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House of Representatives

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*Excerpts of remarks by Rep. Chris Smith (R-NJ)
during debate in the US House of Representatives
on [HR 5856 Frederick Douglass Trafficking Victims Prevention
and Protection Reauthorization Act](#)—February 13, 2024*

Mr. Speaker, more than twenty years ago, the U.S. Congress approved and the President signed historic bipartisan legislation that I authored—[the Trafficking Victims Protection Act of 2000](#)—a comprehensive whole-of-government initiative to combat sex and labor trafficking in the United States and around the world.

The TVPA created a bold new domestic and international anti-human trafficking strategy and established numerous new programs to protect victims, prosecute traffickers and to the extent possible, prevent human trafficking in the first place—the three Ps.

Though it is hard to believe now, the TVPA was met with a wall of skepticism and opposition—dismissed by many as a solution in search of a problem. For most people at that time—including some lawmakers—the term trafficking applied almost exclusively to drugs and weapons, not human beings.

Reports of vulnerable persons—especially women and children—being reduced to commodities for sale were often met with surprise, incredulity, or indifference.

The bill was finally signed into law on [October 28, 2000](#), and within a year after enactment no-one was arguing anymore that the Trafficking Victims Protection Act’s integrated three P’s strategy—prevention, protection for victims and prosecution of the traffickers—was flawed, unworkable, unnecessary, or counterproductive.

The TVPA included several “sea change” criminal code reforms including treating as a victim—and not a perpetrator of a crime—anyone exploited by a commercial sex act who had not attained the age of 18 and anyone older where there was an element of force, fraud or coercion.

The TVPA radically reformed the US criminal code to authorize asset confiscation and jail sentences of up to life imprisonment.

Thousands of human traffickers have been prosecuted and jailed pursuant to the *Trafficking Victims Protection Act* including [all charges brought against Jeffrey Epstein](#).

According to the [Bureau of Justice Statistics](#) The number of persons prosecuted for human trafficking more than doubled from 2011 to 2021 (from 729 persons to 1,672 persons, respectively).

Among its many other provisions, the *Trafficking Victims Protection Act* also created the [President's Interagency Task Force to Monitor and Combat Trafficking in Persons](#), the [U.S. State Department's Trafficking in Persons Office](#) and [annual TIP Report](#) with its [tier grading](#) of every nation's record in making "[serious and sustained efforts](#)" to eliminate human trafficking. Those relegated to what we call Tier 3—egregious violators—are subject to sanctions.

Over the years, I've authored four additional laws to combat human trafficking—including in [2003](#), [2005](#), [2016](#)—International Megan's Law—and [2019](#) the Frederick Douglass Tracking Victims Prevention and Protection Act.

Today the House considers a five-year reauthorization of the TVPA named again in honor of the great abolitionist and civil rights leader, Frederick Douglass.

Special thanks to original cosponsors Chairman McCaul, my subcommittee Ranking Member Susan Wild as well Ann Wagner, Kathy Manning, Henry Cuellar, Joe Wilson, Amata Radewagen, and Dr. Michael Burgess.

Thank you—again I say thank you—to the extraordinarily talented staffers Mary Vigil, Janice Kaguyutan, Mary Noonan, Doug Anderson and survivors Bella Hanoukey and Robert Lung.

A heartfelt thanks to the over twenty organizations that have provided insights, recommendations, and endorsement of the legislation.

Terry FitzPatrick – Director of the [Alliance to End Slavery and Trafficking \(ATEST\)](#) said "The U.S. has the world's most comprehensive governmental effort to fight human trafficking, and this law is the reason why. It's the blueprint for comprehensive action at home and abroad. Updating and reauthorizing the act is essential to maintaining America's leadership."

The [United States Conference of Catholic Bishops \(USCCB\)](#) strongly endorsed the legislation and asked Congress to approve the measure "without further delay...We must unite to identify and address conditions that lead to human trafficking and promote efforts to prevent it," said Bishop Mark J. Seitz of El Paso.

