts among government entities, the nonprofit sector, private enterprise, and community members. It must incorporate the insights of survivors, women, and men with lived experience, who choose to draw upon the worst experiences of their lives to ensure that no other human being is ever exploited. And we must listen to the voices of our children. I invite all of you to join PACT and ECPAT International as we host a UN Panel on October 12 that features youth leaders in the global movement to protect all children. The event will be held in New York City in person and live-streamed, and you can visit our [webpage](#) to learn more about it.

PACT urges Congress to pass the child protection bills that have been introduced, including the EARN IT Act, Project Safe Childhood Act, the No Trafficking in School Zones Act, and STOP CSAM Act so we can prevent human trafficking, online child



sexual exploitation and abuse (OSEAC), and enable survivors to access justice. PACT also encourages the federal government to improve training and education for CBP and other federal agencies involved in child welfare. Similarly, PACT seeks improved, coordinated data collection so that policymakers, service providers, and law enforcement can understand the true scope of this problem and better respond to human trafficking in the U.S. and abroad.

Because human trafficking is a global phenomenon, the US cannot stop human trafficking alone. By supporting international programs that train front-line workers about human trafficking, we also can help to prevent the exploitation of youth in their home countries. And, drawing upon the findings of our report, Undetected, there must be increased investment in those countries to ensure that children have a safety net and the ability to remain in their homes without fear. For those children who are in this country, whether foreign national or US citizen, recent arrival or lifelong resident, we have an obligation to provide them with the essential care that allows them to thrive.

Again, thank you for allowing me and my colleagues to speak on the realities of human trafficking abroad and in the U.S. PACT will continue to engage with Congress and the White House in an effort to inform and help develop policy solutions that uplift, strengthen, and support survivors. I thank you for taking the time to listen and I hope that we can all come together to protect all children from trafficking.

Mr. BIGGS. Thank you, Ms. Cohen.
The Chair recognizes Mr. Russo for your five minutes.

STATEMENT OF FRANK RUSSO

Mr. RUSSO. Thank you, Chair Biggs, Congresswoman Dean, and the distinguished Members of this Committee. Thank you for the opportunity to testify before the House Judiciary Subcommittee on Crime and Federal Government Surveillance on the need to end child exploitation.

I'm Frank Russo, CPAC's Director of our Center for Combating Human Trafficking. Most importantly, I'm a husband and father who understands the importance of protecting the most vulnerable among us.

CPAC has long recognized the needs to improve efforts to combat the scourge of human trafficking that faces communities, as Ms. Dean said, "both urban and rural across this country." CPAC was excited to announce the new Center for Combating Human Trafficking at our screening of the film "Sound of Freedom" earlier this year, and we then partnered with our friends in Mexico to hold an international summit here on Capitol Hill to focus on these very issues.

Our new initiative will focus on advancing policies that support victims in reintegrating into society and removing collateral consequences resulting from their abuses you've heard about earlier. We also want to strengthen accountability for traffickers and improve the cross-collaboration between domestic and international entities.

As you've heard throughout the day, human trafficking and child exploitation are the fastest growing illicit industries both in the United States and abroad. The State Department estimates that annually over 17,000 individuals are trafficked into the United States, with Mexico being the largest seller and, unfortunately, the United States being the largest provider and buyer.

We also know that nearly 72 percent of these trafficking victims are immigrants, meaning that cartels are taking advantage of our lax border policies to enrich themselves in this horrific trade and practice.

This trafficking of children often involves multiple layers of abuse with some victims being used for both sex and labor trafficking across the United States. Coercion is at the heart of these crimes as transnational gangs such as MS-13 infiltrate communities and take advantage of young men and women who come from broken homes or broken communities. At the same time, the amount of human trafficking convictions across the country are dropping, both here and internationally.

To confront what has become a \$150 billion criminal enterprise, Congress must work in tandem with, yes, their Federal, State, and local partners, but also their international partners to assist in ending this trafficking and these crimes.

Meaningful and effective policy to combat human trafficking requires an approach that first identifies the needs of victims while creating swift and effective penalties for criminal traffickers. We know that victims are caught in the horrors of labor, sex, and fi-

nancial trafficking, often children. We must expose and replace these misguided policies that provide victims a safe pathway back to society while proportionately punishing their traffickers.

For example, Congress has the opportunity to provide pathways to ensure providers—or survivors—are given mental health and drug treatment services in lieu of harsh criminal penalties. We’ve heard earlier that often these children are caught and forced into crimes that then we prosecute those children for. We can’t allow that to happen. They need to be given services first and then focus on their reintegration into society.

By ensuring open resources to children who are coerced into these crimes, lawmakers make sure that we do not exacerbate the cycle of abuse for these survivors. Existing legislation, such as the bipartisan Trafficking Survivors Relief Act and Sara’s law provide avenues for these young victims of trafficking to be survivors—or to be able to beat their cycle of abuse, and they rescue these survivors and also hold their traffickers accountable.

Accountability does not begin or end when the offender traffics within our borders as we must do more to keep these criminals out of our country and off the very devices our children use on a daily basis.

Familiar DNA testing at the U.S.-Mexican border in the prior administration revealed that around 30 percent of minors were actually related to those they were coming across the border with. Unfortunately, that testing has ended which allows cartels even greater comfort to recycle these children across the border to move more adults into the country.

Most concernedly our partners at the Department of Homeland Security, HSI, are unable to keep up with these children once that cycle and repetition of abuse ends, and they’re brought to this country likely to be trafficked either into sex or labor.

Criminal traffickers have exploited the explosion of social media and digital platforms among children of all ages to manipulate victims and connect with their offenders. The data, as you’ve heard earlier, bears this out. Our partners at the National Center for Missing and Exploited Children identified roughly 16.9 million tips in 2019. That number has ballooned to 29.4 million tips in the last calendar year.

Congress must do more to not only hold these offenders accountable, but require technology platforms to take child sexual exploitation seriously. For example, the EARN IT Act would address this exponential growth in child sexual abuse material by removing blanket civil immunity for technology companies that refuse to remove these abhorrent images. Let’s be clear, they were refusing under this law to remove those images from their sites.

CPAC stands ready to work with our partners in Congress to bring an end to all forms of trafficking. We are grateful that Tim Ballard’s story in the “Sound of Freedom” has reignited a conversation in America on the importance of protecting the most important asset this country has, our next generation.

It’s now on all of us in this space to deliver real results that will first protect the victims, break the cycle of abuse, and, of course, hold offenders accountable.

Chair Biggs and Congresswoman Dean, thank you for sending a clear message today: God's children are not for sale.
[The prepared statement of Mr. Russo follows:]



To: Chairman Jim Jordan, Subcommittee Chairman Andy Biggs, & Subcommittee Chairwoman Sheila Jackson Lee

From: CPAC Foundation's Center for Combating Human Trafficking

Testimony of Frank Russo, Director, CPAC Center for Combating Human Trafficking

September 13th, 2023, Subcommittee on Crime and Federal Government Surveillance Hearing:
Children are Not for Sale: Examining the Threat of Exploitation of Children in the U.S. and Abroad

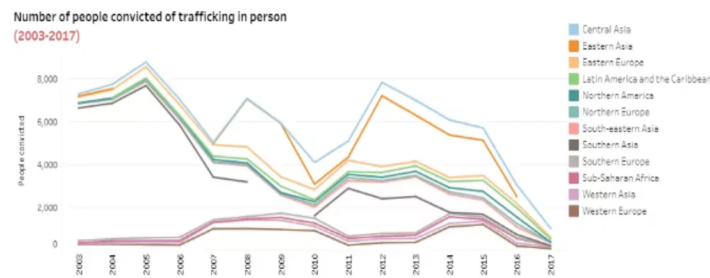
Chairman Jordan, Subcommittee Chairman Biggs, and Ranking Member Jackson Lee:

Thank you for the opportunity to testify before the House Judiciary's Subcommittee on Crime and Federal Government Surveillance on the need to end child exploitation. I'm Frank Russo, the Director of CPAC's new Center for Combating Human Trafficking and, most importantly, a husband and father who knows the importance of protecting the most vulnerable in our society.

The Conservative Political Action Coalition ("CPAC") has long recognized the need to improve efforts to combat the scourge of human trafficking that is facing communities, urban and rural, across this country. Policymakers must do more to draft and pass legislation that addresses this growing threat to our country. Thus, CPAC was excited to announce the creation of our new Center for Combating Human Trafficking at our premier screening of the feature film "Sound of Freedom" in Washington, D.C. earlier this year. The new initiative will leverage the existing resources of our organization to establish a national campaign focused on advancing policies that (1) support victims in reintegrating into society and removing collateral consequences resulting from their abuse; (2) strengthen accountability for traffickers; and (3) improve cross-collaboration between domestic and international entities dedicated to ending human trafficking. With our national footprint, a growing grass roots activist network, our subject-matter expertise, and decades-long track record of

supporting policy solutions, we are ideally positioned to lead the effort to root out trafficking in the United States.

