

## EXTENSIONS OF REMARKS

## ACCOUNTABILITY AND TRANSFORMATION: TIER RANKINGS IN THE FIGHT AGAINST HUMAN TRAFFICKING

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 2015

Mr. SMITH of New Jersey. Mr. Speaker, I recently held a hearing on the importance of accountability in the annual Trafficking in Persons Report—the State Department's biggest opportunity of the year to prod countries to fight human trafficking with greater effect, greater efficiency and greater effort.

There are some twenty plus million people around the globe who live in sex or labor slavery today.

When one hears such a figure—over twenty million people—one's eyes begin to glaze over, as a number of such magnitude becomes an abstraction. There is a cynical saying, attributed to Soviet dictator Josef Stalin, that “the death of one man is a tragedy. The death of millions is a statistic.” Stalin knew that many would shrug their shoulders and avert their gaze.

But we must never allow such cynicism to obscure the fact that each of those twenty million persons is a human being with inherent, God-given dignity. Each one is a child that suffers from beatings and abuse, a woman raped, a man who labors in the field as a slave—all for the commercial gain of others.

The annual Trafficking in Persons Report, required by the landmark Trafficking Victims Protection Act of 2000 (TVPA)—legislation which I authored—ensures that countries making anti-trafficking efforts a priority are praised and supported, while countries that ignore the cries of the enslaved are justly shamed, and considered for sanctions.

The success of the TIP Report and rankings is beyond anything we could have hoped for. From presidential suites and the halls of parliaments, to police stations in remote corners of the world, this report focuses anti-trafficking work in 187 countries on the pivotal principles of prevention of trafficking, prosecution of the traffickers, and protection of the victims.

Each year the trafficking office at the Department of State evaluates whether a government of a country is fully compliant with the minimum standards for the elimination of human trafficking or, if not, whether the government is making significant efforts to do so. The record is laid bare for the world to see and summarized in a tier rankings narrative. Tier 1 countries fully meet the minimum standards. Tier 2 countries do not meet the minimum standards, but are making significant efforts to do so. Tier 3 countries do not meet the standards and are not making significant efforts to do so—and, indeed, may be subject to sanctions.

Over the last 14 years, more than 100 countries have enacted anti-trafficking laws, and many countries have taken other steps re-

quired to significantly raise their tier rankings. Some countries openly credit the TIP Report for their increased and effective anti-trafficking response and look to us for examples of how to do even better. Last year, for example, I was invited by the speaker of Peru's unicameral congress to address legislators on how to protect victims of trafficking, meeting also with prosecutors, members of a multi-agency task force, victims and those who provide for victims.

The Tier 2 Watch List was created in the 2003 TVPA reauthorization and I also authored to encourage good-faith anti-trafficking progress in a country that may have taken positive anti-trafficking steps late in the evaluation year. Unfortunately, some countries made a habit of last-minute efforts and failed to follow through year-after-year, effectively gaming the system.

To protect the integrity of the tier system and ensure it works properly to inspire progress, Congress in 2008 created an automatic downgrade for any country that had been on a Tier 2 Watch List for 2 years but had not taken significant effort enough to move up a tier.

The President can waive the automatic downgrade for an additional 2 years if he has certified “credible evidence” that the country has a written and sufficiently resourced plan that, if implemented, would constitute significant efforts to meet the minimum standards.

In 2013, the first test of the new system, China, Russia, and Uzbekistan ran out of waivers and moved to Tier 3, which accurately reflected their records.

In the 2014 reporting cycle, only Thailand and Malaysia were auto-downgraded, out of six countries. Russia and Uzbekistan retained their Tier 3 downgrades from the previous year—but China was upgraded from Tier 3 to the Tier 2 Watch List.

I am very concerned that China fooled the State Department, which seemed to believe that China was abolishing its re-education through labor camps rather than simply renaming the camps and continuing the practice. The Congressional-Executive Commission on China reported that in 2013, Chinese authorities increasingly used “other forms of arbitrary and administrative detention such as Legal Education Centers, Custody and Education Centers, ‘black jails,’ and compulsory drug detoxification centers.”

Moreover, the Commission reported that in November 2014, the Deputy Director of China's Ministry of Justice said at a press conference that the “vast majority” of China's [re-education through labor] facilities have been converted to compulsory drug detox centers. The China Commission believes that these compulsory drug detox centers force detainees to do labor, as do the Custody and Education Centers.

If true—and I believe it is—then the Chinese government is directly involved in human trafficking and profiting from it.

The Chinese Government also continues, through its one-child birth limitation policy, to

decimate the female population, creating a vacuum for sex and bride trafficking in China as males confronted with a sentence of lifetime bachelorhood seek to obtain a mate.