And a great big thank you to Kenneth B. Morris, Jr., the great-great-great-grandson of Frederick Douglass and the great-great grandson of Booker T. Washington—two of the most

influential leaders in American history—for helping us craft this legislation. (Mr. Morris is also the president of Frederick Douglass Family Initiatives (FDI). FDI is a Rochester, NY-based public charity whose mission is to *Build strong children and to end systems of exploitation and oppression.*)

Mr. Morris said: “Congressman Smith’s TVPA has shaped the domestic and international anti-trafficking landscape since 2000 creating empowering programs for survivors and strengthening efforts to prosecute traffickers. Since 2018 his law has been named after my ancestor, Frederick Douglass, thereby emphasizing education and resilience as effective means to prevent human trafficking among children, prevent re-trafficking of survivors, and provide support and hope to survivors in their journeys toward self-empowerment.

“In the words of my great-great-great grandfather and the great American abolitionist Frederick Douglass—enslavement is a scourge on humanity that “to expose it is to kill it. Slavery is one of those monsters of darkness to whom the light of truth is death. Expose slavery, and it dies.”

“This wisdom holds to today in the form of human trafficking, the modern-day slavery. Since 2008 we have provided anti-trafficking education programming and trained more than 60,000 adults and over 500,000 children teaching them to be aware of human trafficking and learn the skills to keep themselves safe from harm.

“It is after all ‘easier to build strong children than to repair broken men.’ Passage of the Smith/Wild bill will allow us and many other organizations to continue the necessary work of combatting human trafficking and honoring the lives of so many effected by it in the U.S. and abroad.”

Specifically, the Frederick Douglass Act authorizes \$241 each year for five years (\$ 1.205 billion over five years):

- Seeks to promote situational awareness training—prevention—on how not to be a victim for both elementary and secondary students and faculty through the Frederick Douglass Human Trafficking Prevention Education Grants.
- Authorizes survivors’ employment, housing, and education programs.
- Authorizes a new \$175 million over five years program for DOJ Housing Assistance Grants for victims of human trafficking.
- Makes scalable programs through training of the trainers and collaboration with Internet Crimes Against Children Task Force.
- Encourages the usage of prevention efforts to include accessible, age-appropriate, and trauma-informed approaches for USAID beneficiaries and the further incorporation of counter-trafficking efforts across the development portfolio.
- Streamlines statutory language for Tier 2 Watch List.

- Reauthorizes the Department of State Office to Monitor and Combat Trafficking in Persons; and
- Reauthorizes funding for the International Megan’s Law and Angel Watch programs.
- Adds forced organ harvesting trafficking as part of the annual TIP Report to expose China and other countries for this crime.

It also reauthorizes funding for FY 2024 through 2028—a total of five years—to continue current year enacted appropriation and authorization levels to enhance programs, strengthen laws, and add accountability. The law expired in 2021, and we hope to get it through this time to the President.

In 2008, I first introduced [International Megan’s Law](#). It passed the House in [2010](#), [2014](#), [2016](#)—and, thankfully, finally cleared the United States Senate and was signed into law in 2016—eight years later!

Megan Kanka was from Hamilton, New Jersey and was just 7 years old when she was kidnapped, raped, and brutally murdered in 1994. Her assailant lived across the street. Unbeknownst to her family and other residents in the neighborhood, he was a convicted repeat child sex offender.

Megan’s heartbroken-to-this day-parents—Maureen and Richard Kanka—have been amazingly effective in successfully pushing every state in the union including New Jersey to enact Megan’s Law.

Why *International Megan’s Law*? We know from law enforcement, academia and media documentation that Americans on the U.S. sex offender registries are frequently caught sexually abusing children in Asia, Central and South America, Europe, and, frankly, everywhere.

The inherent secrecy of international travel enables child exploitation.

