



# Convention on the Rights of the Child

Distr.: General  
15 October 2024

Original: English  
English, French and Spanish only

---

## Committee on the Rights of the Child

### **Report submitted by the United States of America under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, due in 2022<sup>\*</sup>, <sup>\*\*</sup>**

[Date received: 23 January 2022]

---

\* The present document is being issued without formal editing.  
\*\* The annexes to the present document may be accessed from the web page of the Committee.



## List of acronyms

ACF	Administration for Children and Families (in HHS)
BJS	Bureau of Justice Statistics (in DOJ)
BIA	Bureau of Indian Affairs (in DOI)
CFR	Code of Federal Regulations
DHS	United States Department of Homeland Security
DoD	United States Department of Defense
DOJ	United States Department of Justice
DOL	United States Department of Labor
DOS	United States Department of State
ED	United States Department of Education
EEOC	Equal Employment Opportunity Commission
FBI	Federal Bureau of Investigation
FLSA	Fair Labor Standards Act
FYSB	Family and Youth Services Bureau (in HHS)
HHS	United States Department of Health and Human Services
HSI	Homeland Security Investigations (in DHS/ICE)
ICAC	Internet Crimes Against Children Task Force Program (in DOJ)
ICE	United States Immigration and Customs Enforcement (in DHS)
ILAB	Bureau of International Labor Affairs (in DOL)
NCMEC	National Center for Missing and Exploited Children
NGO	Non-governmental organization
NIBRS	National Incident-Based Reporting System (in FBI)
OJJDP	Office of Juvenile Justice and Delinquency Prevention (in DOJ)
ORR	Office of Refugee Resettlement (in HHS)
OTIP	Office on Trafficking in Persons (in HHS/ACF)
OVC	Office for Victims of Crimes (in DOJ)
OVW	Office on Violence Against Women (in DOJ)
TVPA	Trafficking Victims Protection Act
USAID	United States Agency for International Development
USCIS	United States Citizenship and Immigration Services (in DHS)
USTR	Office of the United States Trade Representative
WHD	Wage and Hour Division (in DOL)

## I. Introduction

1. The United States of America welcomes this opportunity to submit its Fifth Periodic Report to the Committee on the Rights of the Child (Committee) on measures giving effect to its obligations under the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OPSC). The report places particular emphasis on developments since submission of the Third and Fourth U.S. Report (CRC/C/OPSC/USA/3-4) in 2016 (hereinafter 2016 Report). The selection and order of the content in this report generally follow that of the Committee's June 2, 2017, Concluding Observations (Observations), CRC/C/OPSC/USA/CO/3-4.

2. This report draws on the expertise of the U.S. Departments of State (DOS), Education (ED), Justice (DOJ), Health and Human Services (HHS), Homeland Security (DHS), Interior (DOI), Labor (DOL), and the Treasury (Treasury), as well as the U.S. Agency for International Development (USAID) and the Office of the U.S. Trade Representative (USTR). The United States intends to hold a civil society consultation with nongovernmental organizations (NGOs) prior to its committee presentation.

## II. Follow-up information of the concluding observations (CRC/C/OPSC/USA/CO/3-4)

### A. General Observations

3. The United States appreciates the Committee's welcoming the measures it has taken in the area of child trafficking, including enactment of laws reauthorizing and supplementing the Trafficking Victims Protection Act of 2000 and other measures, such as the Trafficking Victims Protection Reauthorization Act (TVPRA) in 2013, the Preventing Sex Trafficking and Strengthening Families Act in September 2014, the Justice for Victims of Trafficking Act (JVTA) in May 2015, establishment of the Office on Trafficking in Persons under the Administration for Children and Families (ACF) in HHS in 2015, adoption of the National Strategy for Child Exploitation Prevention and Interdiction in 2016, and adoption of the Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States for 2013-2017. More recently, the Trafficking Victims Protection Act (TVPA) was reauthorized by Congress by four separate bills in 2018 and early 2019. The United States has developed and published a National Action Plan to Combat Human Trafficking, first released in October 2020 and reissued on December 3, 2021, which reflects the Administration's commitments to gender and racial equity by taking action against the systemic injustices that communities experience, including underserved populations.<sup>1</sup> Through such laws and strategies, the United States continues actively and aggressively to enforce laws against all forms of trafficking, including trafficking of children, and to provide support and protection to trafficking victims.

4. In the spirit of cooperation, the United States is providing as much information as possible in response to the Committee's questions and comments, even in the instances where the questions or information provided in response do not bear directly on obligations arising under the OPSC.

---

<sup>1</sup> The anti-trafficking efforts outlined in the updated National Action Plan to Combat Human Trafficking are directly linked to the Administration's broader efforts to address inequities for marginalized groups. These communities often experience overlapping social and economic inequities, and individuals may suffer multiple forms of abuse. As a result, individuals from these communities may be more vulnerable to becoming victims of human trafficking.

## B. Data

### Data Collection

5. As noted in our Third and Fourth Periodic Report, establishment of a unified national data collection system involves significant challenges for the United States because the federal government and state, territorial, tribal, and local governments all have jurisdiction in this area, and data collection is done by all such authorities, some of whom use different data systems and different definitions of offenses. Nonetheless, in recent years, the United States has continued to take steps toward a national data collection system in some areas. These include the December 2014 launch by DOJ of the Internet Crimes Against Children Data System (IDS), as part of the Internet Crimes Against Children (ICAC) Task Force Program, a national network of 61 coordinated task forces representing over 5,400 federal, state, and local law enforcement and prosecutorial agencies. IDS allows credentialed users investigating and prosecuting crimes involving child exploitation to contribute and access data for use in resolving case conflicts, and allows for real time analysis of data, across several platforms, to facilitate identification of targets and assist in estimating the size of the law enforcement effort needed to address these crimes. Since 1998, ICAC Task Forces have reviewed more than 1,114,000 reports of online child exploitation, resulting in the arrest of more than 108,300 suspects. In Fiscal Year (FY) 2020,<sup>2</sup> ICAC task force programs conducted more than 109,000 investigations and 85,600 forensic exams, resulting in arrests of more than 9,200 individuals. The ICAC program also trained over 24,800 law enforcement personnel, over 2,260 prosecutors, and more than 7,600 other professionals working in the field. In FY 2020, funding for ICAC totaled \$34.7 million. In December 2020, DOJ's Office for Victims of Crime (OVC) released the Human Trafficking Action Research Toolkit to provide information, strategies, tools, and other resources to help organizations and programs collect and interpret data in order to enhance their work. For further ICAC data on arrests, pleas, and trials for crimes against children, see Annex 2. Additionally, in 2021, OVC funded a training and technical assistance project that will support law enforcement to develop data plans, collect and analyze data, and support data-driven programming to better address anti-trafficking initiatives (for both minors and adults).

6. The Preventing Sex Trafficking and Strengthening Families Act of 2014 requires state child welfare agencies to report to the Secretary of HHS on an annual basis the total number of children and youth who are victims of sex trafficking, including certain tribal child sex trafficking data in the Adoption and Foster Care Analysis and Reporting System; and requires welfare agencies to report information they receive on missing and abducted children to the National Center for Missing & Exploited Children (NCMEC) and to law enforcement authorities for inclusion in the National Crime Information Center (NCIC) database. The Child Maltreatment Report of 2019, <https://www.acf.hhs.gov/sites/default/files/documents/cb/cm2019.pdf>, provides information on the first data collected on child sex trafficking from child welfare agencies under the Justice for Victims of Trafficking Act of 2015; in FY19, 29 states reported 877 unique victims of sex trafficking. HHS also implements the Human Trafficking Data Collection Project to collect data on human trafficking victimization, service needs, and identification of risk factors. HHS launched the Shepherd Case Management System in 2019, providing a secure, streamlined process to request assistance for foreign national minors who may have experienced human trafficking and fostering transparency throughout the HHS Eligibility process. In 2020, HHS partnered with USAID and the National Opinion Research Center to review and validate historical HHS Eligibility data (FY 2001 – FY 2019). In 2021, HHS awarded a contract to develop the Anti-Trafficking Information Management System, which will improve data collection and analysis from grant recipients and create an interoperable system with the existing Shepherd Case Management module.

7. The Administration for Children and Families (ACF), Family and Youth Services Bureau (FYSB), Runaway and Homeless Youth (RHY) Division in HHS require funded runaway and homeless youth programs to collect information regarding labor exploitation,

<sup>2</sup> The United States Fiscal Year (FY) runs from October 1 through September 30. Thus, FY 2020 runs from October 1, 2019, through September 30, 2020.

labor trafficking, and sex trafficking through the Runaway and Homeless Youth Homeless Management Information System (HMIS) to ensure that youth victims of human trafficking are identified and referred to specialized services.

8. The Combat Human Trafficking Act of 2015 requires the director of the Bureau of Justice Statistics (BJS) in DOJ to prepare an annual report that includes information on the number of arrests for human-trafficking offenses by state law enforcement officers, the number of prosecutions of individuals in state courts for human trafficking offenses, the number of convictions of individuals in state courts for human trafficking offenses, and the sentences imposed on individuals convicted in state courts for such offenses. As its first data collection on the roles of state attorneys general in combating human trafficking, BJS conducted a 2018 Survey of State Attorneys General. The survey drew responses from 43 states, the District of Columbia, American Samoa, Guam, and the Northern Mariana Islands. Of the 47 offices responding, local police (26) or state police (22) were more frequently identified as referral sources than any other single source. Of the 47 offices responding, three reported closing at least one case of labor trafficking with a guilty defendant, while 16 reported closing at least one case of sex trafficking with a guilty defendant. With regard to resources to investigate and prosecute cases, 31 offices had access to crime analysts, and 37 had access to computer forensics experts. Of the 47 responding offices, 44 indicated that they participated in at least one federal, regional, or state task force combatting human trafficking. In addition, most attorneys general offices had victim advocates (41) and victim service providers (35) to support victims, including victims of sex or labor trafficking.

9. A number of additional changes have been instituted to increase and improve collection of human trafficking data. In 2013, the Federal Bureau of Investigation (FBI) established the Human Trafficking Data Collection (UCR-HT) as part of its Uniform Crime Reporting (UCR) Program. State UCR programs and local law enforcement agencies that participate in this collection provide the number of offenses charged and case clearances by arrests for two types of human trafficking: sex trafficking and all forms of labor trafficking. Data collected by the FBI represent only human trafficking offenses and arrests submitted by states and agencies with the ability to record and report them. Consequently, the information available through UCR-HT collection likely underrepresents the full scope of human trafficking offenses known to state and local law enforcement. Over the past five years, participation in the UCR-HT collection has grown, with the number of reporting states with participating law enforcement agencies increasing from 37 in 2015 to 45 in 2019. From 2015 to 2019, the number of forced labor arrests reported by participating law enforcement agencies increased from 66 to 146. Sex trafficking related arrests fluctuated between 2015 and 2017, reaching a peak in 2016, but were stable from 2017 to 2019. Participating agencies reported 562 arrests for commercial sex acts in 2019. In January 2021, the FBI UCR program transitioned from a summary-based system of the number of charged offenses to an incident-based system, in which agencies report crime data, including data on human trafficking offenses, to the FBI's National Incident-Based Reporting System (NIBRS). This enables examination of further details with regard to trafficking incidents, including the number and demographic characteristics of victims to identify whether the victim is a child or an adult, where and when incidents occurred, whether any weapons or injuries were associated with the offense(s), and information about persons arrested in connection with the trafficking. In addition, NIBRS uses standardized definitions to maintain uniform and consistent data. These definitions ensure that the FBI UCR program considers and appropriately counts all criminal offenses of law, regardless of the different titles under state and local law or U.S. titles and statutes.

10. The Criminal Cases in State Courts collection is a new effort by DOJ/BJS to gather, from state court electronic records, data on the number and attributes of cases closed in state trial courts. This effort will produce national estimates of activity in state courts and provide an understanding of case characteristics and outcomes. In 2019, BJS also administered the 2019 Census of Tribal Law Enforcement Agencies, the first BJS data collection focused solely on tribal law enforcement agencies, law enforcement agencies operated by the Bureau of Indian Affairs Office of Justice Services, and the Alaska State Troopers who provide services to Alaska Native Villages under their jurisdiction. Among other elements, agencies were asked whether they had made any arrests for sex trafficking or labor trafficking during

the previous year. Data collection ended on December 31, 2019, with a 92 percent response rate.