And despite a much-ballyhooed November 2013 government announcement of a relaxation of the one-child policy that affects only a small subset of the population, this fig leaf will not do enough to correct the gender imbalance in China.

Last summer, a local official at the Mid-Year Family Planning Work Meeting in Chongqing municipality noted that “the intensity of family planning work has not diminished.” And the evidence of coercive enforcement continues to emerge.

The U.N. Committee on Economic, Social and Cultural Rights, following its May 2014 review of China, noted that it was “seriously concerned about reported instances of the use of coercive measures, including forced abortion and forced sterilization, with a view to limiting births.”

This is unacceptable.

Approximately 40 million women and girls are missing from the population—and China's birth limitation policy continues to increase that number—making China a regional magnet for sex and bride trafficking of women from neighboring countries such as Burma, Cambodia, Vietnam, Laos, and North Korea.

Indeed, an estimated 90 percent of North Korean women seeking asylum in China are trafficked as brides. And yet China does not take responsibility for the government-made disaster and provide these women with aid. Rather, China denies these women refugee status and sends them back to punishment in North Korea—punishments that far too often include execution.

Yet we gave China a pass, turning our backs on these suffering women.

But Asia is not the only place where there are victims of trafficking. The hearing also looked at three African countries that must be automatically downgraded unless they significantly improved efforts to fight human trafficking in 2014: Burundi, Comoros, and Angola.

The shared tragedy of these countries is that it is their children who are being trafficked. Chinese nationals in Angola exploit the Angolan children in construction, rice farming, and brick making.

In Comoros, poor families place their children with wealthy relatives, who then exploit them in domestic servitude.

Similarly, in Burundi, family members sometimes profit from the prostitution of children with tourists or, according to the State Department, “teachers, police officers, and gendarme, military and prison officials.”

In 2013, as automatic downgrade loomed, the President of Comoros finally admitted his country had a trafficking issue and the National Assembly changed the penal code. Angola and Burundi have also amended their penal codes while on the Watch List.

Aggressive implementation of these anti-trafficking laws would keep them off Tier 3, as

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

well as protect children from trafficking. I earnestly hope implementation has been a priority.

The Southeast Asia region continues to struggle with particularly acute and entrenched human trafficking. Thailand and Malaysia were downgraded to Tier 3 last year. Burma must receive a presidential waiver this year to avoid Tier 3.

One of the key drivers of intense human trafficking in the region is the vulnerability and desperation of the Muslim minority Rohingya people. Squalid living conditions in displacement camps, discrimination, child limitation, and violence are pushing the Rohingya out of Buddhist-dominated Burma into the hands of human traffickers who claim to have jobs for them in Muslim-majority Malaysia.

However, according to reports by Reuters last year, many Rohingya never make it to Malaysia, and instead end up in tropical gulags in the jungles of Thailand, where they are held for ransom. Many die from abuse and disease. Those who cannot pay the ransom are sold into sex slavery or forced labor, often in the fishing industry.

Thai General Prayuth Chan-ocha has vowed to crack down on any Thai authorities involved and to bring an end to the practice. While we have seen an impressive number and variety of anti-trafficking efforts in Thailand during the last year—including a new law in March that heightened penalties to life imprisonment for traffickers—prosecutions have significantly diminished in the last year. Prosecutions regarding trafficking of Rohingya migrants seem particularly low.

Nevertheless, over the last year, Thailand has taken concrete steps to register nearly 100,000 migrants, amend laws related to the fishing sector, raise the minimum age for labor at sea to 18 years old, set mandatory rest periods and employment contract requirements, and inspect hundreds of boats. And we also need to look at ourselves, and ask too whether we are complicit in abetting trafficking, perhaps unwittingly.

Last month, for example, the Associated Press documented Thai boats picking up seafood in Indonesia caught by Burmese slaves who, when not at sea, are kept in cages on remote Indonesian islands. The seafood was taken back to Thai ports and processed by the company that owns Chicken of the Sea. Much of the tainted seafood may have entered the supply chain to reach the shelves of American grocery stores and, through vendors such as Sysco, have landed on the plates of our service men and women.

There are nevertheless success stories, and Thailand has been a stalwart partner with the United States in fighting the sex tourism that drives sex trafficking. The Philippines also has worked with us in fighting sex tourists and helping the victims of trafficking—indeed, one of the witnesses we will hear from is a priest whose faith-based organization has helped thousands heal from the horrors of human trafficking.

Finally, a word to those who think that our TIP report embarrasses allies and undercuts our efforts to cultivate friendly ties around the globe.

I will never forget two of our closest allies, Israel and South Korea, at one point were both on Tier 3, the worst rank. I remember meeting with their Ambassadors who had files demonstrating to all of us and anyone who

would listen the measures they were taking to mitigate this terrible crime. And both of those countries got off Tier 3 when they backed words with substantive action.

