



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

SEP 16 2016

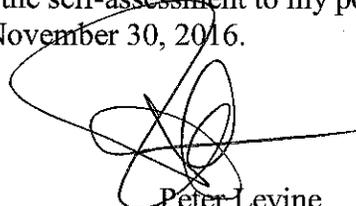
MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DEPUTY CHIEF MANAGEMENT OFFICER
CHIEFS OF THE MILITARY SERVICES
COMMANDERS OF THE COMBATANT COMMANDS
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, COST ASSESSMENT AND PROGRAM EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
DEPARTMENT OF DEFENSE CHIEF INFORMATION OFFICER
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE
AFFAIRS
ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC
AFFAIRS
DIRECTOR OF NET ASSESSMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: 2016 Combating Trafficking in Persons Annual Self-Assessment Report

Pursuant to Department of Defense Instruction (DoDI) 2200.01, updated April 21, 2015, "Combating Trafficking in Persons (CTIP)," all Office of the Secretary of Defense (OSD) and Department of Defense (DoD) Component Heads must conduct and provide results of an annual self-assessment to the DoD CTIP Program Office. The annual self-assessment assesses the strengths, weaknesses, and effectiveness of each Component's CTIP program implementation.

DoDI 2200.01 requires all DoD military members and civilian employees to complete CTIP awareness training annually. OSD and DoD Component Heads are required to submit training completion data to the DoD CTIP Program Office. This year's self-assessment consolidates two annual requirements, including reporting of annual CTIP training numbers and inputs for the Attorney General's Report. For your reference, a reporting template is attached to this memorandum. Examples of responses are included in the self-assessment template to assist OSD and DoD Component Heads in reporting CTIP program implementation.

Please provide the results of the self-assessment to my point of contact, Ms. Linda Dixon, at linda.k.dixon7.civ@mail.mil by November 30, 2016.


Peter Levine
Acting

Attachment:
As stated

2016 Combating Trafficking in Persons Annual Self-Assessment Report

In accordance with Department of Defense Instruction (DoDI) 2200.01, “Combating Trafficking in Persons (CTIP),” all Office of the Secretary of Defense (OSD) and Department of Defense (DoD) Component Heads must conduct and provide the results of an annual self-assessment to the DoD CTIP Program Office.*

This guide has been developed to assist each Component in completing its annual self-assessment report which assesses the strengths, weaknesses, and effectiveness of each Component’s CTIP program implementation. The assessment includes reporting on suspected trafficking in persons (TIP) incidents, TIP investigations, TIP prosecutions, and training programs. The self-assessment can be found on the DoD CTIP website at <http://ctip.defense.gov/Resources.aspx>.

This assessment consolidates reporting requirements previously requested from each Component Head annually, including training numbers and inputs for the Attorney General’s Report to Congress on CTIP. A breakdown of each section is as follows:

Section 1: CTIP Training Report

Section 2: Inputs for Attorney General’s Report to Congress on CTIP

Section 3: Additional Programmatic Accomplishments

*Component/Agency responses should be coordinated at the appropriate Senior Executive Service/General Officer/Flag Officer level.

Checklist for CTIP Program Requirements

The following is a checklist of requirements for your DoD CTIP program office to ensure your Component has met all requirements for your annual CTIP self-assessment per DoDI 2200.01.

Mandatory Requirements for ALL OSD and DoD Component Heads			
Section	Checklist Item	Yes	Comments
1	CTIP Training Report (<i>Minimum completion rate is 85%; justification required if below this threshold</i>)	<input type="checkbox"/>	
2	Inputs for Attorney General's Report to Congress on CTIP	<input type="checkbox"/>	
3	Additional Programmatic Accomplishments	<input type="checkbox"/>	

SECTION ONE: CTIP Training Report

The below template should be completed to report Component CTIP training for Fiscal Year (FY) 2016. For those Components with a completion rate under 85%, a justification must be completed. A sample justification (Figure 2) is provided in this Section; the justification should include plans to ensure the minimum completion rate is met in the following FY.

Figure 1. Sample CTIP Training Report					
[Insert Reporting Organization Name]					
[Insert TIP Point of Contact, Name, and E-mail]					
Type of Training	Military Members Trained	Civilian Members Trained	Total Strength (not including contractors)	Contractors Trained *	Total Contractor Strength
General Awareness					
Law Enforcement					
Acquisition Personnel					
Leadership					
Other					
*At the time of the publication of this assessment, contractors were not required to train their personnel on CTIP; however, subpart 22.17 of the Federal Acquisition Regulation (FAR) states that the presence of a TIP awareness program is a factor for the contracting officer to consider as a mitigating factor when determining remedies.					