As you'll hear throughout the day, human trafficking and child exploitation are the fastest growing illicit industries both here at home and abroad. The State Department estimates that annually, *17,500 individuals* are trafficked into the United States, with Mexico being the largest seller, and the United States, the largest buyer. We also know that nearly *72% of trafficking victims* are immigrants *49% of which are undocumented*, meaning cartels are taking advantage of lax border enforcement to enrich themselves in this horrific trade and practice. This trafficking of children often involves multiple layers of abuse, with some victims being used for both sex and labor trafficking across the United States. Coercion is the heart of these crimes as transnational gangs such as MS-13 infiltrate communities and prey on children who are stuck in shelters or the foster care system, according to research conducted by the Center for Immigration Studies. At the same time, the amount of human trafficking convictions not just domestically, but also internationally, are dropping.



UN Office on Drugs and Crime

To confront what has become a *\$150 billion criminal enterprise*, Congress must work in tandem with their Federal, State, local, and international law enforcement partners to protect survivors, prosecute cartels, and provide education to prevent the exploitation of God's children. Thankfully, the success of the recent feature film 'Sound of Freedom' has significantly increased the public's attention on the issue with one poll finding a staggering *80 percent of Americans* know that trafficking is a growing problem in the country. The question remains: what should these policy leaders be doing to bring our children home safe and support victims who survive abuse?

Meaningful and effective policy to combat human trafficking requires an approach that considers the needs of victims while also creating swift and effective penalties for

criminal offenders. If we are to reverse the unsettling speed in which children are caught in the horrors of labor, sex, and financial trafficking, we must expose and replace the misguided policies that fail to provide victims a safe pathway back to society while proportionally punishing their traffickers. For example, Congress has the opportunity to provide pathways to ensure survivors are provided mental health and substance abuse treatment in lieu of harsh prison sentences. By ensuring open resources to children who are often coerced into committing other criminal offenses as a part of their trafficking, lawmakers can ensure we do not exacerbate the cycle of crime for survivors. Existing legislation such as the bipartisan Trafficking Survivors Relief Act and Sara's Law provide avenues for young victims of trafficking to be placed in services that allow for meaningful second chances.

Thankfully, this Committee and its counterpart in the Senate have continued to ensure that the existing resources available for rescued children are prioritized in each budget. Programs like the Debbie Smith Act and Project Safe Childhood provide funding and training to assist Federal, State, and local law enforcement and victim advocates in identifying those children caught in a cycle of abuse, rescue these survivors, and hold their traffickers accountable. For example, since its launch in January 2011, Project Safe Childhoods has helped Internet Crimes Against Children (ICAC) task forces identify and save *more than 3,500 children* depicted in child pornography alongside the help of multijurisdictional partners including the National Center for Missing & Exploited Children and the Rape, Abuse, & Incest National Network. The work does not stop when a child is rescued, however, as the perpetrators must be held to account for their crimes against humanity.

Ending the scourge of child trafficking requires Congress and its partners in the Executive branch to take immediate steps to increase proportional punishment for traffickers, enforce our immigration laws to root out gangs in our community, and hold technology providers accountable for hosting child sexual abuse material on their platforms. As we noted earlier, coercion is an integral theme in child trafficking cases, where offenders work to exploit victims by threatening harm or engaging in psychological manipulation to keep these individuals dependent on their abusers. Policymakers at the Federal, State, and local level should counteract these practices by providing enhanced criminal penalties for offenders who engage in these behaviors, regardless of whether they are tied to a criminal organization or operating independently.

Accountability does not begin or end when an offender traffics within our borders, as we must do more to keep these criminals out of our country and off the very devices our children use on a daily basis. Familiar DNA testing at the U.S.-Mexico border in the prior administration revealed that around *30 percent* of minors brought across the

border were actually related to those they were traveling with. Yet, the Biden administration jettisoned these DNA tests, allowing cartels even greater comfort to recycle these children across the border to move more adults into the country illegally. Most concerning, the Department of Homeland Security is unable to track what happens to these exploited children once their cycle of transition across the border ends. This leaves those children to be shifted to other forms of abuse, such as sex trafficking or labor exploitation. Criminal traffickers know they can exploit our open border to trap kids in a cycle of violence. But the abuse does not end there – traffickers and their enablers have turned to the internet and tech platforms to expand the net needed to capture and exploit victims.

Criminal traffickers have exploited the explosion of social media and digital platforms amongst children of all ages to manipulate victims and connect with other offenders. The data bares this out as in 2019, the National Center for Missing and Exploited Children, received roughly *16.9 million tips* about sexual abuse material. Two years later, that number had *surged to 29.4 million*. As we've mentioned before, this problem is not unique to the United States, as our partners in Canada found in their assessment of reports to their tip line that children under 12 years old were *depicted in 78%* of the images and videos assessed by their team, and *63% of those children* were under 8 years of age. Congress must do more to not only hold these offenders accountable but require technology platforms to take online child sexual exploitation seriously. Legislation should address this exponential growth in child sexual abuse material by removing blanket civil immunity for technology companies that refuse to remove these abhorrent images from their sites. Further, policymakers can work to convene stakeholders from across Federal, State, and local government, law enforcement, and victims' advocates to meet with these technology companies to find collaborative solutions that removes all child abuse material from the internet.

CPAC stands ready to work with our partners in Congress to bring an end to all forms of child trafficking. We are grateful that Tim Ballard's story in *Sound of Freedom* has reignited a conversation in America on the importance of protecting the most important asset our Country has, it's children. It's now on all of us in the space to deliver real results that will protect victims, break the cycle of abuse, hold offenders accountable, and make our country safe again. Thank you, Chairman Jordan, Chairman Biggs, and Ranking Member for Jackson Lee, for sending a clear message today: God's children are not for sale.

Mr. BIGGS. Thank you, Mr. Russo.
The Chair recognizes now Ms. Basham for five minutes.

STATEMENT OF ANNE BASHAM

Ms. BASHAM. Thank you, Chair Biggs and Representative Dean. It is an honor to testify before you today on child exploitation both here in the United States and internationally.

Today we have an opportunity to address one of the most important human rights issues, but also one of the most critical global security images facing our world: The exploitation of children for profit by human traffickers, human smugglers, and advanced criminal networks.

Child exploitation and sex trafficking is big business. Unlike any other human rights abuse, it is a transnational organized crime. This is the Subcommittee on Crime, and human trafficking specifically generates \$150 billion for traffickers annually, and it is the second largest criminal enterprise in the world.

The average age sex trafficking victims are targeted is just 11–14 years old. China, Russia, North Korea, the Taliban, and terrorist groups all use child trafficking to fund their operations because, unlike drugs or weapons, a person can be sold over and over again.

Child sex trafficking also funds organized criminal networks, including MS–13, one of the most notorious gangs operating in Guatemala, Honduras, and El Salvador. These three countries make up 87 percent of unaccompanied children apprehended at the Southern border. A U.S. Treasury investigation found that money generated by local MS–13 cliques engaged in sex trafficking—and this is a quote, “sex trafficking, drug trafficking, murder for hire, extortion, and money laundering.” It was consolidated and funneled to the group’s central leadership in Central America.

The reality is that children are a primary component of this illicit finance network. Many of the Latin American children sent across the border have been taken by organized criminals such as this, and what frequently follows is child sexual exploitation or labor exploitation.

From March–May of this year, more than 33,000 unaccompanied children crossed the U.S. border. The physical and sexual violence, hunger, and thirst that these children often experience traveling to the United States is appalling. Many children and parents who arrive in the United States are from remote regions of Central America which are often impoverished and isolated specifically by language barriers. I think that this is something that most people don’t recognize. For example, nearly half of those who cross the U.S. border are from Guatemala, and within this one nation they have 24 different dialects, which means it is difficult to speak with parents regarding the incredible risks that their children face if they send them to the U.S. Because of this, coyotes often trick or coerce mothers into paying children’s hefty smuggling fees, and the mothers do so because they believe a better life awaits their children in the United States. Unfortunately, this is often not the case.

Because of scenarios like this, many unaccompanied children eventually enter the U.S. foster care system. We know that the foster care system is already incredibly overburdened, and 60 percent

of child trafficking victims are current or former foster youth. In fact, just a few days ago it was reported that human trafficking rings have been targeting children in temporary foster care settings specifically in Texas. Child Protective Services has paid \$30 million to off-duty police officers to watch children who are housed unsupervised in hotels and churches because there is no family for them within the foster care system.

Increased burdens on the foster care system put already vulnerable children firmly into the crosshairs of online sexual exploitation and abuse, which has become one of the fastest growing threats against children globally as we know today.

Child trafficking at the Southern border is real, and at the same time in our modern world, human trafficking is a borderless crime, and so is sexual exploitation. The most prevalent form of online sexual abuse is the advertisement of children actually through websites and social media. According to the Organization for Security and Cooperation in Europe, such advertisements—and this is a quote: “Such advertisements for sexual services are now central to the human trafficking business model.” Another study concluded that 75 percent of sex trafficking victims are advertised online.

There are many things that we can do, but to stop human trafficking at its core, we must prioritize widespread prevention curriculum here in the United States so that all children can recognize and report their own abuse. The UNODC actually reported that most victims identified in cases—and this is a recent report—were, quote, “self-rescued.” That means that they had to self-report or escape exploitation on their own. This is why that’s one of the most important fixes that we have.

I also encourage you to prioritize many of the bills which have been spoken here today, whether it be the EARN IT Act, REPORT Act, SHIELD Act, and more.

Thank you so much for your time.