Rather than alienating them, the exercise underscored that friends watch out for each other, and that we must call upon our friends to live up to the high ideals they profess. Ultimately, countries that do live up to their ideals show they value and treasure their citizens—their greatest resource—and in the long run will benefit the most.

#### PERSONAL EXPLANATION

#### HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 23, 2015*

Mr. PRICE of North Carolina. Mr. Speaker, due to an event with the President in my home state, I was unable to vote during Roll Call 154, the motion on ordering the previous question for the rule H. Res. 200, as well as Roll Call 155, passage of H. Res. 200.

I was also unable to vote on Roll Call 156, final passage of H.R. 1562, the Contracting and Tax Accountability Act, as well as Roll Call 157, final passage of H.R. 1563, the Federal Employee Tax Accountability Act.

Had I been present, I would have voted against the motion ordering the previous question on the rule H. Res. 200 and against final passage of the rule. Also, I would have voted in favor of H.R. 1562 and opposed H.R. 1563.

#### IN HONOR OF CRYSTAL BERTHEAU

#### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 23, 2015*

Mr. FARR. Mr. Speaker, I rise to bring to the House's attention the outstanding public service work of Crystal Bertheau on the occasion of her retirement from the Santa Cruz County Elections Department following a long and distinguished career.

In Ms. Bertheau's professional career, she embodied the fundamental principal that should guide American democracy across our great nation: that every voter should have easy access to the ballot and that every vote cast should be counted. It is an example that stands as a beacon even now in the 21st Century.

Crystal started her professional career in San Mateo County in 1972 where she and her co-workers created an annual program for Court Room Clerks at Stanford University. From 1981 to 1996, Crystal worked for Judge Clarence B. Knight. In 1996, Crystal transferred to the San Mateo County Elections Department. In 1997, she and her husband, David, moved to Scotts Valley, California. In 1998, the Santa Cruz County Elections Department hired her as the poll worker training and recruitment coordinator for the county. She was instrumental in launching and implementing the county Inspector Hotline, a dedicated phone number for poll workers to call in questions on Election Day.

In 2002, she took on the duties of Program Coordinator in charge of candidate filing. Crys-

tal quickly became known as the knowledgeable and friendly face who helped thousands of candidates navigate their way through the candidate filing process. Crystal also served as a Passport Acceptance Agent and a Deputy Commissioner for Civil Marriage for the County of Santa Cruz. She and her co-workers earned the 2013 Employee Recognition Gold Award for successfully facilitating the start of same sex marriages in Santa Cruz County.

Crystal's passion for elections and community service is unsurpassed. She has worked 20 hour Election Days, spent many weekends serving her community on Passport Saturdays and Weekend Voting, and conducted weddings near the midnight hour on Valentine's Day. Crystal has enjoyed sailing in the San Francisco Bay, has run 2 half marathons and dozens of 10ks, has backpacked in the High Sierras, and enjoyed scuba diving in Cozumel, Bonaire, and the Monterey Bay. In retirement Crystal hopes to continue to enjoy her hobbies of golf, gardening, hiking, playing the piano, reading, and spending time with family and friends, especially her son Mark.

Mr. Speaker, I know that I speak on behalf of the entire House in thanking Crystal for her 42 years of public service and outstanding leadership, showing one person can impact the lives of many. I wish her the very best in the next chapter of her life.

#### TRIBUTE TO DEPUTY CHIEF DAVID C. BARRETTE

#### HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 23, 2015*

Mr. KATKO. Mr. Speaker, I rise today to honor the career of First Deputy Chief David C. Barrette. Deputy Chief Barrette served our nation in the United States Air Force and, subsequently, has bravely served the 24th District of New York for over 40 years in the Syracuse Police Department. As Deputy Chief Barrette retires from the Syracuse Police Department, it is my honor to recognize such a distinguished citizen and civil servant.

Deputy Chief Barrette served in the United States Air Force during the Vietnam War as a Staff Sergeant from 1969 to 1973. Following his military career, Deputy Chief Barrette began his career with the Syracuse Police Department. For 41 years, he has progressed through the ranks of the Syracuse Police Department, serving as a Police Officer, Sergeant, Lieutenant, and Captain before being promoted to Deputy Chief of the Uniform Bureau in 2005 and Deputy Chief of Police in 2009.

Throughout his career, Deputy Chief Barrette has received numerous commendations for his service to our nation and the 24th District, including: a Certificate of Appreciation from the Viet Nam Veterans of America, CNY Chapter #103, the Officer Appreciation Award from the Neighborhood Watch Groups of Syracuse, an Outstanding Partner Award from the SU Community Partnership, a Certificate of Appreciation from the Southeast University Neighborhood Association and the Eastside Neighbors in Partnership, and an Outstanding Achievement Award from Syracuse United Neighbors.