Figure 2. Sample of Training Justification Memorandum

Component Letterhead

MEMORANDUM FOR DEPARTMENT OF DEFENSE HUMAN RESOURCES ACTIVITY

SUBJECT: Justification for Non-Compliance with Combating Trafficking in Persons Minimum Training Requirements

The memorandum should begin by summarizing the Component’s training program and other general information that may be helpful in understanding why the 85% threshold was not met. Also include relevant historical information; e.g., was the threshold met in previous years?

The following paragraph should include the Component’s plan to ensure this training threshold is met next year.

Official’s Name
Title

SECTION TWO: Inputs for Attorney General's Report to Congress on CTIP

The below questions should be completed to fulfill the requirements for reporting inputs for the Attorney General's Report to Congress on CTIP for FY 2016. The following bullets are derived from the Trafficking Victims Protection Act (22 United States Code (U.S.C.) § 7103(d)(7)).

1. Educational efforts for, and disciplinary actions taken against, members of the United States Armed Forces.
2. The development of materials used to train the armed forces of foreign countries.
 - Include any additional FY 16 material as necessary.
3. All known trafficking in persons cases reported to the Under Secretary of Defense for Personnel and Readiness.
 - Include all FY 16 TIP cases reported to DoD.
4. Efforts to ensure United States Government contractors and their employees or United States Government subcontractors and their employees do not engage in trafficking in persons.
 - Example: On August 20, 2015, U.S. Pacific Command signed the CTIP Policy Statement stating that commanders in the Area of Responsibility shall ensure that all service contracts are consistent with U.S. and host nation laws.
5. All trafficking in persons activities of contractors reported to the Under Secretary of Defense for Acquisition, Technology, and Logistics.
 - Please list any TIP activities of contractors that were reported to the Under Secretary of Defense for Acquisition, Technology, and Logistics here.
6. Activities or actions by Federal departments and agencies to enforce:
 - Section 7104(g) of title 22 and any similar law, regulation, or policy relating to U.S. Government contractors and their employees or U.S. Government subcontractors and their employees who engage in severe forms of TIP, the procurement of commercial sex acts, or the use of forced labor, including debt bondage.
 - Prohibitions on the procurement by the U.S. Government of items or services produced by slave labor, consistent with Executive Order 13107, dated December 10, 1998.
 - Relevant section:
 - 22 U.S.C. § 7104(g) – Termination of certain grants, contracts, and cooperative agreement
 - The President shall ensure that any grant, contract, or cooperative agreement provided or entered into by a Federal department or agency under which funds are

to be provided to a private entity, in whole or in part, shall include a condition that authorizes the department or agency to terminate the grant, contract, or cooperative agreement, or take any other remedial actions authorized under section 7104b(c) of this title, without penalty, if the grantee or any subgrantee, or the contractor or any subcontractor, engages in, or uses labor recruiters, brokers, or other agents who engage in –

- i. severe forms of trafficking;
- ii. the procurement of a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect;
- iii. the use of forced labor in the performance of the grant, contract, or cooperative agreement; or
- iv. acts that directly support or advance trafficking in persons, including the following acts:
 - I. Destroying, concealing, removing, confiscating, or otherwise denying an employee access to that employee’s identity or immigration documents.
 - II. Failing to provide return transportation or pay for return transportation costs to an employee from a country outside the United States to the country from which the employee was recruited upon the end of employment if requested by the employee, unless –
 - (a) exempted from the requirement to provide or pay for such return transportation by the Federal department or agency providing or entering into the grant, contract, or cooperative agreement; or
 - (b) the employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action.
 - III. Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment.
 - IV. Charging recruited employees unreasonable placement or recruitment fees, such as fees equal to or greater than the employee’s monthly salary, or recruitment fees that violate the laws of the country from which an employee is recruited.
 - V. Providing or arranging housing that fails to meet the host country housing and safety standards.

7. Activities undertaken by Federal agencies to train appropriate State, tribal, and local government and law enforcement officials to identify victims of severe forms of trafficking, including both sex and labor trafficking.