[The prepared statement of Ms. Basham follows:]

**United States House of Representatives Committee on the Judiciary
Subcommittee on Crime and Federal Government Surveillance**

Written Hearing Testimony

Anne Basham

CEO, Ascend Consulting

Founder & Chair, Interparliamentary Taskforce on Human Trafficking

“Children are not for sale:

Examining the threat of exploitation of children in the U.S. and abroad”

September 13, 2023

Chairman Jordan, Chairman Biggs, Ranking Member Nadler, Ranking Member Jackson Lee and members of the Committee:

It is an honor to testify before you today on child exploitation both here in the United States and internationally. My name is Anne Basham, and I am the CEO of Ascend Consulting, a human rights advocacy firm. I am also the founder and chair of the Interparliamentary Taskforce on Human Trafficking which is a consortium of Members of Parliament and Congress, government leaders, and lived-experience experts from around the world with the shared mission of combating human trafficking by educating lawmakers and collaborating on policy solutions.

Today, we have an opportunity to address not only one of the most important human rights issues but one of the most critical global security issues facing our world: the exploitation of children for profit by human traffickers, human smugglers, and advanced criminal networks. Child exploitation is big business, and unlike other human rights abuses it is a transnational organized crime that funds and exacerbates global unrest. Human trafficking is the second largest criminal enterprise in the world – only surpassed by drug trafficking.

The average age sex trafficking victims are targeted is just 11-14 years old, and more than 1 in 4 people who are trafficked in the world are children.¹ Child exploitation is not just a humanitarian

¹ <https://rems.ed.gov/docs/Human%20Trafficking%20101%20for%20School%20Administrators%20and%20Staff.pdf>

issue, it is a global security issue with \$150 billion in profits for traffickers annually. China, Russia, North Korea, the Taliban, and terrorist groups such as ISIS all use child exploitation not only to execute, but to fund their operations. For example, the Taliban, ISIS and Boko Haram use the sexual exploitation of children as a key component of their funding apparatus because unlike other lucrative commodities like drugs and weapons, a child can be sold repeatedly.²

Here in North America, child exploitation funds organized criminal networks like MS-13, one of the most notorious gangs operating in Guatemala, Honduras, and El Salvador. These three countries account for 87% of unaccompanied minors apprehended at the southern border. Specifically, 47% of unaccompanied children apprehended in the United States come from Guatemala, and 40% come from Honduras and El Salvador combined.³ A U.S. Treasury investigation found that “money generated by local MS-13 cliques” engaged in sex trafficking, drug trafficking, murder-for-hire, extortion, and money laundering was “consolidated and funneled to the group’s leadership in” Central America⁴. The reality is that children are a primary component of this illicit financial network.⁵

Many of the Latin American children sent across the border alone or with smugglers have been taken by organized criminals in the cartels.⁶ What frequently follows is child sexual exploitation or labor exploitation. The majority of these children have not been kidnapped but groomed by traffickers who use emotional manipulation to lure children or their caretakers into a trusting relationship, and later coerce them into performing exploitative acts against their will.

Many children and parents who arrive in the United States are from remote regions of Central America which are often impoverished and isolated because of language barriers. Guatemala alone has 24 different dialects⁷, which means it is difficult to speak with parents regarding the incredible risks their children face if they send their children to the US in search of a better life.

² <https://www.washingtontimes.com/news/2021/sep/16/how-sex-trafficking-funds-the-taliban-and-terroris/>

³ <https://www.hhs.gov/sites/default/files/uac-program-fact-sheet.pdf>

⁴ <https://home.treasury.gov/news/press-releases/j10026>

⁵ <https://home.treasury.gov/news/press-releases/j110026>

⁶ <https://nypost.com/2021/04/17/how-bidens-border-policy-will-increase-child-sex-trafficking-to-us/>

⁷ <https://translatorswithoutborders.org/language-data-for-guatemala/#:~:text=There%20are%2025%20languages%20spoken,Indigenous%20languages%20%2D%20Gar%C3%ADfuna%20and%20Xinca.>

Coyotes often trick or coerce mothers into paying children's hefty smuggling fees, and the mothers do so because they believe a better life awaits their children in the U.S. Unfortunately, that's often untrue.

Last year I spoke to the Guatemalan Congress on the intersection between human trafficking and transnational crime. I met with President Alejandro Giammattei and Guatemala's Secretary Against Sexual Violence, Sandy Recinos, who is a colleague and member of the international human trafficking taskforce I lead. In February 2022, Secretary Recinos and President Giammattei were supportive of a Guatemala law which increased prison sentences for human smugglers from 2-5 years to 10-30 years. Guatemalan leadership, does not want their children smuggled from home, nor do they want their children to face the unspeakable violence and trafficking exploitation that often awaits them on the journey to, and after arrival in, the U.S.⁸

Yet from March through May of this year, more than 33,000 unaccompanied children crossed the U.S. border.⁹ The physical and sexual violence, human degradation, hunger, and thirst that these children often experience en route to the United States is appalling. Sadly, this is just a prelude to the violence that many experience once they are in the U.S., when promises of a better life are shattered and many are sold repeatedly for sex or as slave laborers. This is why President Obama told the people of Latin America in 2014, "Don't send your children unaccompanied...they might not make it."¹⁰ If more Central American parents knew the truth of what their children would experience, many would think again before relinquishing them into the hands of violent criminals.

The *New York Times* recently documented the labor exploitation of children as young as 13 working throughout the night in meat-processing plants.¹¹ The Department of Homeland Security's investigative arm, Homeland Security Investigations, has prosecuted sex trafficking

⁸ <https://www.reuters.com/world/americas/guatemalan-congress-approves-tougher-sentence-human-traffickers-30-years-2022-02-02/>

⁹ <https://www.cbp.gov/newsroom/national-media-release/cbp-releases-may-2023-monthly-operational-update>

¹⁰ <https://abcnews.go.com/Politics/obama-warns-central-americans-send-children-borders/story?id=24320063>

¹¹ <https://www.nytimes.com/2023/02/17/business/child-labor-packers-sanitation.html>

cases involving children as young as 14 who were funneled along a "human pipeline" from Mexico to New York City.

Because of scenarios like this, many unaccompanied children eventually enter the U.S. foster care system. For children who have been raped, beaten, exploited, or starved on the long journey to the U.S., this can be a frightening but welcome transition: they are free from the coyotes and hope to experience a version of the "American life" they have seen in the media, with clean clothes to wear, regular meals to eat, and beds to find rest. But the U.S. foster care system is no sure haven for many of these children, and too often exposes them to further exploitation.

Certainly, many U.S. families who open their homes to foster children do so with integrity and self-sacrifice. My own parents were exemplary foster parents to several children. I applaud those who give vulnerable children loving homes. But we know that the U.S. foster care system is already overburdened and the number of children in the system often outpaces the number of available families to provide a safe home.¹² In fact, just a few days ago it was reported that human trafficking rings have been targeting children in temporary foster care settings specifically in Texas,¹³ and Child Protective Services has paid \$30M to off-duty police officers to watch children who are housed unsupervised in hotels and churches because there is no family for them within the foster care system.¹⁴ The ripple effect impacts non-border states throughout the country. For example, last month it was reported that in South Carolina upwards of six children at a time are sharing a mattress in an office at the Department of Social Services because the state cannot find families to house them.¹⁵

Meanwhile, U.S.-born children in foster care are already the most vulnerable citizens to human trafficking: According to the National Foster Care Institute, 60% of child trafficking victims are current or former foster youth.¹⁶ Increased burdens on the foster care system put already

¹² <https://www.kxii.com/video/2022/06/01/children-experiencing-foster-care-outpacing-available-local-homes/>

¹³ <https://www.dallasnews.com/news/2023/09/07/texas-foster-kids-trafficked-for-sex-as-rings-target-those-lacking-placement-judges-say/>

¹⁴ <https://www.dallasnews.com/news/politics/2023/06/29/cps-forks-over-millions-to-station-off-duty-cops-at-hotels-churches-housing-foster-kids/>

¹⁵ https://www.postandcourier.com/health/scs-mental-health-care-crisis-lands-foster-kids-on-air-mattresses-in-offices/article_a5735bde-387f-11ee-9a64-5f28db090e66.html

¹⁶ <https://nfvi.org/mission/>

vulnerable children more firmly in the crosshairs of online sexual exploitation and the abuse of children (OSEAC) which has become one of the fastest growing threats against children globally.

Child trafficking at the southern border is real. At the same time, in our modern world, human trafficking is a borderless crime, and increasingly so with the growing scope of the digital criminal world. Since this is a hearing about the risk of child exploitation both domestically and internationally, it is important to note that in 2021, 21 million reports of online child sexual abuse were received by the National Center for Missing and Exploited Children (NCMEC), and its Cyber Tipline received over 29 million reports of which 93.5% were resolved to locations outside the U.S.¹⁷

The Finnish human rights group Protect Children recently published the largest survey ever on the thoughts and behaviors of people who consume child sexual abuse material (CSAM) online.¹⁸ It found that 42% of respondents said that after viewing CSAM through online platforms they sought direct contact with children, and 58% reported fearing that viewing CSAM might lead them to sexually abuse children in person.¹⁹ There is a rapid rise in OSEAC globally, and legislative efforts to prevent this crime are critical.