11. The 2019 National Survey of Victim Service Providers (NSVSP), administered by DOJ/BJS to a nationally representative sample of victim service providers from the 2017 National Census of Victim Service Providers, surveyed about 7,200 organizations that served victims of crime or abuse as their primary function or that had dedicated staff or programs to serve victims. The NSVSP collected detailed information about the victim services field, including the range of services being provided to victims, characteristics of victims who received services, whether services were related to sex trafficking or labor trafficking, characteristics of staff providing services to victims, and gaps in services. DOJ/BJS is currently preparing the 2019 NSVSP data for release in 2022. Collection of such data is important in describing the types and level of support available for crime victims, including services for hard-to-reach victim populations.

12. Finally, DOJ/BJS' National Corrections Reporting Program, which collects offender-level data on state prison admissions and releases, has updated its codes related to human trafficking to improve measurement of the number of individuals incarcerated in state prisons for human trafficking offenses. In addition, the National Crime Statistics Exchange Initiative, a collaboration between BJS and the FBI, seeks to increase the number of law enforcement agencies reporting detailed crime data to the NIBRS.

13. The Attorney General's most recent publicly available Annual Report to Congress on U.S. Government Activities to Combat Trafficking in Persons (for Fiscal Year 2018) can be found at <https://www.justice.gov/humantrafficking/page/file/1276166/download>. DOS's 2021 Report on U.S. Government Efforts to Combat trafficking in Persons can be found at <https://www.state.gov/report/2021-trafficking-in-persons-report/>.

## C. General measures of implementation

### General Principles of the Convention

#### *Legislation*

14. Prior to becoming a party to the OPSC, the United States carefully reviewed its laws and determined that they were sufficient to allow effective implementation of its OPSC obligations, as outlined in the U.S. reservations and understandings, which remain in effect, including the offenses regarding sale of children as defined in articles 2 and 3.

15. With regard to harmonization of the age of the child between federal, state, and tribal legislation, due to our federal system, the U.S. federal government cannot effect changes directly in state or tribal criminal laws but can and does encourage harmonization efforts. Federal laws and corresponding protections for victims generally extend to those under age 18. See, e.g., 18 U.S.C. §1591 (sex trafficking); 18 U.S.C. §§ 2421-2423 and 2425 (transportation, coercion and enticement, transportation of minors, and use of interstate facilities to transmit information about a minor); 18 U.S.C. §§ 2251-2260 (child pornography)<sup>3</sup>; 18 U.S.C. § 3509 (special protections for minors); 18 U.S.C. § 3771 (rights and protections for federal crime victims); and Fed. R. Evid. 412 (protections for victims of sexual assault). Every state has enacted human trafficking laws, and many of those similarly extend protection to those under 18. State laws criminalize trafficking activity, provide judicial protections for survivors, establish funding sources for anti-trafficking efforts, coordinate stakeholder efforts, regulate businesses to mitigate the impact of trafficking, and educate the public on trafficking issues. According to the National Conference of State Legislatures, as of 2020, 36 states had Child Advocacy Offices or ombudspersons. DOJ/OVC has partnered with the National Conference of State Legislatures to develop a database of state human trafficking enactments. OVC also funds a state demonstration initiative called

<sup>3</sup> This report uses the phrase "child pornography" because that is the term used in federal law and in the Optional Protocol. However, the United States notes the international consensus that this term misrepresents the nature of the material and the harm it inflicts on children. Accordingly, many advocates and experts prefer to use alternative terms, such as "child sexual abuse material".

Vision 21: Linking Systems of Care for Children and Youth, which aims to ensure that every child entering relevant systems, such as public health, educational, and justice systems, at any governmental level is assessed for victimization (including exploitation and trafficking), that children and their families are provided comprehensive and coordinated services that fully address their needs, and that practices and policies are established to sustain this approach in the long term. OVC also funds a program specifically focused on improving outcomes for child and youth victims of human trafficking by supporting coordination at the statewide and tribal jurisdiction level, to create effective change across systems. HHS's Children's Bureau also funds a State Court Improvement Program (CIP), which is available to the highest court of appeal in every state, Puerto Rico, and the District of Columbia. The purpose of the CIP is to (1) promote the continuous quality improvement of court processes and legal representation in child welfare proceedings through ongoing data analysis, assessment, interventions, and training, and (2) enhance and expand collaboration between the judicial branch of state government, the title IV-E/IV-B agency, and tribes to improve child welfare outcomes.

### *Comprehensive Policy and Strategy*

16. The United States works aggressively to prevent all types of trafficking of children, to punish those who engage in the offense, and to assist and reintegrate into the community child victims of trafficking. Two national strategies related to trafficking of children currently guide the work of the United States: DOJ's 2016 National Strategy for Child Exploitation Prevention and Interdiction, developed under the auspices of the National Coordinator for Child Exploitation Prevention and Interdiction in DOJ, and DOJ's 2017 National Strategy to Combat Human Trafficking. These strategies encompass programs addressing all forms of child trafficking and exploitation, run throughout the federal government by DOJ, HHS, DHS, DOS, DOL, and other agencies, in many cases in collaboration with state, local, tribal, and territorial government and law enforcement partners. The United States prioritizes not only prevention and prohibition, but also the recovery and reintegration of child victims of all forms of trafficking. The DOJ National Strategy for Child Exploitation Prevention and Interdiction identifies innovative ways the federal government and its partners can address child exploitation and the provision of services to those affected. In addition, DOJ/OVC, which is the largest federal funder of anti-trafficking programs, supports numerous programs specifically focused on child and youth victims of trafficking, including programs focused on direct services for child sex and labor trafficking victims; preventing trafficking of girls; systems-level change to improve outcomes for child and youth victims of sex trafficking; and enhancing juvenile and family court responses to human trafficking.

17. The United States' work on labor trafficking of children, in particular, is centered in DOL's Bureau of International Labor Affairs (ILAB) and DOL's Wage and Hour Division (WHD). The Office of Child Labor, Forced Labor, and Human Trafficking (OCFT) in ILAB leads the fight to eradicate these crimes and labor abuses outside the United States. OCFT combats forced labor through global leadership and in-depth research on forced labor in more than 150 countries around the world, including the development of individual country recommendations to support the enforcement of labor provisions in trade agreements and preference programs. OCFT also engages with foreign governments, civil society organizations, companies, consumers, U.S. government interagency partners, other change-makers, and labor organizations to strengthen laws, enforcement, policies, and social programs to end child labor, including forced labor. Moreover, OCFT applies social compliance tools for businesses and trade associations, such as the mobile application Comply Chain, and the Better Trade Tool, an online accountability resource, to raise awareness of risks and ensure that goods produced with child forced labor are not in global supply chains. In May 2021, DOL collaborated with DOS, USAID, and USTR to submit the U.S. Action Pledge for the UN International Year for the Elimination of Child Labor. In this pledge, DOL committed to provide \$57 million during 2021 to accelerate action internationally to eliminate child labor and forced labor. In carrying out this work, DOL works with DOJ, DHS, HHS, Treasury, USTR, DOS, USAID, and many other government agencies, non-governmental entities, and foreign governments. Internationally, the U.S. Accelerating Protection and Care for Children in Adversity (APCCA) Strategy also guides a

whole-of-government approach to investing in the development, care, dignity, and safety of the world's most vulnerable children and their families.

18. DOJ's Office of Juvenile Justice and Delinquency Prevention's (OJJDP) Internet Crimes Against Children Task Force Program (ICAC) helps state, local, and tribal law enforcement agencies develop effective responses to technology-facilitated child sexual exploitation and internet crimes against children. The ICAC program involves a national network of 61 coordinated task forces representing more than 5,400 federal, state, local, and tribal law enforcement and prosecutorial agencies engaged in proactive and reactive investigations, forensic investigations, and criminal prosecutions. OJJDP's FY 2020 National AMBER Alert Training and Technical Assistance Program is a partnership of law enforcement, broadcasters and media, transportation agencies, emergency centers, other public safety agencies, and child protection organizations and professionals dedicated to recovering endangered, missing, and abducted children. OJJDP also supports organizations that provide mentoring services for children and youth who are victims of commercial sexual exploitation and domestic sex trafficking. In addition, the National Council of Juvenile and Family Court Judges has created a National Judicial Institute on Domestic Child Sex Trafficking and a curriculum to help judicial officers better understand the dynamics of domestic child sex trafficking, the applicable law and legal considerations, and how to identify children at risk. With DOJ funding, the National Resource Center and Clearinghouse (NRCC), operated by NCMEC, is designed to help prevent child abduction and sexual exploitation, and to provide technical assistance to victims, their families, and the professionals who serve them. NCMEC operates a 24-hour toll-free Missing Children's Hotline and a CyberTipline, the nation's centralized reporting system for online exploitation of children. Of the more than 26,500 endangered runaway children reported to NCMEC in 2020, one in six were likely victims of child sex trafficking. OJJDP, through its FY 2021 Children's Advocacy Centers (CACs) National Subgrants program, plans to fund the National Children's Alliance to support local CACs, state chapters, and multidisciplinary teams that provide a coordinated investigation and comprehensive response to child abuse, specifically to provide services and improve the response to children who are victims of child pornography, including those victims of child pornography who are also victims of commercial sex trafficking.

19. Services and assistance to child victims of trafficking are also available from HHS and other federal, state, tribal, and community funded programs. HHS/ACF uses a gender-responsive, trauma-informed approach to victims' services, based on trauma-informed work with children, and developed with the National Center for Trauma-Informed Care. The ACF/FYSB has developed multiple technical resources to build the capacity of funded programs serving runaway and homeless youth and youth at-risk. These include resources on human trafficking online recruitment, labor trafficking among runaway and homeless youth, trauma-informed response to youth victims of sex trafficking, and human trafficking prevention among runaway and homeless youth settings. In FY21, FYSB partnered with Thorn, a national organization working to address online sexual exploitation of children and youth, to facilitate a training focusing on online challenges impacting young people, such as sextortion and sexting. HHS incorporates content on trauma-informed responses in its Stop, Observe, Ask, Respond (SOAR) trainings on human trafficking for healthcare and human services providers. In 2021, HHS released the Core Competencies for Anti-Trafficking Response in Health Care and Behavior Health Systems, which incorporates trauma-informed responses. The TVPA of 2000 also authorized HHS to certify foreign victims of severe forms of trafficking in persons, making these individuals eligible for federally funded benefits and services to the same extent as refugees. Every state has a state Refugee Coordinator or Regional Representative who oversees benefits for trafficking victims as well as refugees and other populations. In addition, services are provided by state governments, and non-governmental and community organizations.

### **Coordination and Evaluation**

20. In our federal system, numerous actors at various governmental levels and in non-governmental organizations are involved in the prevention and prohibition of child trafficking and exploitation and the restoration and reintegration of child victims. The role of the DOJ National Coordinator for Child Exploitation Prevention and Interdiction is to



establish clear policy and programmatic directions for DOJ and to coordinate implementation of that policy and the activities with relevant stakeholders, including the federal government, other levels of government – states, territories, and tribal governments – and non-governmental organizations working in the area. More specifically, to achieve policy objectives to improve the response to child exploitation, the National Coordinator cooperates and coordinates with law enforcement (international, federal, state, territorial, local and tribal), prosecutors (federal, state, territorial, local and tribal), victim and witness coordinators, non-governmental organizations, probation offices, child advocacy centers, private sector entities, schools, child welfare agencies, academic institutions, religious organizations, hospitals, and civil legal service providers. Governmental agencies at all levels regularly work with non-governmental organizations.

21. Despite unprecedented challenges, the United States took strong measures to ensure the effectiveness of its coordination efforts in this area during the COVID-19 pandemic. Based on consultations with local government and NGOs nationwide, DOJ and HHS published comprehensive resource guides for grantees on how to operate, provide services, and manage grants during COVID-19. Additionally, DOJ provided additional flexibilities in its grants administration requirements to provide relief to funding recipients affected by the loss of operational capacity and increased costs due to the COVID-19 crisis. DOL published recommendations for governments and other stakeholders to protect children at heightened risk of labor exploitation during the pandemic. Through their field programs, DOL also implemented targeted efforts to raise awareness of the danger posed by the virus and how it may be increasing vulnerability to exploitative labor practices. The National Human Trafficking Hotline, funded by HHS, transitioned to full remote operations with no disruption in services and found creative solutions for individuals in lockdown areas through partnerships with the business community to ensure victims access to shelter. The number of emergency trafficking cases reported to the Hotline increased by more than 40 percent in the first month following shelter-in-place orders in 2020 when comparing post-shelter-in-place with pre-shelter-in-place times in 2019 and 2020. DOJ, DHS, and DOS, along with the other countries in the Five Country Ministerial—Australia, Canada, New Zealand, and the United Kingdom—consulted with leading tech companies on development of public service announcements to prevent and respond to online exploitation, including child sex trafficking. DHS expanded its internet safety messaging for children in response to traffickers' increased use of the internet to reach children. In FY 2021, U.S. Immigration and Customs Enforcement Homeland Security Investigations (ICE/HSI) provided in-person and virtual Project iGuardian campaign presentations, which focused on providing education and awareness to children, teens, and adults about the potential dangers of online environments and how to stay safe online, to over 58,000 participants. In FY 2020, ICE/HSI partnered with news outlets to present targeted outreach campaigns that focused on the protection of children from online predators. These presentations aired live and were streamed online and via social media platforms, reaching tens of thousands of viewers. DHS's Blue Campaign purchased social media advertisements and directed viewers to iGuardian resources through the Blue Campaign online safety webpage, which received over 212,000 visits from advertisements that ran from June 15 through September 5, 2020. In addition, FBI Child/Adolescent Forensic Interviewers (CAFIs) developed and implemented a process that allowed victims to be forensically interviewed virtually, if needed. CAFIs continued to operate and conduct remote victim and witness in-person interviews during the COVID-19 pandemic with the use of personal protective equipment to prevent exposure. Furthermore, in early 2020, the HSI Victim Assistance Program developed tele-forensic interview protocols to be utilized by the Forensic Interview Specialists to continue to conduct interviews during the COVID-19 pandemic with protective protocols in place.