- Please list any activities, such as trainings or exercises, conducted in FY 16 which focused on victim identification.

8. Activities undertaken by Federal agencies in cooperation with State, tribal, and local law enforcement officials to identify, investigate, and prosecute offenses under sections 1581,

1583, 1584, 1589, 1590, 1592, and 1594 of title 18, U.S.C., or equivalent State offenses, including, in each fiscal year:

- The number, age, gender, country of origin, and citizenship status of victims identified for each offense;
- The number of individuals charged, and the number of individuals convicted, under each offense;
- The number of individuals referred for prosecution for State offenses, including offenses relating to the purchasing of commercial sex acts;
- The number of victims granted continued presence in the United States under section 7105(c)(3) of title 22, U.S.C.; and
- The number of victims granted a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 1101(a)(15) of title 8, U.S.C.
- **Example: The Naval Criminal Investigative Service initiated a joint investigation with the Federal Bureau of Investigation and Honolulu Police Department involving a Navy petty officer second class who was arrested on charges of sex trafficking of a 16-year-old. The victim reported the petty officer had allegedly “pimped” her for money, provided her alcohol, and sexually assaulted her. The petty officer was confined in the Oahu Community Correctional Center and is pending trial for multiple state charges relating to sexual assault and promoting prostitution.**
- **Relevant sections in title 18, U.S.C., include:**
 - **1581 - Peonage; obstructing enforcement**
 - (a) Whoever holds or returns any person to a condition of peonage, or arrests any person with the intent of placing him in or returning him to a condition of peonage, shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.
 - (b) Whoever obstructs, or attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be liable to the penalties prescribed in subsection (a).
 - **1583 - Enticement into slavery**
 - (a) Whoever— (1) kidnaps or carries away any other person, with the intent that such other person be sold into involuntary servitude, or held as a slave; (2) entices, persuades, or induces any other person to go on board any vessel or to any other place with the intent that he or she may be made or held as a slave, or sent out of the country to be so made or held; or (3) obstructs, or attempts to

- obstruct, or in any way interferes with or prevents the enforcement of this section, shall be fined under this title, imprisoned not more than 20 years, or both.
- (b) Whoever violates this section shall be fined under this title, imprisoned for any term of years or for life, or both if— (1) the violation results in the death of the victim; or (2) the violation includes kidnaping, an attempt to kidnap, aggravated sexual abuse, an attempt to commit aggravated sexual abuse, or an attempt to kill.
- 1584 - Sale into involuntary servitude
 - (a) Whoever knowingly and willfully holds to involuntary servitude or sells into any condition of involuntary servitude, any other person for any term, or brings within the United States any person so held, shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnaping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.
 - (b) Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (a).
 - 1589 - Forced labor
 - (a) Whoever knowingly provides or obtains the labor or services of a person by any one of, or by any combination of, the following means—
 - (1) by means of force, threats of force, physical restraint, or threats of physical restraint to that person or another person;
 - (2) by means of serious harm or threats of serious harm to that person or another person;
 - (3) by means of the abuse or threatened abuse of law or legal process; or
 - (4) by means of any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint, shall be punished as provided under subsection (d).
 - (b) Whoever knowingly benefits, financially or by receiving anything of value, from participation in a venture which has engaged in the providing or obtaining of labor or services by any of the means described in subsection (a), knowing or in reckless disregard of the fact that the venture has engaged in the providing or obtaining of labor or services by any of such means, shall be punished as provided in subsection (d).
 - (c) In this section:
 - (1) The term “abuse or threatened abuse of law or legal process” means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.
 - (2) The term “serious harm” means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that

is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing labor or services in order to avoid incurring that harm.

- (d) Whoever violates this section shall be fined under this title, imprisoned not more than 20 years, or both. If death results from a violation of this section, or if the violation includes kidnaping, an attempt to kidnap, aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title, imprisoned for any term of years or life, or both.
- 1590 - Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor
 - (a) Whoever knowingly recruits, harbors, transports, provides, or obtains by any means, any person for labor or services in violation of this chapter shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnaping or an attempt to kidnap, aggravated sexual abuse, or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.
 - (b) Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties under subsection (a).
- 1592 - Unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor
 - (a) Whoever knowingly destroys, conceals, removes, confiscates, or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person—
 - (1) in the course of a violation of section 1581, 1583, 1584, 1589, 1590, 1591, or 1594 (a);
 - (2) with intent to violate section 1581, 1583, 1584, 1589, 1590, or 1591; or
 - (3) to prevent or restrict or to attempt to prevent or restrict, without lawful authority, the person's liberty to move or travel, in order to maintain the labor or services of that person, when the person is or has been a victim of a severe form of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000, shall be fined under this title or imprisoned for not more than 5 years, or both.
 - (b) Subsection (a) does not apply to the conduct of a person who is or has been a victim of a severe form of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000, if that conduct is caused by, or incident to, that trafficking.
 - (c) Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (a).