The most prevalent form of online sexual abuse is the advertisement of children through websites and social media. According to the Organization for Security and Cooperation in Europe (OSCE), “Such advertisements for sexual services are now central to the human trafficking business model... They propose transactions with minors that are exploitative, illegal, and tantamount to rape.”²⁰ A study by Thorn concluded that 75% of sex trafficking victims are advertised online.²¹

Europol also stated, “The online advertisement of sexual services is an increasing phenomenon relating to trafficking human beings for sexual exploitation, with children being advertised as

¹⁷ <https://www.missingkids.org/home>

¹⁸ <https://tsjournal.org/index.php/jots/article/view/29>

¹⁹ <https://www.theguardian.com/global-development/2022/mar/01/online-sexual-abuse-viewers-contacting-children-directly-study>

²⁰ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12726-Fighting-child-sexual-abuse-detection-removal-and-reporting-of-illegal-content-online/F3329914_en

²¹ <https://www.thorn.org/child-trafficking-statistics/>

adults.” The Federal Criminal Police Office in Germany has reported a 10% increase in human trafficking in 2021 compared to 2020, and the abuse of children in trafficking cases increased even more significantly by 23% compared to 2020.²² The average age of victims was fifteen, and the crimes under this umbrella include the creation of CSAM as well as offline human trafficking. According to Emilio Puccio, secretary-general of the European Parliament Intergroup on Children’s Rights, “The European Union alone accounts for more than 70% of all Child Sexual Abuse material hosted in the world. In the European Union alone we went from 23,000 reports of child sexual abuse online in 2010 to 725,000 reports in 2019. And these figures are considered likely to be conservative.”²³

And these are just the children we know about. The greatest gap in the effort to stop child exploitation is undoubtedly the low rate of victim identification itself. Exploiters prey upon innate human desires to be seen and known especially online. Yet more than 99.5% of people exploited by human trafficking are never identified²⁴, and the criminal networks profiting off their suffering want to keep it that way. In January 2023, the UN Office on Drugs and Crime (UNODC)²⁵ reported that “for the first time since [it] has been collecting data, the number of victims detected globally *decreased* by 11 percent compared to 2019.” This means that the number of sex trafficking victims who are identified and noticed is down by 24 percent.²⁶ The UNODC further observed that “most victims identified in cases are ‘self-rescued’”²⁷ which means they had to self-report or escape exploitation on their own. This is why one of the most important and inexpensive policy fixes we can support right now is funding for widespread prevention education in all states so that the children who are being groomed and exploited in-person, and through online interactions, can recognize what is happening and alert a parent or teacher who can intervene.

²² <https://amp.dw.com/en/human-trafficking-on-the-rise-in-germany/a-63375174%2010%20https://brusselsmorning.com/what-is-illegal-offline-should-be-illegal-online/19444/>

²³ <https://brusselsmorning.com/what-is-illegal-offline-should-be-illegal-online/19444/>

²⁴ <https://www.unodc.org/unodc/human-trafficking-fund.html>

²⁵ <https://www.unodc.org/unodc/en/press/releases/2023/January/global-report-on-trafficking-in-persons-2022.html>

²⁶ Page 18

²⁷ Ibid.

To stop human trafficking, we must prioritize laws and policies to address child exploitation in all forms. Our country is divided on many issues, but on this we can all agree – no child should be exploited online or offline, for sex or labor. No child should be abused. Because we can agree on these goals, I am hopeful that many of the child protection bills pending in Congress will pass with bipartisan support.

Thank you again, Chairman Jordan, Chairman Biggs, Ranking Member Nadler, Ranking Member Jackson Lee and members of the Committee for your time and attention. I am grateful for your focus on this issue and for protecting children. I look forward to answering your questions.

Mr. BIGGS. Thank you, Ms. Basham.

I thank all of you for your poignant and important testimony.

We'll now proceed to Member questioning under the five-minute rule, and I will begin by recognizing the gentleman from Florida, Mr. Gaetz.

Mr. GAETZ. Thank you, Mr. Chair, for holding this hearing. I seek unanimous consent to enter into the record *TexasPolicy.com*, "How poorest borders fuel human trafficking in the United States," and also from *Heritage*, "Fighting human trafficking and battling Biden's open border."

Mr. BIGGS. Without objection.

Mr. GAETZ. Ms. Cohen, I think a number of us on the panel took great interest in your description of the screening that doesn't occur at the border. I'd love to give you some time to maybe lend your expertise to the type of screening that we ought to really pursue.

Ms. COHEN. Thank you so much, Congressman Gaetz.

PACT has worked very closely with schools, with shelters, with programs around the country to look at indicators of trafficking and red flags, and we are extremely eager to engage in working with people at the border, with Customs, Border Patrol, and with shelters. We did find it somewhat concerning that shelters were—indicated a reluctance to ask questions that might be indicators of trafficking.

Mr. GAETZ. Just so I know what category that falls in, these are the shelters that unaccompanied minors go to as they're being processed through HSS?

Ms. COHEN. We were visiting shelters that had children with family members. Some of the testimony we've heard today has indicated that there's a concern of trafficking among those categories as well. In those shelters, we were informed that there was not any screening done on children specifically for indicators for trafficking because there was a fear of asking questions that might be triggering, that might be problematic for those children. There are questions that can be asked in a trauma-informed way that could easily assess whether or not the narrative that's being presented is, in fact, the true narrative, the true situation of the child in question.

Mr. GAETZ. Chair Biggs has led delegations down to the border, and we've seen the chaotic enterprise that exists there.

Could you give us a sense of how long an effective screening could take that was trauma-informed and that was effective at determining if there's a way to uproot some of these networks?

Ms. COHEN. I think the questioning can be done fairly quickly, if there's certain indicators that might appear immediately that could lead to additional questioning, but I think that it can be ruled out. We have our survivors' council is very happy actually to provide input. We have members of the survivors' council who were trafficked across the Southern border who said that no one asked them anything. That for us is a true source of concern, that there should be more focused questioning and just some basic questions about the family dynamics, the family relationship, and to really assess whether what's being presented in some cases by the adults

speaking on behalf of the child actually matches up with the child's own testimony.

Mr. GAETZ. I'd love to draw on your law enforcement experience, Mr. Pizzuro. When you're able to get that type of real-time data from an effective screening, how can that be useful in disrupting these networks?

Mr. PIZZURO. The more data that you have, the better the investigation, the better the leads. So, it's really important on any information that you can really get, and the challenge with most investigations is being in the dark. So, the more information that law enforcement has to understand where things are going, the more likely we can remedy something.

Mr. GAETZ. We have all different layers of law enforcement working on this problem. Where have you seen it be most effective?

Mr. PIZZURO. The most effective is—just from a trafficking standpoint is the actual training and the actual, let's say, prioritizing of it. I think the challenge is it's not really prioritized in law enforcement because we're doing so many different things, and I think we're inundated. So, I think that's part of the challenge.

Mr. GAETZ. All right. It completely is.

Mr. Chair, I reflect back on when we had Steve Friend before us who had been at the FBI, and he had been working some of these cases from a Federal level. When he was assigned to surveil parents at school board meetings, then no one else picked up those files, and they just went by the wayside. So, I think you're right that prioritization is probably pretty central to—

Mr. PIZZURO. The subject matter, honestly, is that from a law enforcement perspective, it's—even child sexual abuse material, we don't want to know. So, law enforcement generally doesn't really spend that much time doing that. So, it's underfunded. There are less resources, and that comes from the agencies itself.

Mr. GAETZ. Thank you for your testimony.

I yield back.

Mr. BIGGS. The gentleman yields.

The Chair recognizes the gentleman from Tennessee, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Chair.

Is it Mr. Pizzuro?

Mr. PIZZURO. Yes, sir.

Mr. COHEN. Good. Thank you.

What branch of law enforcement does the most work on these cases? Is it the FBI or is it local law enforcement? Who is the most active?

Mr. PIZZURO. The Internet Crimes Against Children task force, which is comprised of 61 task forces throughout the U.S., does the bulk of all the child sexual abuse cases in the U.S.

Mr. COHEN. How do they do that? I'm not sure how a 61-member group does that. What do they do?

Mr. PIZZURO. So, the Protect Our Children Act in 2008 authorized a task force, and it created 61 task forces throughout the U.S. The challenge is that they're really underfunded and under-resourced. So, for example, from New Jersey where I was from, the New Jersey State Police, we were in charge of that entire task force for that State. So, what we would do is the task force prob-

ably has about 5,000 affiliated agencies. So, most of the cyber tips that are sent go to those local law enforcement to investigate.

Mr. COHEN. Then those cases are prosecuted mostly in State court or Federal court?

Mr. PIZZURO. State court. You will have different jurisdictions. For example, sometimes you will get a Federal prosecution, but the majority of them are handled in State court.

Mr. COHEN. Does the FBI get involved at all in interstate operations?

Mr. PIZZURO. They will do operations, but generally speaking is that some will be interstate. Some they'll do some larger investigations as well. For the most part, the ICAC task force, along with HSI, are really the two predominant agencies that do most of the child exploitation.

Mr. COHEN. They're mostly State agencies?

Mr. PIZZURO. Yes.

Mr. COHEN. All right? Anybody up here from law enforcement? No? I didn't think so.