#### **Dissemination, Awareness-Raising.**

22. Authorities in the United States work actively to raise awareness of the OPSC and to promote public awareness of the need to prevent and combat the crimes covered by the OPSC, in particular with regard to children at risk of becoming victims and their parents. Descriptions of awareness-raising activities are found in the Attorney General's Trafficking Report, <https://www.justice.gov/humantrafficking/reports-and-publications>, and throughout this report. The provisions of the OPSC are also widely available to the public online and

through publications. The DOS website sets forth a list of 20 actions the public can take to combat human trafficking including a hotline to call, a list of goods that may have been produced by child labor or forced labor, protocols for schools, a description of how to recognize recruitment tactics, tips for health care providers in recognizing indicators of human trafficking, and others. U.S. Attorneys' Offices work with private sector entities, such as hotels and airlines, and with community groups, faith-based organizations, victim advocacy groups, academic organizations, medical professionals, and legal aid offices to increase awareness. In April 2021, Treasury, in coordination with DOJ and DHS, held a training for the casino and gaming industry on identifying human trafficking and related money laundering.

23. DHS established the DHS Center for Countering Human Trafficking (CCHT) on October 20, 2020, to advance counter human trafficking law enforcement operations, protect victims, and enhance prevention efforts by aligning DHS's capabilities and expertise. DHS celebrated the one-year anniversary of CCHT on October 20, 2021, by launching a new public website at [www.dhs.gov/CCHT](http://www.dhs.gov/CCHT) and announcing a number of new initiatives to combat human trafficking. Additionally, the DHS Blue Campaign continues to be highly effective in educating the public, law enforcement, vulnerable communities, and industry partners on recognizing the indicators of human trafficking and how to respond to possible cases. Relatedly, the HHS National Advisory Committee on Preventing Sex Trafficking of Children and Youth in the United States published its interim report in FY 2020. That report contains recommendations and supporting resources that states may consult as they work to improve the response to sex trafficking of children and youth within their jurisdictions. The Committee also released a State Self-Assessment Survey in FY 2021 to assess strategies to respond to children and youth experiencing sex trafficking and develop recommendations for states. HHS also launched the Human Trafficking Youth Prevention Education Demonstration Grants in FY 2020, funding eight local educational agencies to develop and implement programs to prevent human trafficking by providing skills-based training to school staff and students and developing a Human Trafficking School Safety Protocol. In FY 2021, HHS awarded a contract to develop new Look Beneath the Surface Campaign materials for public awareness, education, and outreach efforts. Finally, in the United States education system, school curricula are developed at state and local levels. However, the federal government does work to make information available to help schools be aware of trafficking of children and to make resources available for teaching about it and taking appropriate action to address it when it occurs.

24. On its own and in collaboration with other agencies, ED has been involved in numerous efforts to elevate awareness on combating human trafficking, including working with partners at the federal, state, and local level, hosting informational webinars, and using social media to communicate and disseminate anti-trafficking messaging and resources. In FY 2020, ED released a series of webinars on preventing and protecting students from human trafficking. The webinars provided education administrators, teachers, and specialized instructional support personnel with information on how they can identify and support students affected by human trafficking. They also shared strategies to prevent human trafficking and child labor exploitation in light of increased internet use among youth due to COVID-19. In 2022, ED plans to produce and make public a Human Trafficking Staff Development Webinar Series that will include three pre-recorded information sessions accessible for streaming for educators working to address human trafficking in their school or district settings. The sessions will also provide links to additional resources and information. In 2022, ED also plans to develop an easy-to-use communication resource for schools and districts to support their trafficking prevention and intervention efforts that will be available in various formats for maximum flexibility, develop another series of human trafficking information webinars, and update its human trafficking webpage.

25. In 2021, ED released the second edition of *Human Trafficking in America's Schools*, a guide for educators to provide awareness of the current prevalence of child trafficking and the forms it takes and to explain what schools can do to prevent, respond, and help students to recover from human trafficking. It features recent research on human trafficking prevention and protection strategies and an additional focus on vulnerable populations and reintegration of trafficking survivors. Originally released in 2015, the guide includes information for school staff about risk factors, recruitment, and how to identify trafficking;

what to do if someone suspects trafficking; and other resources. Additionally, a brief entitled “Addressing the Growing Problem of Domestic Sex Trafficking in Minors through Positive Behavioral Interventions and Supports (PBIS),” released in 2021, describes how PBIS can serve as a strategy to support trafficking survivors. ED also maintains a webpage dedicated to providing helpful federal resources for education administrators, teachers, specialized instructional support personnel, parents, caregivers, and students to combat trafficking.

## **Training**

26. With regard to the Committee’s recommendation that the effectiveness and impact of training be assessed, the Government Performance and Results Act (GPRA) of 1993 requires federal agencies to set goals, measure results, and report their progress in achieving program objectives based on projected percentage changes. Federal agencies working on human trafficking, including trafficking of children, regularly assess the effectiveness and impact of their work. While it would not be possible in this report to list the evaluation projects of all agencies, as an example, HHS/ACF released a study examining the link between foster care runaway episodes and human trafficking in 2020, <https://www.acf.hhs.gov/opre/report/examining-link-foster-care-runaway-episodes-and-human-trafficking>; an evaluation of the domestic victims of human trafficking program in 2021, <https://www.acf.hhs.gov/opre/report/evaluation-domestic-victims-human-trafficking-program-final-report>; and a comprehensive examination of prevalence studies that could be applied in the United States in 2021, <https://www.acf.hhs.gov/opre/report/human-trafficking-policy-and-research-analysis-project-comprehensive-review-prior>. The Office on Trafficking in Persons (OTIP) in HHS/ACF reports annually to Congress on a select set of indicators of program performance, including the following:

- Certification of eligibility – the number of victims certified per year through HHS Certification and Eligibility Letters (see Annex 3);
- Service Provision to Foreign Victims – the number of foreign victims served by the entire network of grantees;
- Service Provision to Domestic Victims – the number of domestic victims served by the entire network of grantees;
- Victim identification – the number of potential trafficking victims identified by the National Human Trafficking Hotline;
- Survivor Engagement – the number of incoming communications received from victims and survivors of trafficking;
- Training impact – the percentage of individuals trained who have high or very high confidence in their ability to identify and respond to human trafficking after receiving SOAR to Health and Wellness Training through the National Human Trafficking Training and Technical Assistance Center; and
- OTIP also reports on the total number of individuals who receive training through the National Human Trafficking Training Assistance Center and the total number of communications received by the hotline.

27. Similar evaluation work is done by all federal agencies involved with human trafficking and by many states and cities for the programs they administer.

## **Allocation of Resources**

28. At all governmental levels—federal, state, territorial, tribal, and local—in the United States, budget allocations for programs to address trafficking of children for sex, labor, and other activities are public. As noted above, government agencies do assess the effectiveness of their programs and the budget allocations allotted to them. Officials at all levels in the United States place high priority on the matters covered by OPSC and continue to work to find the most effective ways of addressing them. Information on federal funding for anti-trafficking programs is included in the Attorney General’s most recent, publicly available Annual Report to Congress on U.S. Government Activities to Combat Trafficking in Persons (for FY 2018), [www.justice.gov/humantrafficking/page/file/1276166/download](http://www.justice.gov/humantrafficking/page/file/1276166/download).

### III. Prevention of the sale of children, child prostitution and child pornography (art. 9 (1) and (2))

#### Measures Adopted to Prevent Offenses Prohibited under the Protocol

29. The United States takes a comprehensive approach to preventing the offenses prohibited under the Protocol, which includes three levels: primary, secondary, and tertiary prevention. Primary prevention helps stop violence before it occurs. Primary prevention strategies include strengthening and creating healthy relationships, reducing risks within the individual's environment, increasing buffers to violence, and targeting education for children, teens, and adults through training and social awareness campaigns. Secondary prevention provides an immediate response to violence as it occurs. These services include first responses, such as basic services and emergency and medical care that address short-term consequences. Tertiary prevention activities involve long-term responses that occur in the aftermath of violence, such as long-term housing, job training, therapeutic counseling, and other supportive services that seek to prevent re-victimization and provide access to rights and services, if appropriate, through DOJ's Victim Notification Program, <https://www.justice.gov/criminal-vns>.

30. A proactive prevention approach requires the involvement of multiple government agencies responsible for protecting people from all forms of violence and assisting those who have experienced it. This approach provides an opportunity for agencies to partner with community-based providers to evolve, adjust, and respond to the needs of children, youth, and families in their communities before they reach a critical level of risk or danger. Preventing violence requires acting across multiple levels at the same time, focusing on the individual (including factors such as age, education, income, substance abuse, and behavioral history), the individual's relationships (e.g. family, friends, co-workers, peers), the community (e.g. schools, workplaces, neighborhoods), and societal factors (e.g. broad social and cultural norms, health, economic factors, and educational and social policies). By working together, agencies and community providers can change attitudes and perceptions and alter the services environment so that individuals and families receive the support they need before human trafficking can occur. HHS/ACF is committed to working with federal and other stakeholders to establish and implement a national human trafficking prevention action plan as part of the National Action Plan to Combat Human Trafficking.

31. With regard to school curriculums, as noted above, curricula are developed at the state and local levels in the United States. However, as a resource, ED has published a Human Trafficking Framework for Instructional Programming in Schools. In addition, various school districts have put together trafficking curricula as a resource for students at various grade levels, and the National Criminal Justice Training Center and other non-governmental organizations have also published curricula on human trafficking as a resource for students of differing grade levels.

32. The United States is aware that children in vulnerable situations, such as those living in poverty; unaccompanied children without lawful immigration status; members of racial or ethnic minority groups; runaway and homeless youth; American Indian and Alaskan Native children; persons with disabilities; LGBTQ+ individuals; children in the child welfare and juvenile justice systems, including foster care; and others may be more likely to encounter and become possible victims of offenses prohibited under the OPSC.<sup>4</sup> Officials at all levels, as well as non-government organizations that work with such children, seek to ensure that they are appropriately aware of and protected from such harm. In FY 2020, HHS, through

<sup>4</sup> While U.S. efforts to combat human trafficking have grown in magnitude and sophistication over the years, the United States still struggles with how to address the disparate effects of human trafficking on members of racial minority communities. For example, there are aspects of government-run systems or programs that have historic and ongoing, disproportionate, and negative impact on members of marginalized communities, which increases their vulnerability to human trafficking. To be truly effective, a comprehensive approach to prosecution, protection, and—most of all—prevention must embed racial justice and equity across its policies and programs. See <https://www.state.gov/acknowledging-historical-and-ongoing-harm-the-connections-between-systemic-racism-and-human-trafficking/>.

the National Human Trafficking Training and Technical Assistance Center, convened a Human Trafficking Leadership Academy cohort of Indigenous leaders with professional and lived experience to develop recommendations about leveraging culture as a protective factor to prevent trafficking among all Indigenous youth. The HHS framework on Missing and Murdered Indigenous Persons (MMIP) also includes efforts at the intersection of human trafficking and MMIP, <https://www.acf.hhs.gov/ana/mmna-framework>.