- 1594 - General provisions
 - (a) Whoever attempts to violate section 1581, 1583, 1584, 1589, 1590, or 1591 shall be punished in the same manner as a completed violation of that section.
 - (b) Whoever conspires with another to violate section 1581, 1583, 1589, 1590, or 1592 shall be punished in the same manner as a completed violation of such section.
 - (c) Whoever conspires with another to violate section 1591 shall be fined under this title, imprisoned for any term of years or for life, or both.
 - (d) The court, in imposing sentence on any person convicted of a violation of this chapter, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person shall forfeit to the United States—
 - (1) such person’s interest in any property, real or personal, that was involved in, used, or intended to be used to commit or to facilitate the commission of such violation, and any property traceable to such property; and
 - (2) any property, real or personal, constituting or derived from, any proceeds that such person obtained, directly or indirectly, as a result of such violation, and any property traceable to such property.
 - (e)
 - (1) The following shall be subject to forfeiture to the United States and no property right shall exist in them:
 - (A) Any property, real or personal, used or intended to be used to commit or to facilitate the commission of any violation of this chapter, and any property traceable to such property.
 - (B) Any property, real or personal, which constitutes or is derived from proceeds traceable to any violation of this chapter.
 - (2) The provisions of chapter 46 of this title relating to civil forfeitures shall extend to any seizure or civil forfeiture under this subsection.
 - (g) Witness Protection — Any violation of this chapter shall be considered an organized criminal activity or other serious offense for the purposes of application of chapter 224 (relating to witness protection).

SECTION THREE: Additional Programmatic Accomplishments

The below “Additional Programmatic Accomplishments” should be completed by the respective owner. These accomplishments coincide with those Component/Agency responsibilities as outlined in DoDI 2200.01.

Mandatory Requirements for Secretaries of the Military Departments		
Checklist Item	Yes	Comments
Develops specialized training for leadership, commanders, and other strategic planners.	<input type="checkbox"/>	
Develops specialized training for legal counsel and staff judge advocates, including incorporating CTIP scenarios in the area of responsibility, specific pre-deployment trainings, and updating applicable operational handbooks.	<input type="checkbox"/>	
Incorporates CTIP training into command pre-deployment training plans and guidance.	<input type="checkbox"/>	
Establishes a memorandum of understanding with domestic and host nation law enforcement agencies and nongovernmental organizations that outlines methods to provide aid to victims of TIP in line with U.S. Government policy.	<input type="checkbox"/>	
Identifies commercial establishments patronized by DoD personnel that have indicators of TIP, places offending establishments off-limits, and provides support to host-country authorities.	<input type="checkbox"/>	

Engages host-nation government agencies to facilitate mutual understanding of processes and procedures to enable collaboration in CTIP efforts, as appropriate.	<input type="checkbox"/>	
Conducts periodic review to assess the effectiveness of CTIP program implementation.	<input type="checkbox"/>	

Mandatory Requirements for Chairman of the Joint Chiefs of Staff		
Checklist Item	Yes	Comments
Integrates CTIP as part of the overall force planning function within any force deployment decision.	<input type="checkbox"/>	
Assesses the Combatant Commanders' joint plans, deployment orders, exercises, joint publications, post conflict plans, and other relevant documents for relevant CTIP information.	<input type="checkbox"/>	
Monitors implementation of CTIP in implementing instructions during military operations.	<input type="checkbox"/>	
Monitors implementation of CTIP in all new and revised Global Force Management directives.	<input type="checkbox"/>	
Monitors joint and combined exercises and planning processes for integration of CTIP.	<input type="checkbox"/>	
Conducts periodic review to assess the effectiveness of CTIP program implementation.	<input type="checkbox"/>	