A deeply disturbing 2010 report by the Government Accountability Office (GAO) found that at least 4,500 U.S. passports were issued to registered sex offenders in fiscal year 2008 alone. Typically, a passport is valid for 10 years, meaning some or many of the tens of thousands of registered sex offenders possessing passports may be on the prowl internationally looking to exploit and abuse.

Now, under *International Megan’s Law*, convicted child sex offenders who travel abroad must provide notice to the U.S. Government—via the [Angel Watch Center](#)—prior to departure of all planned destinations. Failure to do so carries a significant jail term commensurate with a convicted child sex abuser not reporting to local law enforcement. Upon receipt of the travel itinerary, the U.S. government informs the destination country or countries of those plans.

The destination country or countries are then empowered with actionable information to render the traveler inadmissible.

The law is working as intended. According to Homeland Security Investigations (HSI), the U.S. government has notified foreign governments of the planned travel of 27,679 covered sex offenders to their countries. As of late January, 9,489 individuals who were convicted of sex crimes against children were denied entry by these nations.

Concerned that some may fail to include their true destination when filing—and out of an abundance of caution and concern for kids—their passports contain the following message that will not likely go unnoticed by border agents: **“The bearer was convicted of a sex offense against a minor and is a covered sex offender pursuant to 22 United States Code Section 212(b).”**

HSI reports that 14,854 passports were submitted for revocations and /or confirmed requiring the IML endorsement.

The Act also created a new policy of reciprocity—an attempt to get other countries to warn us when a convicted pedophile plans to travel to the United States, empowering us to deny entry.

Closing argument

At a [congressional hearing](#) I chaired last May, [Gina Cavallo](#)—an amazing, courageous woman from my home state of New Jersey—told us how she suffered unspeakable violence including rape, beatings, coercive drug abuse and other torture as her traffickers sold her like a commodity to one buyer after another.

She testified: “It’s so critical that survivors are heard” and the Frederick Douglass Act is a direct result of listening to her and other human trafficking victims including Bella Hanoukey and Robert Lung.

Gina Cavallo told us that she was “a survivor of domestic violence and childhood abuse. That experience as a child led me to a place where I felt ashamed, unloved, and rejected. It also led me to being trafficked.

“Force, fraud and coercion were all used by someone who pretended to be my friend, but ultimately abducted me into being trafficked. For nearly two years from the age of 18, I was prostituted, and sold to the highest bidder, and raped over and over again.

“My identity was taken as I was given a new name. Sleep-deprivation, threats of violence, pornography, drugs and food were all used as punishment and reward, leading to my traffickers taking psychological control of me.

“Does this sound like anything a young person dreams of for their future? Being stripped and robbed of your mind and body, your humanity, your dignity and respect?”

“I became a commodity to be used for others’ gain.

“But I often blamed myself for my situation, because I believed it was my fault.

“As a victim I was taught to distrust family and friends and especially law enforcement. The more they isolated me, the more fear I felt, and the more control they gained, which is very intentional.

“It took decades for me to identify that I was a victim...I learned through counseling and my continuous healing journey that what happened to me wasn’t my fault...

“As a victim, I was left with a lifetime sentence: ruined relationships, addiction, hospital visits, suicide attempts, lack of jobs and education—and also left with shame and fear...”

In her testimony Gina said “But what you especially can do as lawmakers is to ensure that in every aspect of your work to end trafficking you put forward measures mandating widespread survivor-informed and trauma- informed training...

“We need to create a safer country where people can come forward without stigma, to reveal their experiences. No one should feel the double victimization of being trafficked, as well as feeling that they stay silent because of shame, fear, and not feeling safe.”

Today, Gina is a brave survivor with an indomitable spirit. She works in coalitions including the [New Jersey Coalition to End Human Trafficking](#) and speaks to many including school assemblies.

In writing the Frederick Douglass Act, we listened to survivors including Gina Cavallo who have heroically spoken out against these crimes against humanity and demanded that lawmakers craft policies and write laws that are victim-informed and trauma-informed.

I include in the Record today just a sampling of the support for the Frederick Douglass Act.