33. An important feature in the U.S. government's anti-trafficking response is its regular engagement with survivor leaders of human trafficking. The U.S. Advisory Council on Human Trafficking (the Council), which was established by the Justice for Victims of Trafficking Act (JVTA), provides a formal platform for trafficking survivors to advise and make recommendations on federal anti-trafficking policies to the President's Interagency Task Force to Monitor and Combat Trafficking in Persons. Each member is a survivor of human trafficking, and together they represent a diverse range of backgrounds and experiences, including survivors of child sex trafficking and individuals who serve children who have experienced or are at risk of human trafficking. The Council is appointed by the President for two-year terms. Since its establishment, the Council has produced five annual reports (available at: <https://www.state.gov/u-s-advisory-council-on-human-trafficking/>) and collaborated with the U.S. government to implement its recommendations on enhancing federal anti-trafficking policies and programs. Through its recommendations over the years, the Council has encouraged U.S. federal agencies to support increased training opportunities by survivors for direct service professionals on identifying, preventing, and responding to trafficking among underserved children and youth populations, as well as encouraging ED and schools to partner with advocates who are Survivor Leaders and can support youth who have experienced trafficking in navigating various systems of care. It has also addressed prevention of child sex trafficking by calling for the development of online safety and prevention tools that target individuals at-risk of human trafficking online, individuals exploiting others through human trafficking online, and/or potential online buyers of commercial sex from human trafficking victims. Additionally, it recommends addressing the gaps and issues relating to the intersection between pornography, human trafficking, and child sexual exploitation.

### **Economic Exploitation of Children**

34. The United States works actively to prohibit and prevent child labor trafficking both within the United States and throughout the world. DOL has an important role to play in combating trafficking in persons through civil enforcement of federal labor laws, research and funding for grants overseas, and employment and training expertise.

35. The child labor provisions of the Fair Labor Standards Act (FLSA) are designed to protect the educational opportunities of youth and prohibit their employment in jobs that are detrimental to their health and safety. The FLSA defines and prohibits the employment of "oppressive child labor" in the United States. For non-agricultural employment, it establishes a general minimum age of 16 years for employment in non-hazardous occupations and a minimum age of 18 years for employment in any occupation determined by the Secretary of Labor to be hazardous to the health or well-being of minors. Children 14 and 15 years of age may be employed outside of school hours in a variety of non-manufacturing and non-hazardous jobs for limited periods of time and under specified conditions. Children under 14 years of age may not be employed in non-agricultural occupations covered by the FLSA. For agricultural employment, the FLSA establishes that children ages 16 and above may work in any farm job at any time. Children aged 14 and 15 may work outside of school hours in jobs not declared hazardous by the Secretary of Labor. Children 12 and 13 years of age may work outside school hours in non-hazardous jobs on farms that also employ their parent(s) or with written parental consent. Children under the age of 12 may work outside school hours in non-hazardous jobs with parental consent, but only on farms where none of the employees are subject to the minimum wage requirements of the FLSA. Local children ages 10 and 11 may hand harvest short season crops outside of school hours for no more than eight weeks between June 1 and October 15 if their employers have obtained special waivers from the Secretary of Labor. Finally, children may work at any time in any job on a farm owned or operated by their parents. The FLSA prohibits the interstate shipment of goods produced in an establishment in or about which oppressive child labor is employed. All states

also have child labor laws, compulsory schooling requirements, and other laws that govern children's employment and activities. No state law may weaken the worker protections provided by the FLSA. However, state laws that impose greater worker protections will supersede those provided by the FLSA.

36. DOL/WHd engages in robust enforcement activities to promote compliance with child labor laws in non-agricultural and agricultural industries. These enforcement actions involve conducting focused initiatives, fully utilizing enforcement and compliance tools, and conducting increased numbers of educational and community outreach activities targeted to this workforce. In all investigations in which WHd finds child labor violations, the agency considers assessing civil money penalties as a deterrent. WHd follows the requirements of the Child Labor Enhanced Penalty Program to address child labor violations that cause the serious injury or death of a minor. These violations carry a maximum civil money penalty of \$60,115. In addition to rigorous enforcement, WHd is focused on improving compliance with federal child labor laws by increasing outreach efforts. WHd maintains a robust website dedicated to its longstanding YouthRules campaign; this resource provides a diverse array of educational resources on child labor protections. WHd also conducts outreach events to reach working youth, their parents, their educators, and their employers.

37. In FY 2021, WHd found child labor violations in 747 concluded cases. In those cases, WHd found that 2,819 minors were working in violation of the FLSA. In addition, in 208 of these cases, violations of Hazardous Occupation Orders were found, with a total of 545 minors employed in violation of such orders. The most common violations often involve the failure to comply with the hours standards for 14- and 15-year-olds in non-agricultural industries, and the failure to comply with Hazardous Orders in non-agricultural industries for 16- and 17-year-olds.

38. WHd conducted several statewide or regional initiatives on particular industries in which child labor violations are prevalent, such as construction, groceries, and restaurants. A child labor component is included in many of the outreach events associated with these initiatives. WHd enforces the child labor provisions to ensure that children are protected from illegal employment in prohibited hazardous occupations and that those who are eligible to work have safe and appropriate work experiences. WHd examines child labor in all of its investigations under the FLSA, including agriculture. In May 2021, WHd announced that its investigation into a 16-year-old boy's fatal fall from doing roof construction atop a hotel work site found that the teenager's employer, Stover and Sons Contractors, Inc., a Madison, Tennessee construction contractor, violated two hazardous occupation orders of the child labor provisions of the FLSA. The orders ban employers from allowing minors under age 18 to perform roofing activities or to operate or ride on a power-driven hoisting apparatus. Further investigation determined that the employer also violated child labor laws when it allowed the boy to work more than 8 hours a day and more than 40 hours per week when he was 15 years of age. WHd assessed Stover and Sons a \$122,364 civil penalty under the Child Labor Enhanced Penalty Program. The program permits WHd to assess penalties of up to \$59,413 for each child labor violation related to the death or serious injury of a worker under age 18 for violations that occurred on or before January 15, 2021. Stover and Sons is currently contesting the penalties.

39. In January 2021, WHd announced that its investigation into Sunscape LLC, a landscaping materials supplier based in Orlando, Florida, resulted in the employer's paying a civil money penalty of \$15,804 for violating child labor requirements of the FLSA. WHd investigators determined that the employer had violated child labor requirements by employing two 17-year-olds and one 13-year-old to operate a forklift, by employing a 13-year-old who was under the legal age for non-agriculture jobs, and by allowing the child to work before 7 a.m., more than 8 hours per workday, and more than 40 hours per workweek. In November 2020, WHd announced that as a result of its investigation into Sinkula Investments Ltd. Co., operator of 10 northern Kentucky Wendy's franchise locations, the employer paid a civil money penalty of \$16,160 for violating child labor requirements of the FLSA. WHd investigators determined that Sinkula had violated child labor requirements by employing 14- and 15-year-old employees to operate equipment prohibited by law for workers in that age group. Child labor hazardous occupations violations resulted from the

minors operating gas ranges, pressure cookers, and deep fryers not equipped with an auto-lift feature to lower and raise baskets into and out of hot grease.

40. Through WHD's civil enforcement of the FLSA, DOL partners with federal law enforcement agencies on the identification and referral of potential instances of trafficking in persons and the calculation of restitution amounts for victims. WHD also strategically approaches enforcement efforts by focusing on industries where labor law violation rates are high and vulnerable low-wage workers are often reluctant to assert their rights and raise their voices. The FLSA authorizes DOL to conduct workplace inspections and investigations to determine if oppressive child labor is present and to enforce child labor provisions. Penalties include civil monetary fines, injunctions of business activities and, in some cases, criminal penalties, including imprisonment.

41. DOL works aggressively on implementation of the Federal Strategic Action Plan on Services to Victims of Trafficking. In 2015, WHD added three qualifying crimes—extortion, forced labor, and fraud in foreign labor trafficking—for which it will complete U nonimmigrant status certifications, when appropriate, when those crimes are detected in the course of its workplace investigations. WHD also exercises similar authority in completion of T nonimmigrant status declarations for victims of human trafficking, where appropriate. U.S. Citizenship and Immigration Services (USCIS) administers the T nonimmigrant status program, which is available to victims of severe forms of trafficking in persons, and the U nonimmigrant status program, which is available to victims of qualifying criminal activity. T nonimmigrant status (commonly referred to as the T visa) is a temporary immigration benefit that enables certain victims of a severe form of trafficking in persons to remain in the United States for up to four years if they have complied with any reasonable requests for assistance from law enforcement in the detection, investigation, or prosecution of acts of trafficking or qualify for an exemption due to age or an exception due to trauma, and meet other requirements. U nonimmigrant status (commonly referred to as the U visa) is a temporary immigration benefit that enables certain victims of qualifying criminal activity to remain in the United States if they have been, are being, or are likely to be helpful to law enforcement in the detection, investigation, or prosecution of qualifying criminal activity, and meet other requirements. Both U and T nonimmigrants may be eligible to adjust status to lawful permanent residence under certain circumstances and may petition for certain eligible family members. For further data on applications for T and U non-immigrant status, see Annex 3.

42. On October 20, 2021, USCIS issued comprehensive guidance regarding the adjudication of applications for T nonimmigrant status. This guidance clarifies DHS policies for victims of trafficking while emphasizing the victim-centered approach and eliminates barriers for noncitizen victims of trafficking seeking immigration relief. USCIS also published the first ever standalone T Visa Law Enforcement Agency Resource Guide for certifying officials on October 21, 2021. This Guide emphasizes that completing the Form 914 Supplement B is consistent with a victim-centered approach. On June 14, 2021, USCIS implemented the U Bona Fide Determination (BFD) process. The BFD process provides eligible noncitizen victims living in the United States with employment authorization and deferred action if they have a pending bona fide U nonimmigrant status petition and merit a favorable exercise of discretion.

43. WHD is part of a government-wide strategy to combat human trafficking in the United States. The Division, with the support of its Solicitor's Office, carries out civil law enforcement in the United States' workplaces. WHD investigators are in workplaces across the country every day interviewing employees and assessing situations where workers may have been intimidated, threatened, or held against their will. They are often the first government authorities to witness exploitive labor practices in the workplace and, as a result, play a very important role in WHD's commitment to identifying and combating human trafficking. WHD participates in more than 120 joint governmental task forces around the country, which collaborate with state, local and federal law enforcement agencies to identify and combat trafficking of persons. In cases involving labor trafficking, WHD investigators often provide expertise in analyzing complicated and often falsified payroll records and provide technical expertise on computing back wages to ensure that trafficking victims receive the full amount of restitution due to them. In FY 2021, WHD made nine referrals to federal, state, and local law enforcement agencies or task forces and referred two H

(employment based) visa cases to DOL's inspector general regarding allegations of human trafficking. WHD and DOL's Office of Inspector General worked concurrently on one investigation. Additionally, five criminal law enforcement agencies referred cases to DOL and one criminal agency requested Wage and Hour's assistance.

44. DOL/ILAB conducts and funds rigorous research and uses the results to inform the design and implementation of policy and programs relevant to addressing global child labor. Such research covers worker livelihoods and the violation of worker rights, including the prevalence of child labor and occurrence of forced labor around the world. ILAB also sponsors qualitative studies, quantitative surveys, impact evaluations, and other research products to study worker livelihoods, the incidences and root causes of child labor and worker rights violations, and the effectiveness of particular policies and interventions. These studies help ILAB review its policies and interventions, advance its understanding of why certain project strategies work or do not work, help identify the most effective policy approaches, provide information to strengthen enforcement efforts, and compile new data on workers and child laborers. The work of ILAB's Office of Child Labor, Forced Labor, and Human Trafficking also includes its own research and publication of major reports on international child labor, forced labor, and human trafficking; funding and oversight of projects to eliminate exploitive child labor and forced labor around the world; and assistance in the development and implementation of U.S. government policy on international child labor and forced labor and other human trafficking issues. ILAB engagement and technical cooperation initiatives have made critical differences in the lives of close to two million children and 185,000 families through education and livelihood support and increased capacity of governments and other stakeholders to combat child labor and forced labor. ILAB produces three public reports on international child labor and forced labor: the annual "Findings on the Worst Forms of Child Labor," the biannual "List of Goods Produced by Child Labor or Forced Labor," and the periodic "Products Produced by Forced or Indentured Child Labor." Taken together, these reports document the current situation of child labor, forced labor, and forced child labor around the world.

45. In December 2020, ILAB awarded \$8 million for two technical assistance projects to improve downstream tracing of goods made with child labor or forced labor. In January 2020, DHS also published its first strategy to combat human trafficking, the importation of goods produced with forced labor, and child sexual exploitation. In October 2019, the Office of Management and Budget in the White House also finalized guidance on anti-trafficking risk management best practices and mitigation considerations, which enhances the effectiveness of anti-trafficking requirements in federal acquisition and helps contractors manage and reduce the burden associated with meeting these responsibilities.