Mr. RUSSO, you were here—what years were you here with Goodlatte?

Mr. RUSSO. So, I was here with Congressman Goodlatte back in 2016 and 2017, sir.

Mr. COHEN. Do you remember anything DeSantis did when he was on this Committee?

Mr. RUSSO. No, sir, I cannot speak to that. It's quite lost in my mind. I'm glad you asked the question because—

Mr. COHEN. I have the same problem.

Mr. RUSSO. Sir, I think it's really important. I represented prosecutors prior to this as well, as I think you know, and one of the pieces I mentioned was that prosecutions are down domestically and internationally. One of the problems we have that you speak to directly is getting survivor input and support in that space is extremely difficult to do because we don't do enough for those survivors to then assist in those investigations. So, we're asking so much of them, and we're providing so little in return.

Mr. COHEN. Now, you're looking at legislation, are you not, that would be helpful here. Is there any particular law that is before us that you recommend that we take up and sponsor or support?

Mr. RUSSO. Thank you, Congressman.

I think there's a couple that comes to mind. First, as I mentioned, was the Trafficking Survivor Relief Act, as well as Sara's Law. Both of those are focused on providing those—not just to children, but also adults who have faced criminal offenses as a part of their trafficking. Often, they're coerced into the crimes you would expect; things like prostitution, but they're also coerced into other crimes that you may not suspect, such as drug distribution, forced to commit robberies or assaults. Well, those things hang over those individuals as we then need them to prosecute the actual criminal offender. Well, if you have a criminal record hanging over your head, how likely are you to comply with law enforcement knowing that you may not be able to yourself come out of trouble? I think that's presented a significant problem.

Then the only other one I'll mention is the EARN IT Act, which I think will help focus on actually holding tech accountable—tech

platforms accountable, so that they are doing a better job. Mr. Pizzuro can speak better to this, but they are often nonresponsive to law enforcement, and that's a significant problem as well.

Mr. COHEN. I know my staff can do this for me, but who are the prime sponsors of those bills in the House?

Mr. RUSSO. On Sara's Law, Congressman Westerman from Arkansas, and then, on TSRA, we're working through that process, but we know that Senator Gillibrand in the Senate has been a big champion of that as well.

Mr. COHEN. Right. There was some legislation that I was involved in sometime in the past to get more money for nurses to be aware of the signs of trafficking. Is that still providing funding for nurses to be trained in finding those signs?

Mr. RUSSO. It is, but I'll say a couple of things. One is that there's—like anything, there's a need for more funding and resources in that space. Specifically forensic nurses, like every profession right now, especially in the medical industry, are strapped for both time and talent. So, you're getting actually nurses into that profession, and having them trained appropriately takes both a larger financial investment, but also a focus on pushing the medical profession in that direction, which is a difficult challenge.

So, yes, the law has been very successful, but it needs, like anything, more resources and more attention.

Mr. COHEN. Thank you, Mr. Russo. It's nice to see a Goodlatte person back.

Mr. RUSSO. Thank you, sir.

Mr. COHEN. I yield back the balance of my time.

Mr. BIGGS. The gentleman yields.

The Chair recognizes the gentleman from Alabama, Mr. Moore.

Mr. MOORE. Thank you, Mr. Chair. Thank you to all the witnesses for being here today.

Mr. Pizzuro, a couple of questions. I understand from your testimony that you have extensive experience in investigating crimes against children. I have a couple of questions I would like to ask.

From a law enforcement perspective, what can Congress do to help alleviate the red tape to allow officers to go out and get these criminals?

Mr. PIZZURO. Well, one of the biggest solutions is actual uniformity in the actual tips that are being sent to law enforcement. For example, is that different companies sent different points of data. So, maybe Snapchat might only give me, for example, a screen name. Dropbox might give me a couple other points of data. The challenge is that some of the companies either report nothing or then they report everything. So, the challenge is law enforcement must go and filter all through those tips, and we're not getting to the most egregious cases.

So, the more information that we have and the more data that we have from those companies to help identify that would be a solution.

Mr. MOORE. Gotcha.

I also understand there are more juvenile offenders now victimizing other juveniles. How did this come to be and what's going on there?

Mr. PIZZURO. Well, it's a disturbing trend. If you talk to a lot of different task forces throughout the U.S., they are now coming in contact with a lot more juveniles. The challenge is because everyone is online. So, you now have 16-year-olds looking at eight-year-olds.

So, the challenge is that all that content, when we were talking about the AI algorithms, everything is pushed that way. So, now what's happening is you're going to have that content as a child, and it's pushed there, so no different than we look at something, and then all of a sudden we're getting those same videos.

So that content, those algorithms are pushed, and now we're getting more child offenders than ever before. You're talking 16- and 17-year-olds as opposed to anytime.

Mr. MOORE. Thank you.

Mr. Russo, I've been down to the border with Mr. Biggs a couple of times, and one of the things that we found out—and I mentioned this in testimony or in a hearing here before on questioning—is that the prices on people's head now to come across the U.S. Southern border and just South of the border, it's \$4,000–\$5,000, further South in the triangle nations, \$7,000–\$8,000. I think Syrians were paying \$20,000 to cross the U.S. border. My understanding is that the cartel is actually getting the money. In some situations, my understanding, the administration's policy on the border has created basically two things. They're either muling the drugs across to pay that passage, whether it's \$4,000, \$7,000, or \$8,000, they can backpack heroin, cocaine, or fentanyl across the border to pay that passage, but the other thing is they can become indentured servants and slaves.

Are you seeing that at the child trafficking? Are they making installment payments through child trafficking back to the cartel?

Mr. RUSSO. Thank you, Congressman, for the question.

Mr. MOORE. Sure.

Mr. RUSSO. The answer is absolutely. I think something we haven't talked as much about is labor trafficking. Labor trafficking is a significant portion of this. So, when they put that indentured servitude piece on someone's head—I'll give you an example. In Oklahoma, we know that they've had legal marijuana dispensaries pop up. Some of the illegal grows around them have been produced and basically staffed by those individuals who have come across the border and owed debt.

So, law enforcement is coming across, Chinese Nationals, Mexican Nationals, and Honduran Nationals—you choose where—with obvious dialect challenges who have then put in a State that they're unfamiliar with, oftentimes away from family or other known contacts, and in that process they owe that debt to pay through that labor trafficking for an undetermined amount of time.

Mr. MOORE. Another thing I found really interesting is these sponsors that are supposed to be taking these children, and we have sponsors that sign up for maybe 30 children, and they never see the children. We're trying to figure out now on our end legislatively, how do we put teeth into that so that if you sponsor those children—you don't know those children, you never see those children, but somehow or another, you were their sponsor to get them in this country unaccompanied, then we're going to try to put teeth

in that law as well. Hopefully, we can get support from your groups and organizations for that as well.

With that, Mr. Chair, I'll yield back. Thank you.

Mr. BIGGS. The gentleman yields back.

The Chair recognizes now the gentleman from Georgia, Mr. Johnson.

Mr. JOHNSON of Georgia. Thank you, Mr. Chair. I want to begin by thanking the survivors and advocates for your testimony today.

This is a wide-ranging hearing covering numerous topics, and I'd like to focus on a couple of points. The Ranking Member of the Committee, Sheila Jackson Lee, is absent today because she has the flu. I did want to let you know that had she been here, she would have talked about her bill, H.R. 30, which strengthens the legal framework that exists to ensure children and youth are protected and that perpetrators and facilitators of any manner of child exploitation are exposed and face severe consequences.

She introduced that bill, H.R. 30, the Stop Human Trafficking in School Zones Act, along with Republican Representative Mike McCaul to ensure that schools will be safe havens for our children. She pointed out that a 2018 survey reports that 55 percent of young sex trafficking survivors in Texas were trafficked while at school or school activities and that 60 percent of trafficked adults said they were first groomed or solicited for trafficking on school campuses.

I also want to point out that data from 2017 shows that 53 percent of arrests for so-called child prostitution, in quote, "were of Black children; 53 percent of arrests for child prostitution were of Black children." This data reflects the reality that Black children who are survivors of sex trafficking are more likely than their White counterparts to be surveilled and arrested by law enforcement for prostitution-related offenses.

Ms. Cohen, equity and inclusion are bad words today, but what can be done to advance racial equity for survivors and victims of child sex trafficking?

Ms. COHEN. Thank you, Congressman, for this question.

I do actually want to thank you for bringing attention to the issue of child sex trafficking in the United States among domestically trafficked youth. Our research had specifically been on this question of looking at screening along the border, but PACT is well aware that the majority of child sex trafficking actually occurs in the United States with U.S. citizen children. It's important because I believe that Ranking Member Jackson Lee's research that's cited there is looking at primarily U.S. citizen children.

It is absolutely essential that we bring equity, inclusion, and an awareness of the existing vulnerabilities for Black and Brown children and specifically Black and Brown girls, who are disproportionately arrested and criminalized.

As we discussed and Mr. Russo mentioned, Sara's Law attempts to address some of that issue at the point of conviction, but PACT has been advocating very strongly against the arrest of these children in the first place. What we really need to be doing is when we're looking at this transaction of someone purchasing a child, who's the buyer? Why are we not arresting the buyers when buyers actually classify—if an adult is purchasing a child, that adult is a

trafficker under the existing language of the Trafficking Victims Protection Act.