- **“The Frederick Douglass TVPRA of 2023 is essential for maintaining and improving the US response to the heinous crime of human trafficking. As a country we mustn’t slow down the critical work we’re doing to punish criminals and ensure that those victimized are given access to support and justice.” -New Jersey Coalition Against Human Trafficking**
- **“One of the most important things I tell fellow survivors is, ‘You are not alone,’”** said Judge Robert Lung, former Chair of the US Advisory Council on Human

Trafficking. “The TVPRA is your opportunity to tell survivors, ‘You are not alone, you matter and Congress cares.’ Those may be the most life changing and important words spoken in this legislative session. May God continue to bless Congress.”

- “I am proud of Congressman Smith and his staff for drafting HR 5856, the *Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2023*,” said Bella Hounakey, survivor leader, expert and member of US Advisory Council on Human Trafficking. “I feel very empowered and I am convinced that while I can’t make a difference alone, I’m renewed and rejoice that there are organizations and politicians like Mr. Smith who are running towards survivors, instead of away from them. HR 5856 would continue to give voice and space for ethical storytelling to ensure that the public is well informed and prepared to act, and that survivors deserve our undivided attention and support. HR 5856 would allow survivors to develop their—our narrative, one that is tailored to the unique needs and sensitivities of our community while continuing to fight trafficking in all its forms.”
- “Human trafficking is a heinous crime that robs individuals of their dignity, freedom, and basic human rights,” said Ashlie Bryant, 3Strands Global Foundation. “*The Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2023* is a critical step in our ongoing efforts to combat modern slavery. By reauthorizing and strengthening the *Trafficking Victims Protection Act of 2000*, we reaffirm our commitment to preventing trafficking, protecting survivors, and prosecuting perpetrators. This legislation underscores the importance of comprehensive, coordinated efforts to address trafficking both domestically and internationally, reflecting our collective responsibility to uphold human dignity and ensure justice for all.”
- “In 2000, Congress passed the groundbreaking *Trafficking Victims Protection Act* (TVPA)—the first comprehensive federal law to address human trafficking,” said Sharon Payt, Vice President of US Corporate and Government Partnerships, International Justice Mission (IJM). “In the over two decades since, the anti-trafficking movement has expanded and strengthened with continued, bipartisan leadership from Congress and the US government, including formation of the State Department’s Office to Monitor and Combat Trafficking in Persons. Reauthorizing the TVPA is an important signal to our global neighbors that the US government remains committed to ending human trafficking. IJM is grateful to Congressman Chris Smith for his persistent dedication to this crucial issue.”
- “Hope for Justice supports the TVPA because of the robust opportunities it provides trafficking survivors to reenter society in a meaningful and deserved way. As a global organization, we are particularly thrilled with the section that addresses fighting human trafficking abroad that would allow for increased opportunity for grant funding, and expansion of prevention efforts internationally. We have seen immense results from our programs globally, and this bill will help organizations like ours continue to impact survivors worldwide. This horrific criminal enterprise has left so many survivors in its wake, and it's

time we give them the support they deserve to flourish as they heal.” -Hope for Justice

- “The Frederick Douglass TVPA's Employment and Education Program stands as a proven testament to the transformative impact of second chances for trafficking survivors. With provisions for job training, education, expungement assistance, scholarships, and case management, this initiative stands to positively shape the lives, families, and communities of survivors by offering hope and opportunity after the trauma of human trafficking.” -Thistle Farms
- “Empowering our educators and equipping our youth with the tools to recognize and prevent human trafficking, exploitation, and abuse is not just a moral imperative; it's a strategic necessity. The Frederick Douglass TVPA bill provides vital resources through grants for prevention education, enabling the frontlines of our education system to get ahead of trafficking before it ensnares another innocent life. This is why The Foundation United is dedicated to this effort and why we vehemently support this bill. Prevention is the only way to get upstream and eradicate this grave human rights violation.” -The Foundation United