46. The 20th edition of the annual "Findings on the Worst Forms of Child Labor," released by DOL in September 2021, assesses foreign governments' efforts and provides recommendations to combat the worst forms of child labor, including child trafficking, in 131 countries and territories. In September 2020, DOL released the 9th edition of its biennial "List of Goods Produced by Child Labor or Forced Labor," which advances supply chain accountability by providing information on goods made with forced and child labor by country of origin. In September 2020, DOL also released an update of its "Comply Chain: Business Tools for Labor Compliance in Global Supply Chains" mobile app. The updated app includes more than 50 additional examples from cross-sector partnerships and international organizations, among others, of how to identify, remediate, and prevent child labor and forced labor through strong social compliance systems. It also features recent legal developments in the anti-trafficking field and information to ensure that hiring practices protect workers, encourage and empower workers to speak out against exploitation, and strengthen public reporting on efforts to implement social compliance systems. In September 2021, DOL released a Malay version of Comply Chain to complement existing English, Spanish, and French versions of the app. Also in September 2021, DOL launched its new Better Trade Tool, an online compliance resource that integrates existing reporting on child and forced labor with U.S. import trade data to support supply chain transparency and responsible sourcing. DOL also updated its mobile app, "Sweat & Toil: Child Labor, Forced Labor, and Human Trafficking Around the World," to include the 2021 and 2020 "Findings on the Worst Forms of Child Labor" and updates to the "List of Goods Produced by Child Labor or Forced Labor."



47. USTR, within the Executive Office of the President, develops and coordinates U.S. international trade, commodity, and direct investment policy. USTR also monitors and negotiates trade agreements and administers trade preference programs, which include U.S. government priorities to address child labor and forced labor, and promotes trade and labor around the globe by building international consensus on issues such as forced labor in bilateral, regional, and multilateral fora. The trade agreements to which the United States is a party have long included provisions to require parties to adopt, maintain, and enforce legal provisions on the elimination of child labor and all forms of forced or compulsory labor. In addition, the United States-Mexico-Canada Agreement (USMCA), which replaced the North American Free Trade Agreement (NAFTA) and entered into force on July 1, 2020, includes a groundbreaking provision requiring all three countries to prohibit the importation of goods produced wholly or in part with forced labor, including forced child labor. Under the legislation implementing the USMCA, a May 2020 Executive Order established a Forced Labor Enforcement Task Force to monitor U.S. enforcement of the prohibition of imports produced wholly or in part by convict labor, forced labor, and/or indentured labor, including forced or indentured child labor, under penal sanctions. In cooperation with USTR, DOL also works to ensure that United States trading partners live up to their commitments through monitoring and enforcement of labor provisions of trade agreements and trade preference programs, including on child labor and forced labor. In 2019, for example, Mauritania's eligibility for trade preference benefits under the African Growth and Opportunity Act (AGOA) was terminated after the President determined that Mauritania was not making sufficient progress toward establishing protection of internationally recognized worker rights. Specifically, Mauritania had made insufficient progress toward combating forced labor, in particular hereditary slavery.

48. In December 2019, the Department of the Treasury hosted its inaugural Partnership to Combat Human Rights Abuse and Corruption event, annually bringing together more than 400 NGO, industry, and government partners to combat human rights abuses, including those involving human trafficking and corruption, through enhanced information sharing and coordination on illicit finance and corruption networks. In January 2020, Treasury published a webpage on Treasury's role and tools to combat human trafficking, <https://home.treasury.gov/news/featured-stories/combating-human-trafficking>. In October and December 2019, Treasury's Financial Crimes Enforcement Network (FinCEN) collaborated with DHS ICE/HSI and DOJ to provide analytical support to four criminal investigations into human trafficking networks. In addition, FinCEN trained DOJ human trafficking coordinators and members of the Attorney General's Advisory Committee on Child Exploitation and Human Trafficking Working Group on FinCEN's recent work related to human trafficking and recommendations for using Bank Secrecy Act data in human trafficking investigations. In 2018, Treasury contributed to the Financial Action Task Force's global report on money laundering and human trafficking, raised awareness of this issue, and encouraged governments to adopt the good practices outlined in the report, <https://www.fatf-gafi.org/media/fatf/content/images/Human-Trafficking-2018.pdf>. Treasury's FinCEN published two advisories on human trafficking to help financial institutions identify the movement of human traffickers' funds and to support law enforcement investigations that use financial intelligence [https://www.fincen.gov/sites/default/files/advisory/2020-10-15/Advisory%20Human%20Trafficking%20508%20FINAL\\_0.pdf](https://www.fincen.gov/sites/default/files/advisory/2020-10-15/Advisory%20Human%20Trafficking%20508%20FINAL_0.pdf). In 2018, FinCEN also updated its Suspicious Activity Report (SAR) form to include a checkbox for financial institutions to identify potential suspicious activity related to human trafficking. This update to the SAR form helps the financial industry report suspicious activity potentially tied to human trafficking in a more comprehensive way. The update also allows law enforcement to more easily identify potential perpetrators or enablers of human trafficking.

49. Between October 1, 2019, and July 31, 2020, Treasury received 98,536 SARs alleging human trafficking. Large depository institutions and money services businesses continued to be the most prominent filers of SARs related to suspected human trafficking-related activity. In October 2020, FinCEN issued a supplemental advisory on human trafficking, including updated information about financial investigations, money laundering, forfeiture, international case studies, and guidance related to filing of SARs, [https://www.fincen.gov/sites/default/files/advisory/2020-10-15/Advisory%20Human%20Trafficking%20508%20FINAL\\_0.pdf](https://www.fincen.gov/sites/default/files/advisory/2020-10-15/Advisory%20Human%20Trafficking%20508%20FINAL_0.pdf). In addition, on

September 16, 2021, FinCEN issued a Notice specifically focused on child exploitation, including highlights of financial trends financial institutions should be aware of related to online child exploitation. <https://www.fincen.gov/sites/default/files/shared/FinCEN%20OCSE%20Notice%20508C.pdf>. On November 8, 2021, Treasury hosted a half-day conference to address financial transparency in human trafficking, including child sex trafficking and forced labor, and child exploitation. The conference also covered combating forced labor in supply chains and anti-corruption efforts in the United States, the United Kingdom, France, and elsewhere. In October 2020, DOS and Treasury, on behalf of the President's Interagency Task Force to Monitor and Combat Trafficking in Persons, published an analysis of anti-money laundering efforts of the U.S. government, U.S. financial institutions, and international financial institutions related to human trafficking and recommendations to strengthen the efforts of those institutions, <https://www.state.gov/report-to-congress-on-an-analysis-of-anti-money-laundering-efforts-related-to-human-trafficking/>.

50. With regard to the Committee's recommendation concerning ILO Convention No. 138, the 1998 ILO Declaration on Fundamental Principles and Rights at Work confirms that all ILO Members have an obligation, arising from the very fact of membership in the organization, to respect, promote, and realize in good faith the principles concerning the fundamental rights that are the subject of the ILO's eight core conventions, including the effective abolition of child labor. Although the United States has not ratified the majority of those conventions, the United States has demonstrated, in its follow-up reports under the Declaration, that U.S. workers enjoy the fundamental principles and rights at work.

51. With regard to unaccompanied noncitizen children brought into or arriving in the country for purposes amounting to economic exploitation, HHS/ACF/OTIP develops and implements anti-trafficking strategies, policies, and programs to address economic and labor exploitation. HHS's Office of Refugee Resettlement (ORR) serves unaccompanied children in two distinct programs: the Unaccompanied Refugee Minors Program (URM) and the Unaccompanied Children (UC) Program. The URM Program serves some of the most vulnerable minors in the world: those fleeing persecution, violence, or abuse who enter the United States without a parent or other suitable caregiver. Children enter the URM Program by applying directly to ORR or by being referred through the UC Program or by DOS. ORR's UC Program takes custody of unaccompanied children referred from DHS or other federal agencies after it has been determined that the child entered the country without a parent or legal guardian, is without lawful immigration status, and is under 18 years of age. Once children are placed in the UC Program, they receive case management (including family unification), immunizations, and medical, dental, and mental health services, as well as educational and legal services while awaiting unification with a vetted sponsor, usually a parent or a close relative in the United States, pending their immigration proceedings or until they are placed in URM foster care with licensed partners. Bridging child welfare experience with expertise in refugee resettlement, these programs are shaped to care for minors with forced migration and traumatic experiences.

52. Adoption. The United States continues actively to implement its obligations under the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague Adoption Convention) with regard to intercountry adoptions. The Intercountry Adoption Act of 2000 (IAA) and its implementing regulations require the accreditation and monitoring of all adoption service providers who provide services in the United States in intercountry adoption cases, unless acting under the supervision and responsibility of an accredited adoption service provider or preparing a home study as an exempted provider. The IAA imposes civil and criminal penalties for any person who offers, gives, solicits, or accepts inducement intended to influence the decision of an accrediting entity, the relinquishment of parental rights, or the decision or action of a central authority, or who provides adoption services without accreditation or approval (unless supervised or exempted). The Intercountry Adoption Universal Accreditation Act, which went into effect July 14, 2014, extended the safeguards provided by accreditation to orphans being adopted from countries that are not Hague Adoption Convention parties, their adoptive parents, and their birth parents. This ensures that adoption service providers are all held to the same federal standards and ongoing monitoring and oversight, no matter from which country a child is adopted.

53. U.S. regulations implementing the IAA prohibit child buying. Title 22, Part 96, Section 36 of the Code of Federal Regulations (CFR) requires agencies and persons to prohibit their employees and agents from giving money or other consideration, directly or indirectly, to a child's parent(s) or other individual(s) or an entity as payment for the child or an inducement to release the child. 22 CFR Part 96 also ensures effective and systematic accreditation and monitoring of individuals and entities providing adoption service in intercountry adoptions, ensures that adoption processes do not result in financial gain, and adequately and effectively implements the Hague Adoption Convention. On November 20, 2020, DOS published draft changes to 22 CFR 96. Those proposed changes are designed in part to ensure that fee structures are more reasonable and understandable. Among other elements, they require that fees charged for care prior to adoption must be structured as broader assistance to child welfare efforts and disassociated from the care of a specific child, must be charged only once, must not be unreasonable, and must be disclosed to the prospective parents as part of the overall fee disclosure. The regulations also prohibit payment of incentive or contingent fees that create an incentive to recruit children for intercountry adoptions, require greater transparency with regard to fees, and also provide for post-placement monitoring and post-adoption services. DHS regulations require denial of intercountry adoption petitions if there is evidence of child-buying or prohibited payments for a child, see 8 CFR 204.3(h)(14)(i) and 204.304(a). Under U.S. laws and regulations, accredited agencies and approved persons must ensure that intercountry adoptions take place in the best interests of the child.

54. The United States continues its active outreach efforts to better educate adoption service providers and prospective adoptive parents, including by improving awareness of and compliance with the Hague Adoption Convention process. To ensure compliance with foreign countries' legal procedures relating to intercountry adoption, the U.S. immigration process requires prospective adoptive parents to present an adoption order valid under local laws. The United States also provides extensive information to prospective adoptive parents and adoption service providers about each foreign country's system and engages in bilateral discussions with other countries to prevent or address any issues such as unregulated custody transfer of children.

55. As part of the accreditation and approval process to provide adoption services in intercountry adoption, adoption service providers in the United States must demonstrate that they provide adequate training and counseling to adoptive parents in preparation for adoption to integrate adopted children into adoptive families and promote the permanency of the adoptive placement. Regulations governing accreditation require that the adoption service provider arranging the adoption provide the prospective adoptive parent(s) with at least 10 hours of preparation and training, independent of the home study and subsequent report. This includes counseling on the child's history and cultural background, known health risks, and any other medical, social, educational, or other data known about the child, see 22 CFR 96.48. Training for social workers and case managers on adoption laws, regulations, and issues is also provided by federal and state authorities, as well as NGOs and other private groups.

56. Surrogate Motherhood. Recognizing that surrogacy is a complex issue, we respectfully note that surrogacy, as a practice, does not appear to fall within the scope of the OPSC. Surrogacy, as a practice, does not involve the sale of children, as defined in Article 2, or any of the acts and activities that States parties are obligated to criminalize under Article 3. No federal legislation exists regarding payments to surrogate mothers and there are no plans to formulate federal laws or regulations on surrogacy at this time.

57. Questions of parentage and family matters are generally handled at the state or tribal level in the United States, and state laws regarding surrogacy vary widely. For instance, commercial surrogacy is illegal in some states and is expressly permitted and regulated in others. A majority of states in the United States have laws that in some fashion address surrogacy, whether through statute or case law. Some states have laws that provide that surrogacy contracts are invalid, while others set up specific mechanisms to approve contracts, set eligibility requirements for surrogates and intended parents, or mandate counseling and separate legal counsel for all parties.