Mr. JOHNSON of Georgia. OK. Let me stop you right there and ask you another question.

You've heard the majority sing the praises of the movie "Sound of Freedom." In your experience, are the events depicted in that movie representative of how trafficking typically occurs in the United States? Yes or no?

Ms. COHEN. No, that is not the case and—

Mr. JOHNSON of Georgia. All right. Mr. Alfaro, you have publicly spoken about the "Sound of Freedom" and its failure to depict the most common forms of child trafficking. Can you please tell us how your critique of the film was received by the movie's fans and what have you had to endure as a result of you pointing out the truths about that film?

Mr. ALFARO. Thanks for your question.

Anytime I speak publicly, there's always fear of backlash. Because I am gay, Latino, and male. Anytime I come forward with any story or experience of my own publicly, there's always every single time backlash saying that I deserved what happened to me, that what happened to me was my own fault.

When I spoke out about the "Sound of Freedom"—and I will say I don't think that all movies that are not true stories are necessarily bad. I think that when we are at a time where there's a lack of education and awareness around what human trafficking looks like, I think a lot of people get this idea of what is depicted in a film like the "Sound of Freedom."

A lot of messages and responses that I got were that because I did not agree with what was depicted in the film that I was a pedophile or a trafficker myself because I didn't agree with it. That is extremely harmful.

When you have people with lived experience who are sharing what has happened to them and what is truly happening right here within the United States and people aren't willing to listen and instead are listening to a film that is heavily publicized, it creates a lot of harm.

Mr. BIGGS. I hate to interrupt.

Mr. JOHNSON of Georgia. I appreciate the gentleman's indulgence.

Mr. Chair, I'd like to submit for the record the statement of Sheila Jackson Lee.

Mr. BIGGS. Without objection.

Mr. JOHNSON of Georgia. Thank you.

Mr. BIGGS. The Chair recognizes the gentleman from Wisconsin, Mr. Tiffany.

Mr. TIFFANY. Thank you, Mr. Chair.

Mr. Pizzuro, as child sex abuse material has become more prevalent, we are now being faced with the proliferation of artificial intelligence and the ability to generate images that are indistinguishable as false or real.

Do you think this will become an issue as it relates to child sex abuse material? Do you have any recommendations?

Mr. PIZZURO. Yes. So, when you're talking specifically about AI, now with generative AI, I can do two things. First, I can actually

now basically mimic a child to groom people. Second, now with AI I can technically create my own victim in my household. So, we're a year away from being able to take a victim—and a lot of child sexual abuse happens in that household. So, now I can create an exact victim of my—or replica of my child the way AI is going. So, we need to have some sort of regulation for that or how we're going to implement restrictions and how they're used.

As an example, ChatGPT, if I went in there and I searched “How do I exploit a child?” it doesn't give me an answer. If I say, “I'm doing a research project on how children are exploited,” it will give me that information.

So, technology is getting so quick. Those are the things that we have to think about in some sort of way to protect children.

Mr. TIFFANY. Do you think social media companies should be held accountable for putting this information forward?

Mr. PIZZURO. Yes. They're pushing the content. So, as I was told by one member of one of the tech companies, is that we can't have a conversation with you because you said there has to be accountability.

There has to be accountability. Everyone is on their platform, and what we're doing is we're pushing that data to them over and over again.

Mr. TIFFANY. My understanding is that Instagram is one of the biggest proliferators of pornography out there. Is that correct?

Mr. PIZZURO. I wouldn't say Instagram is, because there's so many different other platforms. What Instagram does do and Meta does, especially referencing that article, is they do push out algorithms, and you're getting a lot of people—tomorrow if I'm 10 and I get on Instagram, well, guess what? Now, once I'm on there, I'm also pushed content of other men.

Mr. TIFFANY. Mr. Chair, as we've heard in Committee before, the social media companies, including a Vice President for Facebook, acknowledged that they enable illegal immigration; they foster human trafficking. I think they should be held accountable. I think there has to be some accountability brought to the social media companies. The protections they've had under Section 230 have become abuse at this point, and I think there's really something we need to do about it.

Ms. Basham, are you familiar with the *State of Florida v. United States* case presided by Judge Wetherell?

Ms. BASHAM. Can you remind me of that?

Mr. TIFFANY. In that case, the judge ruled that President Biden's catch-and-release policy is unlawful and gave the administration seven days to comply with the Federal immigration law.

From your experience in dealing with human trafficking, do you believe that what is happening at our Southwest border is making the environment ripe for increased human trafficking?

Ms. BASHAM. Well, what I can tell you is this, is that there does need to be a solution right now, that when we see 33—children crossing the U.S. border unaccompanied within a three-month period, that something is wrong. These children are largely unprotected once they get into other settings within here.

So, that's what I can tell you.

Mr. TIFFANY. Mr. Alfaro, I appreciate your comments earlier. Welcome to the world of politics with people slamming you, whatever. Join the crowd.

In regard to "Sound of Freedom," isn't it good, though, that there's an awareness being brought to child exploitation, human trafficking?

Mr. ALFARO. It is good when it is accurate.

Mr. TIFFANY. Don't movies take license frequently? I see movies, and I go, that's not—I've read the book. I've read a few books, whatever. That's not depicting it accurately. They're not true to the story, but they are delivering a message.

Mr. ALFARO. They're definitely delivering a message. Like I mentioned, I don't think all stories that are not based on a true story are bad. There were parts of the "Sound of Freedom" that I didn't fully agree with, and this super hero idea that people need someone to come and save them out of their situation is actually very unlikely.

No one came in and saved me out of my situation, and the majority of my survivor colleagues have the same feelings, that no one has ever stepped in and—

Mr. TIFFANY. So, as someone that consumes a little bit of Hollywood, isn't that Mel Gibson in a few movies? Isn't that the beautiful actress that is headlines in a movie or whatever? Isn't that the same thing that we do? We caricature with—

Mr. BIGGS. The gentleman's time has expired.

Mr. TIFFANY. I yield back, sir.

Mr. BIGGS. OK. Thank you.

The Chair now recognizes the gentlelady from Pennsylvania, Ms. Dean.

Ms. DEAN. Thank you, Mr. Chair.

Again, I want to start by thanking all of you for your testimony.

Mr. Alfaro and Ms. Bautista, if I could start with both of you. Thank you for your honest account, and I know it's a very truncated account of what you have gone through, very different stories. I guess I just—I'll start with you, Mr. Alfaro. How are you?

Mr. ALFARO. Um, that's kind of hard to answer right now, but I'm OK.

Ms. DEAN. OK. Ms. Bautista?

Ms. BAUTISTA. I am OK too. I just want to express how I am looking forward to how the Congress would act and how the Congress would move forward into proposed legislations to date, because I know it is very important. Even as we speak today, there are children that are being exploited.

So, I am emotional because it's my friends in the Philippines. It's younger children. I, myself, don't have a kid right now, but in the future I don't want to see another kid being exploited. I don't want to see another survivor like me going here to say, like, "Hey, we need to do something." Congress has to do something. A lot of people around here are here to come forward and say we have to do something, and we have to do it right now.

So, thank you.

Ms. DEAN. I appreciate that. I speak for myself. I don't speak for anybody else. We want to come up with solutions. We want to come up with answers.

On the prevention and protection side, and I guess also on the healing side, can you tell me, each of you briefly, what has been the most effective parts of healing? How can we learn as a society how to lift up those who are survivors and help them heal?

Mr. ALFARO. Thank you for redirecting the conversation to important prevention and the post-work for survivors.

For me it was a really long and tough journey living in silence as I mentioned earlier. No one really understood—I didn't even understand what human trafficking was, and I didn't know that what happened to me was human trafficking. Right? So, if you don't really know what happened to you, how do you identify the tools and resources that you need to heal from the trauma that you've experienced? That's why there's such a huge need for accurate awareness out there to really help survivors or those who are vulnerable to the crime to understand what human trafficking is and, if it has happened to them, that they know where to go and what resources that they need to get to a place where I now am.

Ms. DEAN. I appreciate that, and I agree with you. I don't think Hollywood or anybody else ought to take creative license with the facts. That's one thing in fiction, but not with the facts.

Ms. Bautista, for your own healing, and I was thinking about your friend Joy. How is Joy? I hope she's on the path to healing.

Ms. BAUTISTA. She is. Yes, she is. She is thriving. She is a social worker now in the Philippines.

So, one of the things really that really help us for survivors like me in our healing journey and our restoration journey is to provide more resources on education and on awareness of the crime and financial assistance, because all of us came from a really hard life of poverty. So, a lot of us really need to move on. Through financing or through educational assistance, that helps us because, in reality, a lot of survivors are culturally—education is the primary source of hope, source of moving on to our healing to what bad thing happened to us. That's our—and achieving to those dreams and hopes would really help—would really help survivors. So, because I want to get something in about tech.

Ms. DEAN. Very well said. I appreciate that. Forgive me for moving just—

Ms. BAUTISTA. Yes.

Ms. DEAN. It seems to me there ought to be legislation that could force the Big Tech companies to block and fail to distribute the images we're talking about. What is that solution?