Mandatory Requirements for Combatant Commanders		
Checklist Item	Yes	Comments
Develops an Outside the Continental United States (OCONUS) program that establishes a clear set of guidelines and procedures for OCONUS units to address TIP in their operating environments, in coordination with the Joint Staff.	<input type="checkbox"/>	
Addresses CTIP within applicable concept of operations for use by deployed joint task force headquarters.	<input type="checkbox"/>	
Develops and implements CTIP policy and program guidance unique to each Combatant Command, supplementing DoD CTIP training, including unique cultural and legal considerations for their respective areas of responsibility as well as stated training requirements.	<input type="checkbox"/>	
Provides subordinate component commanders with TIP intelligence and information pertinent to ongoing theater and country CTIP awareness training.	<input type="checkbox"/>	
Identifies commercial establishments patronized by DoD personnel that have indicators of TIP, places offending establishments off-limits, and provides support to host-country authorities.	<input type="checkbox"/>	

<p>Ensures commanders and directors OCONUS engage local host nation government agencies to facilitate mutual understanding of processes and procedures to enable collaboration in CTIP efforts.</p>	<input type="checkbox"/>	
<p>Conducts periodic review to assess the effectiveness of CTIP program implementation.</p>	<input type="checkbox"/>	

Mandatory Requirements for Under Secretary of Defense for Policy		
Checklist Item	Yes	Comments
Incorporates anti-TIP and TIP-protection measures for vulnerable populations, as allowed by law, in particular for women and children, into post-conflict and humanitarian emergency assistance programs in accordance with section 7104(h) of title 22, U.S.C., and Public Law (P.L.) 113-4.	<input type="checkbox"/>	
Establishes policy and provides guidance to rehabilitate and reintegrate recovered child soldiers in accordance with sections 401 through 407 of P.L.110-457.	<input type="checkbox"/>	
Represents the DoD in the annual U.S. Government TIP sanction review process in accordance with section 110 of P.L. 106-386 and prepares and coordinates, as required, the review and approval of DoD national interest waivers of proposed Department of State sanctions.	<input type="checkbox"/>	
Collaborates with coalitions, international organizations, and intergovernmental organizations that address TIP and serves as the DoD liaison to their committees and advisory groups, as appropriate.	<input type="checkbox"/>	
Works with State and local agencies to develop a mutual understanding of their respective CTIP efforts and coordinates how State, local,	<input type="checkbox"/>	

and DoD efforts may best work in unison, as appropriate.		
Supports training of international and partner stakeholders; collaborates with foreign government counterparts to forge and strengthen partnerships and other forms of engagement to counter TIP.	<input type="checkbox"/>	
Conducts periodic review to assess the effectiveness of CTIP program implementation.	<input type="checkbox"/>	

Mandatory Requirements for Under Secretary of Defense for Acquisition, Technology, and Logistics		
Checklist Item	Yes	Comments
Advises and assists the Under Secretary of Defense for Personnel and Readiness on FAR and Defense Federal Acquisition Regulation Supplement (DFARS) issues related to U.S. Government and DoD CTIP programs.	<input type="checkbox"/>	
Ensures that the FAR and DFARS implement all statutory requirements relating to CTIP.	<input type="checkbox"/>	
Implements all DoD CTIP policy requirements involving defense contractors in appropriate defense acquisition regulation and policy.	<input type="checkbox"/>	
Conducts periodic review to assess the effectiveness of CTIP program implementation.	<input type="checkbox"/>	

Mandatory Requirements for DoD Inspector General		
Checklist Item	Yes	Comments
At its discretion, pursuant to section 3(a) of the Inspector General Act of 1978, as amended, may conduct periodic evaluations of the DoD CTIP program.	<input type="checkbox"/>	
Ensures defense criminal investigative organizations, other military investigators, and inspectors general receive specialized CTIP law enforcement training developed in coordination with the CTIP Program Office.	<input type="checkbox"/>	
Maintains the DoD Hotline and ensures staff is appropriately trained to respond to CTIP-related inquiries.	<input type="checkbox"/>	
At its discretion, for CTIP-related inquiries received through the DoD Hotline, provides inquiries as either information or action to the responsible DoD Component for appropriate investigation.	<input type="checkbox"/>	
At its discretion, investigates allegations related to TIP.	<input type="checkbox"/>	
At its discretion, reports confirmed TIP incidents quarterly to CTIP Program Office.	<input type="checkbox"/>	
Conducts periodic review to assess the effectiveness of CTIP program implementation.	<input type="checkbox"/>	