58. Extraterritorial Child Sexual Exploitation and Abuse. Federal law prohibits an American citizen or resident from traveling to or residing in a foreign country and engaging

in “illicit sexual conduct” with a minor, which includes commercial sexual exploitation, production of child pornography, and sexual abuse. In September 2019, in the first appellate decision to consider the issue, the U.S. Court of Appeals for the District of Columbia Circuit in *United States v. Park*, 938 F.3d 354 (D.C. Cir. 2019) affirmed the constitutionality of the statute that applies to Americans residing abroad. The U.S. Court of Appeals for the Sixth Circuit is currently considering the same issue. It is also illegal to knowingly help organize or assist another person to travel for these purposes. Convicted offenders face fines and up to 30 years in prison.

59. The Providing Resources, Officers, and Technology to Eradicate Cyber Threats to Our Children (PROTECT Our Children) Act of 2008 requires that the Attorney General develop and implement a National Strategy for Child Exploitation Prevention and Interdiction (National Strategy). Under the most recent National Strategy, published in 2016, the United States continues to work aggressively to combat extraterritorial child sexual exploitation and abuse both within the United States and abroad, including programs noted in the Committee’s Concluding Observations as well as more recent programmatic innovations designed to address recent challenges, such as encryption, use of mobile devices, and the dark web. Experts throughout the federal government work actively to stop extraterritorial child sexual exploitation and abuse. These include experts in the FBI-led Child Exploitation Human Trafficking Task Forces, which collaborate with approximately 400 state, local, tribal and federal law enforcement partners; the FBI Innocent Images National Initiative; DOJ’s Child Exploitation Section and High Technology Investigations Unit; DHS/ICE’s Operation Predator and its Cyber Crimes Center Child Exploitation Investigations Unit; the ICE/HSI Victim Identification Program; Postal Service Inspectors; the U.S. Marshals Service fugitive apprehension program; and U.S. Attorney’s Offices working on Project Safe Childhood. Federal law enforcement officials also work to stop extraterritorial child sexual exploitation and abuse with international counterparts through Interpol. Future goals include targeting emerging technologies, offender organizations, and high-value individual offenders, enhancing international collaborations, and identifying victims. In addition, USAID’s Digital Strategy, released in 2020, contains a Protecting Children and Youth from Digital Harm workstream. This workstream, which is under development, will focus on prevention interventions, including stopping extraterritorial child sexual exploitation and abuse, [https://www.usaid.gov/sites/default/files/documents/USAID\\_Digital\\_Strategy.pdf](https://www.usaid.gov/sites/default/files/documents/USAID_Digital_Strategy.pdf). The United States is also engaged in aggressive outreach and awareness activities including expanding and updating community-based internet safety outreach efforts, developing nation-wide messaging, enhancing awareness and educational activities, improving awareness of sextortion offenses, and engaging in law enforcement and prosecutor training.

60. With regard to concerns that perpetrators could avoid liability for sexual exploitation of children by presenting as a defense “clear and convincing evidence” that the person with whom they engaged in a commercial sex act had attained the age of 18 years, we are not aware of a case where such a defense has been successfully asserted. We also note that conviction under this criminal provision does not require that a U.S. citizen reside in the United States.

#### **IV. Prohibition of the Sale of Children, Child pornography and Child Prostitution and Related Matters (arts. 3, 4(2) and (3), and 5-7)**

61. Existing Criminal or Penal Laws and Regulations. As noted above, in becoming a party to the OPSC, the United States carefully reviewed its laws and determined that they were sufficient to allow effective implementation of its obligations, as outlined in the U.S. instrument of ratification. Federal statutes define a commercial sex act as “any sex act on account of which anything of value is given to or received by any person,” 18 U.S.C. § 1591(e)(3) and 22 U.S.C. § 7102(4), and therefore do not require that remuneration be in the form of an exchange of money. The United States is not aware of any form of “sale” of children as described in OPSC Article 3(1) that cannot be prosecuted under U.S. law. Moreover, the United States notes that OPSC Article 3(2) relating to “attempts to commit

acts” applies “subject to the provisions of a State Party’s national law,” and notes further that a number of the laws through which the OPSC is implemented in the United States include attempted actions in the definition of prohibited activities, see, e.g., 18 U.S.C. § 1594(a) (attempted sex trafficking), 18 U.S.C. § 2241 (aggravated sexual abuse), 18 U.S.C. § 2242 (abuse), 18 U.S.C. § 2243 (sexual abuse of a minor or ward), 18 U.S.C. § 2251(e) (providing penalty for attempted production of child pornography), 18 U.S.C. § 2252(b) (providing penalty for attempts to engage in certain activities related to material involving the sexual exploitation of minors), and 18 U.S.C. § 2423(e) (criminalizing attempts to engage in certain child sexual exploitation offenses).

62. U.S. law related to child pornography provides protection for children in a manner consistent with the free speech requirements of the First Amendment to the U.S. Constitution. In *New York v. Ferber*, 958 U.S. 747 (1982), the U.S. Supreme Court recognized a category of expression that is outside the coverage of the First Amendment—the visual depiction of children in films or still photographs in a variety of sexual activities or exposures. Such depictions may be prohibited based on the governmental interest in protecting the physical and psychological well-being of children whose participation in the production of these materials would subject them to exploitation and harm. The Supreme Court found that the government may go beyond a mere prohibition of the use of children because it is not possible to protect children adequately without prohibiting the exhibition and dissemination of materials and advertising about them. However, because expression is involved, the government must carefully define what conduct is to be prohibited and may reach only “works that visually depict sexual conduct by children below a specified age.” Federal law prohibits the production, distribution, reception, and possession of an image of child pornography using or affecting any means or facility of interstate or foreign commerce, see 18 U.S.C. § 2251; 18 U.S.C. § 2252; 18 U.S.C. § 2252A. Specifically, 18 U.S.C. § 2251 makes it illegal to persuade, induce, entice, or coerce a minor to engage in sexually explicit conduct for purposes of producing visual depictions of that conduct. Any individual who attempts or conspires to commit a child pornography offense is also subject to prosecution under federal law. With regard to the Committee’s concerns, we are not aware of harmful offenses related to child pornography that cannot be prosecuted effectively under U.S. law.

63. In the United States, those convicted of offenses covered by the OPSC are subject to appropriate punishment under federal and state law, and the same is true for those convicted of attempt to commit such offenses. Any violation of federal child pornography law is a serious crime, and convicted offenders face appropriate statutory penalties. For example, a first-time offender convicted of producing child pornography under 18 U.S.C. § 2251 faces fines and a statutory minimum of 15 years to 30 years maximum in prison. A first-time offender convicted of transporting child pornography in interstate or foreign commerce under 18 U.S.C. § 2252 faces fines and a statutory minimum of five years to 20 years maximum in prison. Convicted offenders may face harsher penalties if they have prior convictions for offenses related to child sexual exploitation or sexual assault. In these circumstances, a convicted offender may face up to life imprisonment. Accordingly, we are not aware of any circumstance where the penalties prescribed by U.S. law for offenses covered by the OPSC are not considered appropriate or otherwise commensurate with the gravity of the crime, consistent with Article 3 of the OPSC.

64. Sale of Organs. The National Organ Transplant Act of 1984 (NOTA), as amended, established a criminal prohibition against the exchange of organs for transplantation for valuable consideration. NOTA authorized the Secretary of HHS to make grants to organ procurement organizations, created the Scientific Registry of Transplant Recipients, and created the Health Resources and Services Center, Organ Procurement and Transplantation Network and partnerships within HHS to administer these activities. Violation of this criminal prohibition in NOTA is punishable by up to five years in prison or a fine of not more than \$50,000 or both. NOTA does allow for reasonable payments associated with the removal, transportation, implantation, processing, preservation, quality control, and storage of a human organ. NOTA also allows payments for the expenses of travel, housing, and lost wages incurred by living organ donors. The Uniform Anatomical Gift Act, a model statute intended for adoption in state jurisdictions, also bans sale of organs. A 2013 HHS regulation clarified that blood stem cells fall under the definition of “human organ” under NOTA, thereby making illegal the transfer of such blood cells for valuable consideration. In 2011,

DOJ prosecuted the first organ trafficking case under NOTA, in which the defendant pleaded guilty and was sentenced to two and a half years in prison for brokering three illegal kidney transplants for adult customers in New Jersey. There are no known reports of sale of children's organs in the United States.

65. A compilation of state statutes concerning sale of organs, prepared by the National District Attorneys Association was attached to our Second Periodic Report. A website that covers the legislation, policy, and history of organ donation in the United States can be found at: <https://optn.transplant.hrsa.gov/about/history-nota/>. As explained in the U.S. initial report, at paragraphs 19-20, although U.S. state laws may not always criminalize the sale of organs *per se*, conduct prohibited by the OPSC would necessarily fall within the scope of one or more state criminal statutes, such as assault, battery, maiming, child abuse, or criminal homicide, consistent with the United States' obligations under the OPSC. We also note that non-governmental organizations in the United States, such as the Organ Donation and Transplantation Alliance, track and report on state laws regarding organ donation and transplantation and related issues.

66. Extraterritorial Jurisdiction. As noted in our previous report, establishment of jurisdiction by a State Party over its nationals as perpetrators or victims outside its territory under OPSC Article 4(2) is not mandatory, and the United States does not routinely do so. Nonetheless, as discussed in Section V (L) (Jurisdiction) of the Second Periodic Report, in addition to cases covered by the special aircraft or special maritime and territorial jurisdiction, U.S. law extends jurisdiction under a number of statutes relevant to implementation of the OPSC. For all these statutes, a child is considered to be anyone under the age of 18.

67. For example, federal law provides "extraterritorial jurisdiction" over certain sex offenses against children. 18 U.S.C. § 2423(c) prohibits U.S. citizens or legal permanent residents from traveling from the United States to a foreign country, or residing in a foreign country and while there, raping or sexually molesting a child, producing child pornography, or engaging in a commercial sex act with a child. Citizens can be punished under this law even if the conduct they engaged in was legal in the country where it occurred. For example, if an individual traveled to a country that had legalized prostitution,<sup>5</sup> and while there paid a child for sex, that individual could still be prosecuted and convicted under the statute. The penalty is up to 30 years in prison.

68. 18 U.S.C. § 2423(b) makes it a crime for U.S. citizens or legal permanent residents to travel from the United States to a foreign country with a motivating purpose to engage in illegal sexual conduct with a child, such as rape, molestation, or prostitution. The difference between § 2423(b) and § 2423(c) is that § 2423(b) requires proof that the defendant had formed criminal purpose at the time the defendant began to travel. The penalty for this offense is also up to 30 years in prison. Finally, § 2423(d) makes it a crime to be what is known informally as a "child sex tour operator." This statute makes it an offense to profit by facilitating the travel of U.S. citizens or legal permanent residents, knowing that they are traveling for the purpose of engaging in illegal sex with a minor. The penalty for this offense is up to 30 years in prison.

69. Some child pornography laws also apply to conduct overseas. 18 U.S.C. §§ 2251(c) and 2260(a) both make it a crime for anyone to produce child pornography in foreign countries if they import the child abuse images into the United States, or if they intend to do so. The penalty for a first-time offender under these statutes is at least 15 years up to a maximum of 30 years in prison. Finally, 18 U.S.C. § 1596 grants extraterritorial jurisdiction over sex trafficking of children or any individual by force, fraud, or coercion as well as over forced labor and other trafficking crimes. This means that federal prosecutors can investigate and prosecute certain foreign nationals who commit sex trafficking crimes against children outside the United States. Section 1596 also allows the federal government to investigate and

<sup>5</sup> As with the term "child pornography," the United States notes that the term "child prostitution" fails to reflect the nature of the harm inflicted on children by such activities. This report uses the phrase "child prostitution" because that is the term used in federal law and in the Optional Protocol, but the United States is of the view that the use of this term is otherwise inappropriate.

prosecute U.S. nationals and residents who commit child sex trafficking crimes in foreign countries.

70. Extradition. Consistent with OPSC Article 5(1), the United States considers the offenses covered by the OPSC to be included as extraditable offenses in bilateral extradition treaties the United States has with other OPSC State Parties, particularly list-based treaties that predate the United States' 2002 ratification of the OPSC and that do not list the offenses referred to in Article 3(1) of the OPSC. All of the United States' modern extradition treaties incorporate the concept of dual criminality, and as noted above U.S. law criminalizes the offenses covered by the OPSC. So long as a requesting State Party has met its OPSC obligation to criminalize the offenses referred to in Article 3(1), the dual criminality requirement will generally have been met for purposes of executing an extradition request from that State Party.