Mr. PIZZURO. Well, if you look at Apple, Apple had that device-base scanning that they rolled back in 2021, and I think that's part of the challenge, with end-to-end encryption in a lot of the other tech proposals, nothing is being scanned. So, with nothing being scanned, we don't have any way to look at it.

So, even if you can use AI or other programs to do that in solutions, again, hopefully it will identify victims. My challenge is, like Ms. Bautista, is there are hundreds of thousands of victims that law enforcement can't get to and identify and get them the help they need.

Ms. DEAN. I thank the Chair for his indulgence.

I thank the Ranking Member for asking me to sit in on her behalf, and I fully support all the legislative work she is doing in that area.

I yield back.

Mr. BIGGS. The gentlelady yields back.

I recognize the gentleman from California, Mr. Kiley.

Mr. KILEY. Thank you, Mr. Chair.

Thank you to all our witnesses today for helping us gain a fuller understanding of this absolute horror that is going on and victimizing far too many people, and particularly young people.

Listening to the testimony it seems to me there are a few facets of the approach we can take to addressing this problem. That starts with just increased public awareness. That all of us have a responsibility and a role we can play working with nonprofits, working with law enforcement, working with other stakeholders in our community to help people not become victims. Also, to raise awareness about the political dimensions of the problem.

In my State of California, for example, for many years, we have tried in the legislature to get the legislation to take this issue more seriously by classifying human trafficking as a serious felony. Unfortunately, every year, the Public Safety Committee has stopped it from passing. They did that this year as well, a bill to make trafficking of a minor a serious felony.

After a public outcry, they ended up doing something unprecedented in recent history—is the Committee reversed itself. Just a couple days ago, that bill passed the State Assembly unanimously and is now going to the governor's desk. So, I think that is a testament to the power of public awareness.

Beyond that, there seems to be three main facets of the solutions that we need to be working on with great urgency and doing everything we can. First, being holding those who pedal this material and those who traffic young people accountable. Second, being the social media element. Third, being what's going on at the border.

So, on the first, Mr. Russo, you mentioned in your testimony that we need to have stricter penalties for the abusers. What do you think would be the specific changes that would be most important?

Mr. RUSSO. It's a great question. I'll note one in California. It's great that they have moved that legislation forward. The idea of being supportive of victims is not incompatible with the idea of being harder on traffickers, and we need to be balancing that appropriately.

One approach that our organization is focused on is looking at things such that already exist in the law, like gang enhancements, and applying them for human traffickers who coerce minors into other criminal behavior. Oftentimes, you can't make that straight gang connection, so that enhancement may not be available.

If you are an individual who forces a 16-year-old into prostitution or a 15-year-old into trafficking fentanyl or other drugs, that penalty increase, that gang enhancement that exists in the law, should be eligible for you regardless of whether you are in a criminal organization or not.

So, that's something I would ask that the Committee consider, is that focusing on actually enhancing for folks who are using that co-

ercive element. Let's make the game harder for the traffickers that they're already playing.

Mr. KILEY. Thank you. That's a great insight.

Ms. Basham, when it comes to the immigration facet, you testified that, from March–May of this year, more than 33,000 unaccompanied children crossed the U.S. border. The physical and sexual violence, human degradation, hunger, and thirst that these children often experience en route to the United States is appalling. Sadly, you go on, this is just a prelude to the violence that many experience once they are in the U.S.

So, why do you think it is that we have had this huge increase in the number of unaccompanied minors, and how do we stop it from happening? What are the steps that we should be taking right now?

Ms. BASHAM. Well, there are several things I think that—I'm not going to dive into specific border policy, what we can do now. I will say that there are several things for deterrence purposes.

First, in Guatemala—that was the country that I brought up early on. I actually went there last year, spoke there. The secretary of sexual trafficking is on my task force. One of the things that they're doing—she said, we want this to stop. They have—47 percent of unaccompanied minors are coming from Guatemala.

The problem is—she said that a lot of these mothers are handing over their children to smugglers because they do not know. So, what they've actually done there is they've developed mobile units.

So, I think that one thing I would suggest—and this is a little bit out of sort of the scope of some of this—is a CODEL. I actually think it would be really, really helpful to do a CODEL down to Guatemala to actually see some of this and talk to some of these people in person because, I do think, if there was increased funding or things like that for them to get mobile education units into these places, that it would actually be extremely helpful to some of these children from a prevention standpoint alone. That's one country in Guatemala.

Outside of that—and then, again, that gets to an awareness campaign, which is really central to a lot of this.

Outside of that, I really think it comes down to, also, the communication between children here and their parents back there. That's one of the things that wasn't really discussed much today. There needs to be a really clear, good communication loop so that children who are unaccompanied here can communicate back with their parents there. Because if more parents knew of the dangers that their kids would face, they would not send them.

Mr. KILEY. Thank you very much.

With your indulgence, Mr. Chair, if I could just quickly ask Mr. Pizzuro.

Of the laws that you listed for holding social media companies accountable, what do you think is the most important change to make them more proactive in making sure that this material isn't disseminated on their platforms?

Mr. BIGGS. The time is expired, but you may answer.

Mr. PIZZURO. OK. They need to be mandated, and they definitely—from a standpoint of just—if we can just get them to standardize what they give and be a little bit more proactive. We're look-

ing for incremental changes. There's a lot of changes that need to be done. That's where we need to at least start.

Mr. KILEY. Thank you very much.

Mr. BIGGS. The Chair recognizes the gentlelady from Florida, Ms. Lee.

Ms. LEE. Thank you, Mr. Chair.

Thank you to all our witnesses for being here today, for sharing your stories, your expertise, and your insight about this important issue.

I spent a large part of my professional career working on ending the sexual exploitation of children, domestic violence, and human trafficking. It's very important to me that, as Congress, we are doing everything we can to bring awareness to this issue, to incarcerate perpetrators, and to support survivors. So, each of you has brought important perspective to us today about how we might do those things, and we appreciate that very much.

This session, I have introduced the National Trafficking Hotline Enhancement Act and also the REPORT Act in the House, which would modernize and strengthen existing reporting procedures to disclose crimes involving child sex abuse to NCMEC and ensure we're giving law enforcement the tools that they need to help identify this type of behavior and intercept and bring it to a stop.

I'm very proud that, in both cases, those bills have bipartisan support in this Committee, and I want to particularly acknowledge Ranking Member Dean for cosponsoring the REPORT Act. I believe it is a very important part of legislation that I hope to see us bring to the full House.

Now, with that, Ms. Basham, I would like to return to your testimony and talk in some more depth about the concepts of how minors are enticed and groomed on the internet and how abusers target and exploit them. One of the things that the REPORT Act aims to do is to require electronic communication service providers to report incidents of enticement of minors online.

Can you explain how this happens and how that type of requirement would help stop human trafficking?

Ms. BASHAM. Yes. So, the REPORT Act, first, is very important. So, I'm really grateful that you have sponsored that.

So, enticement can happen in a variety of ways. First, the reason they target children—and that's something I need to State up front—is because they are especially vulnerable. Children are, by nature, more trusting and all of that.

With the REPORT Act, and just in general with children being groomed online, one of the ways is it's someone who usually—they develop a trusting relationship online, and through that process, they learn—that's why we call it grooming. It's not kidnapping. It's a form of really luring the child in to do things. Then it dives into actual coercion.

So, we have children who have been threatened or their families have been threatened, and then through that, they are lured to do things or other things have happened to them through that.

Ms. LEE. A study by Rain found that law enforcement—and I think Mr. Pizzuro also touched on this issue—is overburdened at times by the number of leads that they have, the sheer volume of cases and tips that they're trying to investigate.

Another provision of the REPORT Act would increase the retention period for this type of information and tip-line reports to allow law enforcement more time to go back and investigate these cases.

Could you explain how this measure and other tools might help law enforcement manage the growing number of tips and cases that they are investigating?

Ms. Basham, we'll start with you, and then we'll hear from Mr. Pizzuro.

Ms. BASHAM. OK. OK. So, I think one of the main things with all this is to—sorry. Can you State that again? I thought that you were stating it for him over there. Sorry.

Ms. LEE. Yes. My question was about retention of information.

So, one of the other provisions would require these companies to retain—when they have information that looks like it may be exploitative or is a tip for law enforcement, they would keep it for longer to help law enforcement deal with the volume of potential cases that are coming in.

The question was, how might that be helpful and any other tools you can think of that we could be providing that would make the investigation of these cases something that is easier to tackle?

Ms. BASHAM. Well, absolutely. First, the No. 1 thing is that law enforcement needs every bit of help that they can get. So, that's the No. 1 thing. They are understaffed, and we know that there is an increased burden. So, that's first of all.

The second thing is, just simply, it takes some of the burden off with some of the training. Like, law enforcement has to be trained to recognize and report this. So, it's obviously called the REPORT Act. So, I think it alleviates some of that key burden that really needs to come off law enforcement.

Ms. LEE. Mr. Pizzuro, what would you add in response to that question?

Mr. PIZZURO. So, 90 days was the standard going to one year, and that's the standard for probable cause. So, the challenge is that we can't get to the victims and identify them because, most likely—most of the time, we're getting a case after six months. So, the ability to actually find and locate that victim, identify that victim, is really important from that retention standpoint.

One of the other things I'll add is that we need companies to actually be responsive to legal process immediately and send us that data, and we have difficulties with a lot of those companies now as well.