71. The U.S. actively pursues extradition for offenses covered by the OPSC. For example, the United States has successfully obtained the extradition of foreign nationals to the United States for prosecution in conjunction with the U.S.-Mexico Bilateral Human Trafficking Enforcement Initiative, an initiative among DOJ, DHS/ICE/HSI, and Mexican law enforcement counterparts to strengthen high-impact prosecutions under both U.S. and Mexican law. Efforts under the initiative have resulted in prosecutions in both Mexico and the United States, including federal prosecutions of more than 50 defendants in multiple cases in New York, Georgia, Florida, and Texas since 2009, and numerous Mexican federal and state prosecutions of associated sex traffickers.

## **V. Protection of the Rights of Child Victims (Arts. 8 and 9(3) and (4))**

72. Measures Adopted to Protect the Rights and Interests of Child Victims of Offenses Prohibited under the Optional Protocol. As indicated in our 2016 Report, services to child victims are provided through numerous federal departments and agencies, including DOS, DOJ, DHS, USAID, and HHS; state, territorial, local, and tribal authorities; and civil society. As is evident from the updated National Action Plan to Combat Human Trafficking, released in December 2021, the federal government supports an integrated federal response to human trafficking and emphasizes the importance of investing resources in anti-trafficking policies and programs.

73. Numerous programs to protect the rights and interests of child victims of trafficking have been or are being pursued in the United States. A few are highlighted here. HHS delivers services to minors who have experienced human trafficking through the Trafficking Victim Assistance Program, Domestic Victims of Human Trafficking Services and Outreach Program, and the Demonstration Grants to Strengthen the Response to Victims of Human Trafficking in Native Communities. In 2021, HHS/ACF/OTIP also published resources on trafficking prevention and protection among unaccompanied children, <https://www.acf.hhs.gov/otip/victim-assistance/child-eligibility-letters/resources>, in addition to other comprehensive victim assistance programs, <https://www.scf.hhs.gov/otip/victim-assistance>.

74. In FY 2019, DOJ/OJJDP announced a program of Specialized Services and Mentoring for Children and Youth Victims of Sex Trafficking and Sexual Exploitation, designed to support the efforts of organizations to develop or enhance their mentoring capacity, facilitate outreach efforts, and increase the availability of direct services for child and youth victims of commercial sexual exploitation and domestic sex trafficking. Under this initiative, experienced organizations work with OJJDP's existing training and technical assistance provider to develop or enhance mentoring service models and mentoring based on best practices to focus on the needs of children who are risk or are victims of commercial sexual exploitation and domestic sex trafficking. Nine awards, totaling more than \$4 million, were granted to non-government organizations for this work in FY 2019. The Youth Collaboratory developed a toolkit for youth services providers, and the National Council of Juvenile and Family Court Judges developed the National Judicial Institute on Domestic Child Sex Trafficking.

75. OJJDP also supports the NCMEC, whose AMBER Alert System is now being used in all 50 states, the District of Columbia, in tribal nations, Puerto Rico, the U.S. Virgin Islands, and 33 other countries. In addition, with the passage of the Ashlynnne Mike AMBER Alert in Indian Country Act in 2018, OJJDP is committed to working to integrate tribal communities into state or regional AMBER Alert communication plans, ensuring the widest coverage possible should an AMBER Alert need to be activated. By November 2021, 1,085 child victims had been successfully recovered through AMBER alert. OJJDP's Specialized Services and Mentoring for child and youth victims of sex trafficking and Sexual Exploitation Training and Technical Assistance also supported local communities and organizations to enhance capacity to respond to the needs of child victims of sexual exploitation.

76. DOJ awarded more than \$100 million in anti-trafficking funding in FY 2019. This funding included 65 awards totaling \$42.9 million to provide direct services to trafficking victims and \$6 million to four grantees to improve outcomes for child and youth trafficking victims. Initiatives included 32 awards for specialized services for child victims of trafficking (\$15.5 million), five awards for improving victim services (\$4.4 million), and one for training and technical assistance to improve services for labor trafficking victims (\$1 million). DOJ also made 10 awards totaling \$4.7 million to support specialized services and mentoring for child and youth victims of sex trafficking and sexual exploitation. In addition to previously funded Enhanced Collaborative Model anti-trafficking task forces, DOJ awarded \$21 million as part of its FY 2019 anti-trafficking funding to 15 task forces, which included funding for 13 state and local enforcement agencies and 12 victim service providers implementing a collaborative approach to identify and combat all forms of human trafficking. In FY 2020, DOJ awarded over \$101 million to support victims of human trafficking. In addition to research, training, and technical assistance, and direct services programs, which often include services for minor victims, DOJ/OVC funded over \$4.2 million total to four recipients to enhance coordinated, multidisciplinary, and statewide approaches to at-risk populations to improve outcomes for children and youth who are victims of human trafficking; over \$1.8 million total to four organizations, including a training and technical assistance provider, to support prevention and early intervention services, including mentoring and other direct support services for girls who are at risk of or are victims of sex trafficking; over \$6.8 million to four recipients to develop, expand, and strengthen assistance programs for minor victims of sex trafficking; and nearly \$2 million total to three organizations to develop, expand, or strengthen victim service programs for minor victims of labor trafficking. OVC also awarded over \$17.7 million to 27 programs to support the effectiveness of collaborative and multidisciplinary task forces to combat human trafficking.

77. As noted above in paragraph 19, HHS supports and advocates for the use of trauma-informed approaches with regard to services to child trafficking victims, as indicated in the report entitled "Trauma-informed Approaches: Federal Activities and Initiatives," developed with support from the Substance Abuse and Mental Health Services Administration's National Center for Trauma-Informed Care. This report outlines the commitment of federal agencies to implementing gender-responsive, trauma-informed approaches.

78. In FY 2019, HHS anti-trafficking grantees provided comprehensive case management assistance to 2,398 victims of trafficking and eligible family members. HHS issued 311 Certification Letters and 892 Eligibility Letters to adult and child victims of trafficking, respectively, to be eligible to apply for benefits and services to the same extent as refugees. In FY 2020, HHS and the National Human Trafficking Hotline increased collaboration with NCMEC to strengthen protocols on locating, protecting, and serving children. HHS also integrated anti-trafficking efforts into child welfare, runaway and homeless youth, unaccompanied children, domestic violence, and Native communities programming, as well as in federally qualified health center programming through training and technical assistance and data collection. In partnership with DOJ, HHS launched a four-part national virtual listening session series on preventing and responding to child trafficking during Child Abuse Prevention Month in April 2020. The series included discussions about the impact of COVID-19 on children and youth as well as federal, state, local, and tribal efforts to safeguard child trafficking victims. Additionally, in FY20, HHS/FYSB released the Issue Brief "Human Trafficking Prevention: Strategies for Runaway and Homeless Youth Settings." This resource offers practical approaches to assist organizations integrate human trafficking



prevention within their programs. FYSB also released a factsheet addressing the impact of human trafficking on adolescent health, as well as the resource guide “Human Trafficking in Youth Serving Organizations.” Due to the increase of incidents of labor trafficking among runaway and homeless youth, FYSB released a series of training and resources to provide youth serving organizations with information on how to respond to and prevent labor exploitation and trafficking within their programs.

79. DHS’s U.S. Secret Service’s Childhood Smart Program, which aims to increase awareness of sexual exploitation, including child sex trafficking, and to reduce child victimization provided resources to 17,845 children and parents in the United States in FY 2020.

80. According to a report by the National Conference on State Legislators (NCSL), as of April 2017, 24 states had created task forces, committees, or director positions to improve stakeholder collaboration for responses to human trafficking; 20 states and the District of Columbia had legislated prosecutorial immunity for trafficked youth; at least 29 states and the District of Columbia provided diversion opportunities for youth away from the justice system to programs and services that addressed their underlying needs; all states had penalties for traffickers; and at least 44 had increased penalties for those who commit these crimes or related offenses against children, [https://www.ncsl.org/Portals/1/Documents/cj/SafeHarbor\\_v06.pdf](https://www.ncsl.org/Portals/1/Documents/cj/SafeHarbor_v06.pdf). A number of tribal governments also have anti-trafficking initiatives.

81. Millions of dollars are provided each year to a wide variety of non-governmental organizations to carry out programs to prevent child trafficking and provide services to child victims. The work of these non-governmental organizations is monitored and evaluated according to the requirements of the contracting or granting process. In addition, the process of monitoring and evaluation, itself, is also studied and critiqued, see, e.g., a report completed for the DOJ Office of Justice Programs in 2014, <https://www.ojp.gov/pdffiles1/nij/grants/248578.pdf>. Moreover, the Office on Violence Against Women (OVW) administers grant programs authorized by the Violence Against Women Act, as amended, that allow grant funds to serve domestic violence, sexual assault, dating violence, and stalking victims who are also victims of severe forms of trafficking in persons. In addition, OVW’s Tribal Governments Program, Grants to Tribal Sexual Assault and Domestic Violence Coalitions Program, and Consolidated Grant Program to Address Children and Youth Experiencing Domestic and Sexual Assault and Engage Men and Boys as Allies provide funding to respond to victims whose primary victimization is sex trafficking and support prevention, intervention, and response activities, including services for runaway and homeless youth, youth who identify as LGBTQ, and youth victims of sex trafficking, as well as culturally specific supportive services for American Indian and Alaska Native victims of sex trafficking. OVW also funds training and technical assistance projects to enhance the capacity of grantees to address sex trafficking. OVW has funded the “Sovereign Responses to Sex Trafficking in Indian Country and Alaska” conference as well as the International Organization for Adolescents to provide specialized training and technical assistance to organizations serving youth victims of sex trafficking, youth victims of international domestic sex trafficking, and sexual exploitation through commercial means or survival sex, including those involved in the juvenile criminal justice system. In all cases, the federal government seeks to ensure that the research and programs it supports are efficiently and effectively carried out to meet their stated objectives, as required by federal law. In addition, to address a serious problem involving missing and murdered American Indians and Alaska Natives, particularly women and girls, President Biden issued on November 15, 2021, an Executive Order on Improving Public Safety and Criminal Justice for Native Americans and Addressing the Crisis of Missing or Murdered Indigenous People. This Executive Order includes renewed focus on addressing trafficking, exploitation, and abuse of American Indian and Alaska Native children. Also, DOI has established a special unit to focus resources on active and unsolved missing persons cases.

82. With regard to legal representation for child pornography victims and incentives for such victims to seek support, DOJ/OVC enhances the capacity to assist crime victims and to provide leadership in changing attitudes, policies, and practices to promote justice and healing for all victims of child pornography. OVC administers the Crime Victims Fund, created by the 1984 Victims of Crime Act, a major source of funding for victim services

throughout the United States, including those in the area of child victimization and human trafficking. The Fund supports thousands of programs annually, representing millions of dollars invested in victim compensation and assistance throughout the United States and its territories, as well as training and demonstration projects designed to enhance the skills of those who provide services to victims. OVC also administers two major grant programs that support direct services to crime victims in every state, the District of Columbia, and five territories, providing discretionary funds to meet emerging needs and fill gaps in existing services. In addition, OVC also funds the Tribal Victim Services Set-Aside program (TVSSA), which is administered through a non-competitive, administrative formula to all U.S. federally recognized tribes that choose to participate. The TVSSA supports culturally responsive victim services to meet the unique needs of American Indian and Alaska Native communities. OVC also operates a Training and Technical Assistance (TTA) Center that provides training opportunities for providers and advocates at all levels of victim services. Additionally, OVC provides practitioner-driven, evidence-based TTA focused specifically on building capacity and increasing expertise of organizations and entities that encounter and provide services to survivors of human trafficking. This includes TTA projects to assist courts in implementing trauma-responsive policies to identify survivors of human trafficking who are facing criminal charges; to respond to the needs of survivors facing charges with a range of outcomes in their cases and a continuum of social service referrals; and to reduce the infliction of harm on survivors facing criminal charges in court proceedings. OVC also provides comprehensive legal TTA to build the capacity of legal and social service providers to deliver services to human trafficking victims and increase victims' access to the full spectrum of legal remedies available to them to increase their safety, financial wellbeing, independence, and self-sufficiency through access to trained legal service providers.

83. With regard to compensation for child exploitation victims, on December 7, 2018, the Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018 was enacted. This legislation gives victims of child pornography the option of receiving reparation by applying to a fund, avoiding the substantial burdens associated with multiple restitution proceedings in criminal courts. Work to implement the fund is ongoing. Asset forfeiture is a critical tool in the recovery of illicit gains arising from financial crimes such as fraud, embezzlement, and theft, as well as crimes such as human trafficking and child exploitation. DOJ's Asset Forfeiture Program plays a critical role in disrupting and dismantling illegal enterprises, depriving criminals of the proceeds of illegal activity, deterring crime, and restoring property to victims. Returning forfeited funds to victims has been a key part of DOJ's Asset Forfeiture Program. The 2018 Attorney General's Guidelines on the Asset Forfeiture Program state that one of the primary goals of the forfeiture program is to "recover [] assets that may be used to compensate victims," and "[w]henver possible, prosecutors should use asset forfeiture to recover assets to return to victims of crime...." Since 2000, the government has transferred more than \$11 billion in forfeited funds to victims. DOJ's Money Laundering and Asset Recovery Section uses defendants' forfeited assets to compensate victims by applying the funds to existing federal restitution orders and by paying the defendants' victims directly.

84. Unaccompanied Foreign Children, Asylum Seekers, Refugees and Migrants. The United States continues to train Customs and Border Protection officers to identify, detect, and protect children who are victims or may be at risk of becoming victims of offenses under the OPSC. In addition, as acknowledged by the Committee, the United States also actively trains others involved in the international travel industry through programs like the Blue Lightening Initiative for airline workers. So far, more than two dozen airlines and 100,000 workers in the aviation industry have been trained to recognize instances of trafficking, including child trafficking.

85. The Central American Minors (CAM) program was reopened on March 15, 2021. CAM was initiated in 2014 to provide vulnerable children in northern Central America a safe alternative to dangerous irregular migration by allowing certain parents lawfully present in the United States to petition for access to the U.S. Refugee Admissions Program (USRAP) on behalf of their children who are nationals of El Salvador, Guatemala, or Honduras for potential resettlement in the United States. Children found ineligible for refugee status were considered on a case-by-case basis for parole into the United States by USCIS. The restart of CAM consists of two phases. Phase One made eligible for reopening applications that were closed without receiving a refugee interview by January 31, 2018, after the program

termination was announced in 2017; 3,126 cases representing 3,828 individuals were identified as eligible under this phase. On June 15, 2021, Secretary of State Antony J. Blinken and Secretary of Homeland Security Alejandro N. Mayorkas announced the second phase of the CAM reopening, which expanded eligibility to petition for USRAP access to a greater number of qualifying individuals. As part of Phase Two, eligibility to petition now extends to include legal guardians (in addition to parents) who are in the United States pursuant to any of the following qualifying categories: lawful permanent residence; temporary protected status; parole; deferred action; deferred enforced departure; or withholding of removal. In addition, this expansion of eligibility now includes certain U.S.-based parents or legal guardians who have a pending asylum application or a pending petition for U nonimmigrant status filed before May 15, 2021. These new changes will dramatically expand access to the CAM program, particularly for Guatemalans who historically made up only 2% of CAM applicants between 2014 and 2017. The United States remains firmly committed to welcoming people to the United States with humanity and respect, as well as providing a legal and safe alternative to irregular migration.

86. Under the Trafficking Victims Protection Reauthorization Act of 2008, HHS is required to facilitate legal representation for unaccompanied children to the greatest extent practicable at no expense to the government. HHS/ORR provides funding for a legal services provider to give “Know Your Rights” presentations and legal screenings on available immigration relief to all unaccompanied children (UC) in ORR custody. The screening determines the UC’s potential eligibility for immigration relief. The legal services partners also provide direct representation for some UC in ORR custody while they await unification with a sponsor. Direct representation is also provided for UC in ORR’s long-term care programs, UC seeking voluntary departure, UC appearing for removal proceedings while in ORR care, UC who are without unification options, and in some cases for children post-release.

87. ORR legal service providers also help coordinate referrals to pro bono attorneys to provide any further legal representation. Resources for pro bono attorneys are included in the ORR Legal Resource Guide. The majority of UC are cared for through a network of state-licensed, ORR-funded care providers. These services include notices related to a child’s right to apply for asylum and information about access to counsel and forms of legal immigration relief.

88. As a general matter, employees, contractors, and volunteers who have access to unaccompanied children must pass FBI fingerprint-based criminal record checks. As a temporary measure, however, to ensure housing and care for the incredible number of unaccompanied children arriving in the United States in early 2021, the Biden Administration announced in March 2021 that it may waive some pre-employment record checks for employees, contractors, and volunteers who may have direct access to unaccompanied children at Emergency Intake Sites (that were unable to complete pre-employment checks) opened across the United States. In those Emergency Intake Sites, HHS announced that it would implement the standards of care used for children in an emergency response setting. Employees, contractors, and volunteers who may have access to unaccompanied children at these sites still have to pass public record checks. In addition, staff providing direct care at those Emergency Intake Sites are directly supervised by federal employees or others who have passed FBI fingerprint-based record checks. Once employees, contractors, and volunteers pass all required record checks, they are deemed appropriate to work with children unsupervised.

89. Criminal Justice System and Administrative Protection Measures. The United States appreciates the Committee’s interest in its training of judges and judicial officials at the state, territorial, tribal, and federal levels to sensitize them to the unique needs of child exploitation victims, and the United States continues its active work in this area. The DOJ Executive Office for Immigration Review (EOIR) provides training on human trafficking to new immigration judges, and EOIR also provides periodic training to other court personnel in identifying and reporting suspected victims of trafficking or suspected traffickers. In addition, EOIR launched the Counsel for Children Initiative (CCI) in 2021. The CCI works to provide legal representation to certain unaccompanied children in immigration proceedings at nine immigration courts, and EOIR believes that the CCI will, in part, help EOIR identify children

who have been victims of human trafficking or abuse and refer them to appropriate support services. In October 2019, DOJ held a three-day workshop for federal human trafficking prosecutors in which survivors, prosecutors, and victims assistance professionals provided training on victim-centered, trauma-informed approaches to law enforcement. A similar training focused on child sex trafficking took place in March 2020.

90. Regular trainings are also provided throughout the United States by the National Judicial Institute on Domestic Child Sex Trafficking (NJDCST), created by the National Council of Juvenile and Family Court Judges in partnership with Rights4Girls and DOJ/OJJDP. NJDCST uses a special segment entitled “Judges Can,” which focuses on real-world, practical applications in topical areas such as victim and perpetrator behavior, trafficking dynamics, culture, judicial decision-making, and the legal landscape of trafficking law. “Judges Can” enables participants to take a step back after each segment and explore how they can make immediate changes to their own judicial practice from the moment they return to their courtrooms. It also provides answers to difficult questions, such as “how to talk to a child who has experienced trauma”.

91. HHS/ACF’s Children’s Bureau also provides regular training and technical assistance to Court Improvement Program grantees through the Capacity Building Center for Courts, which provides assistance on the implementation of the Preventing Sex Trafficking and Strengthening Families Act of 2014 and can include training for judicial employees.

92. Subject to any constitutional limitations and when deemed appropriate by the court, child victim and witness testimonies via closed circuit television, video recording, and other means to avoid re-victimization are available in federal court, see, e.g., 18 U.S.C. § 3509. Such mechanisms are supported and used to avoid re-victimization of children who are victims of physical abuse, sexual abuse, or exploitation, which includes child pornography offenses and child sex trafficking.

93. HHS’s Administration on Community Living’s Administration on Disabilities (AoD) funds a national network of programs that work at the state and local level and in the territories to improve opportunities for people with disabilities to access quality services and support, achieve economic self-sufficiency, and experience equality and inclusion in all facets of community life. One leading example is AoD funding 57 federally mandated Protection and Advocacy Systems (P&As) and hundreds of Centers for Independent Living (CILs). P&As are charged with protecting and advocating for people with disabilities, especially against abuse and neglect, and CILs provide tools, resources, and support for integrating people with disabilities fully into their communities to promote equal opportunities, self-determination, and respect. The National Disability Rights Network (NDRN) is a nonprofit membership organization that is a training and technical assistance provider to P&As. In 2017, NDRN and the Human Trafficking Pro Bono Legal Center signed a collaborative memorandum of understanding to work more closely to prevent the human trafficking of children and adults with disabilities. The P&As in California, Illinois, Idaho, Montana, Michigan, New York, and Wisconsin, as well as the CILs in Vermont and Oregon and the University Center for Excellence in Developmental Disabilities in Illinois, are members of the National Human Trafficking Working Group.

## VI. International Assistance and Cooperation

94. Multilateral, Bilateral and Regional Agreements. The United States continues to strengthen international cooperation through multilateral, regional, and bilateral arrangements, including with neighboring countries, with a view to improving prevention, detection, investigation, prosecution, and punishment of those responsible for offenses covered by the OPSC. Through the U.S.-Mexico Bilateral Human Trafficking Enforcement Initiative, in FY 2020, DOJ and DHS continued to advance bilateral investigations and prosecutions of transnational trafficking enterprises operating across the U.S.-Mexico border and to facilitate exchanges of leads, evidence, intelligence analytics, and strategic guidance with regard to all victims of human trafficking, including children. DOJ increased engagement with Mexican anti-money laundering authorities, in collaboration with Treasury, to enhance capacity to identify and combat human trafficking and secure trafficking proceeds

for victim restitution. DOJ also supported the development of 13 state-level human trafficking task forces in Mexico. As a result of these bilateral anti-trafficking efforts, DOJ secured convictions of six defendants for sex trafficking offenses in 2019. Also, as part of Treasury's bilateral anti-corruption initiative with Mexico, in February 2020 Treasury and its Mexican government counterparts created a working group focused on human trafficking and its illicit financing risks. Since the working group's inception, the United States and Mexico have committed to demonstrating significant progress to hold human traffickers accountable and have exchanged financial intelligence on human traffickers operating across the U.S.-Mexico border.

95. DOS's Office to Monitor and Combat Trafficking in Persons (TIP Office) signed a Child Protection Compact (CPC) Partnership with Mongolia in April 2020. The partnership will strengthen the Mongolian government's capacity to form and operate a trafficking-focused multidisciplinary task force, prosecute and convict child traffickers, provide comprehensive trauma-informed care for child victims, and prevent child trafficking in Mongolia. To ensure the quality of trauma- and survivor-informed and victim-centered approaches of the projects under the Mongolia CPC Partnership, proposals were reviewed by consultants from the TIP Office's Human Trafficking Expert Consultant Network. In addition, the TIP Office identified key takeaways from its first partnership with Ghana, which ended in June 2020, including how the partnership improved interagency coordination, enforcement of Ghana's anti-trafficking law, and community-level awareness.

96. In FY 2020, USAID launched the Safe Migration in Central Asia project. The project's goal is to strengthen the mutual accountability of all stakeholders, including governments, NGOs, and the private sector, to become more self-reliant in efforts to prevent trafficking in persons, protect trafficking survivors, and promote safe migration. One of the project's components focuses on supporting migrant workers facing increased vulnerability as a result of travel restrictions due to COVID-19, including by developing livelihood support to targeted groups of migrants to mitigate COVID-19's impact and engaging with the private sector to connect migrants to legitimate forms of employment.

97. In FY 2020, USAID also launched a new project in Haiti to strengthen key local entities like the National Counter-Trafficking Committee and the Social Welfare Institute in their efforts to combat child trafficking through the deinstitutionalization of Haitian children, to increase public awareness of human trafficking, and to help develop and implement victim-centered services at national and local levels. Also in FY 2020, USAID research applied an ecosystem model using weak-signal analysis with geospatial analysis and artificial intelligence to identify populations in Bangladesh, the Philippines, and Laos at heightened vulnerability to trafficking in persons.

98. In March 2020, DOJ, DHS, and government counterparts from the Five Country Ministerial (Australia, Canada, New Zealand, and the United Kingdom) announced the Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse. Developed in consultation with representatives from six leading technology companies (Facebook, Google, Microsoft, Snap, Twitter, and Roblox), and a range of experts from industry, civil society, and academia, the 11 voluntary principles outline measures that companies in the technology industry can choose to implement to protect children from sexual abuse online, and thus serve as a framework to guide the digital industry in its efforts to combat the proliferation of online child exploitation.

99. In November 2019, DHS/ICE/HSI launched the Angel Watch Center to improve its ability to notify countries of the potential travel of registered child sex offenders. The DOS Bureau of Diplomatic Security focuses on emergency threats posed by transnational organized crime related to human trafficking and visa and passport fraud and provides weekly criminal intelligence products to agents, analysts, and global law enforcement partners.

## **VII. Ratification of the Optional Protocol on a Communications Procedure**

100. As noted in its Third and Fourth Periodic Report, the United States participated in negotiating the Optional Protocol on a Communications Procedure, but has no current plans to ratify it.

## **VIII. Implementation and reporting**

101. The Committee's recommendations are widely available throughout the United States. In addition, as noted above, the United States intends to hold civil society consultation with NGOs prior to its Committee presentation.

---