Ms. LEE. Thank you. That's very helpful insight.

With that, Mr. Chair, I yield back.

Mr. BIGGS. The gentlelady yields back.

The Chair recognizes the gentleman from South Carolina, Mr. Fry.

Mr. FRY. Thank you, Mr. Chair.

Thank you to our witnesses for being here.

I was a former member of the South Carolina General Assembly just last year. A few years ago, I worked with Shared Hope International and our Attorney General Alan Wilson to craft a human trafficking bill.

To Mr. Russo's point earlier about how you have to balance both the prosecution side while also being compassionate and taking

care of victims, particularly minors—that was really the crux of the legislation that we did. We were considered that year to be the most improved State in the country in addressing human trafficking. We've got a long way to go.

Our attorney general is doing a fantastic job. He actually recently spearheaded a letter with over 50—it was actually 54 attorneys general from all the States and territories about the threat of how artificial intelligence is being used to exploit children.

Mr. Chair, at this time, I seek unanimous consent to endear into the record Attorney General Wilson's letter and the letter from all the attorneys general.

Sadly, our children are constantly exploited through child sexual abuse material daily in our country. The U.S. is now the host—it's not a proud moment, but we host more child sexual abuse material than any other country in the world.

Mr. Chair, I'd also like unanimous consent to enter into the record a statement from our friend, Congresswoman Ann Wagner, who is doing an incredible job in this space, too, trying to update some of our laws.

Mr. BIGGS. Without objection.

Mr. FRY. Look, online platforms—by design, maybe—are created, and kids spend an inordinate amount of time—7–8 hours a day—online. They get addicted to these apps. They are on their phones constantly. I think the mission here is to protect our kids from things that they see, things that happen online, the grooming that takes place.

Earlier this year, I introduced the Targeting Child Predators Act to help in this effort. Would it surprise this body to know that, if you are an internet service provider and you receive a subpoena, that you actually let the individual know that you're trying to subpoena that law enforcement is looking at them? So, we're trying to put a stop to that. This is just one avenue that we have talked about that would have a meaningful effect on this.

Ms. Basham, South Carolina—and I'm just going to use my State as an example, but this is really everywhere. We have a—in my district specifically, it's very rural, but it's also a heavily tourist economy. We have the beach. What kinds of trends in child exploitation do you generally find in tourist areas?

Ms. BASHAM. Well, tourist areas specifically are always hot spots. I will say this. I actually think sexual exploitation—this is one of the unique things—it happens everywhere. So, it really is a borderless crime.

Tourist hot spots, obviously, leave children more vulnerable because people are there to vacation. They tend to be intoxicated. So, that actually can increase some of it, too.

Mr. FRY. Thank you. Can you talk a little bit more about how vulnerable populations, such as foster youth or unaccompanied minors, are more susceptible to being victims of these crimes?

Ms. BASHAM. Well, I think there are a number of populations that are really susceptible because of any vulnerabilities. So, when you are detached from your family and you are an unaccompanied minor, you're vulnerable to several different things.

One of those would be someone who poses as a family member, a trusted friend, an adult that leaves you vulnerable to actually

participating in a gang or actually being trafficked yourself and exploited yourself.

Mr. FRY. Thank you.

Mr. Pizzuro, I want to turn to you really quick. Last year, the National Center for Missing & Exploited Children's cyber tip line received 32 million reports of suspected child exploitation online.

In your experience—I think you testified social media companies are not properly censoring that material or regulating that material, are they?

Mr. PIZZURO. No. If you go further, like—and that's where the Apple—out of 32 million tips, Apple had 175 last year. So, what does Apple have? Fifty-eight percent of the market share in the U.S. for iPhones.

So, I think that's—and it's not just calling out Apple. It's just the industry as a whole.

Mr. FRY. I think you're actually heading exactly where I wanted to go here. Because, to me, when I'm looking at Facebooks, Googles, and Instagrams, the gulf between maybe the top reporter and the bottom is just so wide. Facebook had 21 million, but Apple had 234. Can you touch on that contrast?

How—it's kind of crazy to me. Social media companies will censor our own speech, but they won't get this stuff off their platforms.

So, talk about the privacy concerns, I guess, what are they talking about? What are they alleging from a privacy perspective as to why they will not fight back against child sexual abuse material on their platforms?

Mr. PIZZURO. Well, they move so that they can't see it on their platforms. So, if you go to end-to-end encryption where you have basically both sides where that data is there, they're saying that we can't see it. So, again, they're not even scanning for that.

So, the challenge becomes—is that they're totally dark. So, the idea is that, if I don't know what's happening on my platform, then technically, I don't have to report it. So, what happens is then other companies do the direct opposite. If it's something, then I'm going to report it. So, that is really the disparity between Meta and Apple, as an example.

Mr. FRY. Thank you, Mr. Chair. With that, I yield.

Mr. BIGGS. Thank you. I now recognize myself for five minutes of questioning.

I'll tell you; I have questions for each one of you. I'm going to probably limit myself to one. I urge you to be as succinct as possible, yet say what you think is pertinent to it.

So, I'll start with you, Mr. Alfaro, because one thing you said that really caught my attention is that the restitution that you were awarded wasn't awarded to you. It went to the Federal Government, and you actually had to litigate to get restitution back as a victim. Do I understand that correctly?

Mr. ALFARO. Well, sort of.

Mr. BIGGS. OK.

Mr. ALFARO. It was a process. It was a gruesome process. I hate that anyone has to go through a process after testifying in a criminal or Federal trial and has to explain why they are deserving of the money owed to them.

Basically, I went about a year questioning, when will I be receiving the restitution? More time went on. I was told I would be receiving it by Christmastime. Then another year went by, and then they said I would receive it by Christmastime. Then things just kept changing.

So, I had to seek out legal counsel just to help me figure out where this money was. Eventually, shortly after that, I did receive legal counsel. I had to contact the other survivors and help them with legal counsel as we went through a second process called the remission process, where they were supposed to be contacted, and not one of them were contacted.

So, I contacted them again. I asked them if they had been contacted. They said no. So, I connected them with pro bono attorneys as well.

Mr. BIGGS. Thank you for explaining that. That's something I think Congress should look into as well.

Ms. Bautista, you mentioned something which I am aware of—is the difficulty of getting images removed, even after the tech companies are aware that those—basically, the criminal images have been viralized.

So, can you talk about that for a second? You implied that you got some of those removed. How did you get that done?

Ms. BAUTISTA. Thanks for that question.

The petition—it was currently being petitioned against Apple—well, not against Apple, but asking Apple to remove the child sexual abuse materials online.

My fellow survivors of OSEC have been living and hoping to move forward from this abuse, from this horrific situation they were in. Being into that situation where they have these materials still online, and they can't move forward.

So, that's why I am asking, alongside with survivors of OSEC—is to have these removed permanently because it keeps going back into our lives. It keeps going back into OSEC survivors' lives. How can we move forward? How can we move forward with our lives if we still keep being reminded of all these horrific situations?

Mr. BIGGS. I appreciate that. Thank you for sharing that. I agree with you. Again, Congress needs to act.

Mr. Tanagho, I am reminded as we're listening to this of Section 230 of the Communications Decency Act, which a lot of these platforms hide behind and shelter. Do you have any opinion, or do you want to comment on that?

Mr. TANAGHO. Well, I think there's two things I would say to that. Thank you for that question.

First, I would say that Section 230 does not protect electronic service providers from their own design decisions. So, when they design an app or a platform in such a way that actually encourages or facilitates child sexual abuse and exploitation, then they have no Section 230 protection.

I do think that it is important that the EARN IT Act and other legislation address this gap because the reality is, every industry is governed by regulations. Every industry has industrywide standards. If they don't meet those standards, then they can be held to account. It's up to judges, and it's up to courts to decide if a company has failed to meet its duty of care or its obligations.

Right now, there are no obligations. There are no requirements on the tech sector to build their platforms safe by design, to detect and remove child sexual abuse material. So, what we see is incredibly uneven responses from the tech sector.

I think the reality is, it's not just about any one company, but it's an industrywide problem. That's why you need something like the EARN IT Act that can really transform the entire industry's response.

Mr. BIGGS. Thank you.

I'm going to go really quick to Mr. Pizzuro.

Fusion centers. Are you familiar with fusion centers, and how are they working on this problem?

Mr. PIZZURO. Yes. Right now, well, I could speak to New Jersey. New Jersey's fusion centers aren't working on the ICAC problem or the social media problem. So, that's something—again additional resources. Maybe they can start looking into that for more prioritization.

Mr. BIGGS. Thank you. I appreciate all of you being here. We are out of time. This is an incredibly important subject, and we have all learned a lot. Congress must act.

I would anticipate that some pieces of legislation—we know that some of them have passed out of the Committee in the Senate, but we don't have them across the Mall yet. Then there are some that we have that I know that we're going to be taking up soon as well.

So, thank you to the audience.

Thank you to the witnesses.

Thank you to Ms. Dean and my colleagues on both sides of the aisle for being here today.

With that, we are adjourned.

[Whereon, at 4:11 p.m., the Subcommittee was adjourned.]

The record for this hearing by the Members of the Subcommittee on Crime and Federal Government Surveillance is available at: <https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=116344>.

