



Quarterly CTIP Newsletter

Agency Highlights

The “Abolish Human Trafficking Act of 2017” ([Public Law 115-392](#)) established the Human Exploitation Rescue Operation (HERO) Child Rescue Corps Program as part of the Department of Homeland Security (DHS) Cyber Crimes Center. The HERO Child Rescue Corps Program will be a DHS-wide program in collaboration with the Department of Defense. The National Association to Protect Children will provide logistical support for program participants.



Members of the Armed forces on active duty and wounded, ill, and injured veterans will be recruited, trained, equipped, and employed to combat and prevent child exploitation. The new law provides funding for paid internships and a hiring program for participants.

Participants will learn about digital forensics, investigation, analysis, intelligence, and victim identification to investigate and analyze child exploitation, child pornography, unidentified child victims, human trafficking, traveling child sex offenders, and forced child labor.

Featured Articles

Federal Acquisition Regulation Definition of “Recruitment Fees”

Contributed by: Porter Glock, Office of Federal Procurement Policy, Office of Management and Budget



In March 2015, the Federal Acquisition Regulation (FAR) prohibited Government contractors, subcontractors, and their employed agents from charging employees recruitment fees. However, in an effort to clarify this prohibition, the Federal Acquisition Regulation (FAR) Council [published a final rule](#) definition of “recruitment fees” at FAR 22.1702, which went into effect government-wide on January 22, 2019.

The new FAR definition prohibits contractors, “regardless of the time, manner, or location,” from charging or collecting from employees or potential employees many types of fees often associated with the recruitment. The list of prohibited fees include, but are not limited to, fees associated with application processing; labor certification; immigration documents; medical and security checks; legal fees; government-mandated fees; advertising; language interpretation or translation; transportation and subsistence costs; security deposits, bonds, and insurance; and equipment charges.

The definition clarifies that regardless of who collects the recruitment fee, an employer or a third party, whether licensed or unlicensed, it is still a recruitment fee. Third parties can include agents; labor brokers; recruiters; staffing firms; subsidiaries/affiliates of the employer; any agent or employee of such entities; and subcontractors at all tiers. It is important to note, that recruitment fees themselves are not prohibited—charging them to employees or potential employees is. When the employer (rather than the employee) pays recruitment fees directly the risks of debt bondage and human trafficking are greatly reduced.

The Federal government remains committed in combatting trafficking in persons in contracts. To further that end, a multi-agency training in early April will team various agencies’ procurement and trafficking personnel to better understand the risks and the necessary collaboration to counter the abhorrent practice of human trafficking.

New Combating Human Trafficking Laws

Contributed by: Laura J. Lederer, J.D., Subject Matter Expert, Combating Trafficking in Persons Program Management Office

Recently, President Trump signed two new laws that provide a “whole of government” approach to fighting human trafficking and include provisions that impact the Department of Defense (DoD).

The “Frederick Douglass Trafficking Victims Prevention & Protection Reauthorization Act of 2018” ([P.L. 115-425](#)) focuses on the need to ensure that all supply chains are free of human trafficking and includes new oversight to ensure that U.S. government procurement officials do not employ traffickers. As DoD is the federal government’s largest purchaser of contractor-provided services, these provisions are critical. The new provisions reinforce work that is already being done by the DoD Combating Trafficking in Persons Program Management Office (CTIP PMO) to train acquisition workforce personnel on how to address compliance violations in procurement. The CTIP PMO is updating this training to include the new Federal Acquisition Regulation definition of recruiting fees.



The Frederick Douglass Act also calls for the elimination of child sexual assault in Afghanistan, called “bacha bazi.” In a 2017 report, “Child Sexual Assault in Afghanistan,” the Special Inspector General for Afghanistan Reconstruction (SIGAR) made recommendations for how to address this illegal but ongoing practice. The new legislation calls for implementation of the recommendations made in the SIGAR Report, and requires the U.S. Secretaries of Defense and State to report on the status of interagency efforts to establish effective, coherent, and discrete reporting by U.S. personnel on child sexual abuse by Afghan security forces with whom they train or advise or to whom they provide assistance.



Finally, the “[Abolish Human Trafficking Act of 2017](#)” focuses on demand reduction and cracks down on sex buyers, particularly those who solicit sex from minors, or from victims trafficked using force, fraud, or coercion. It requires training for law enforcement officials to emphasize that purchasing sex is a federal human trafficking offense. It increases penalties and fines for purchasers of sex, and notes that civil liens are an appropriate way to collect fines. Another new provision instructs the U.S. Attorney General to bring the full force of law on those who purchase sex from trafficking victims by issuing guidance to all Department of Justice offices and components about Chapter 77 of Title 18 of the United States Code. DoD prohibits the purchase of sex

under Article 134 of the Uniform Code of Military Justice.

There are three other new laws that address trafficking in persons:

- “Trafficking Victims Protection Reauthorization Act of 2017” ([P.L. 115-427](#)): contains a provision which prohibits charging employees or potential employees placement or recruitment fees.
- “Trafficking Victims Protection Act of 2017” ([P.L. 115-393](#)): contains provisions to train school resource officers and personnel to recognize and respond to signs of human trafficking.
- “Stop, Observe, Ask, and Respond to Health and Wellness Act of 2018” ([P.L. 115-398](#)): establishes the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

Interagency Activities



On October 3, 2018, the U.S. Department of Transportation (DOT) established the Advisory Committee on Human Trafficking (ACHT) in response to a requirement in “The Combating Human Trafficking in Commercial Vehicles Act” ([Public Law 115-99](#)). The purpose of the 15-member committee, appointed by the Secretary, is to advise the DOT Secretary on actions DOT can take and to develop best practices for states and state and local transportation stakeholders to combat trafficking in persons.

DoD CTIP Program Office Updates

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The CTIP Program Manager will begin making visits in the coming months to the Combatant Commands and Services to discuss their CTIP programs as part of the program assessment process. Topics of discussion will include assessing how the programs are working, what needs improvement, and any innovative ideas and programs they have to combat trafficking and raise awareness.



The CTIP PMO conducted two CTIP trainings on March 13th and 14th. The CTIP PMO customized the CTIP Investigative Professionals training for a group of 26 new Inspectors General (IG) during the quarterly IG training at the Mark Center. The IGs learned about IG audits; IG roles and responsibilities in evaluating the CTIP program; and Use of Force provisions and Leahy Law provisions covering gross violations of human rights.

The CTIP PMO customized the CTIP General Awareness training and presented it to 29 new hires in the OSD Policy (OSDP) Office in the Pentagon. It focused on OSDP roles and responsibilities in combating TIP and in particular, OSDP efforts to protect vulnerable populations and recovered child soldiers and participate in the country sanctions process; as well as general overview information.

For more information,
visit [http://
ctip.defense.gov](http://ctip.defense.gov)

Upcoming Events

The CTIP Program Management Office will participate in the next Senior Policy Operating Group (SPOG) meeting on April 23, 2019 at U.S. Department of State offices in Washington, DC. In addition to DoD the SPOG consists of the Departments of State, Justice, Homeland Security, Health and Human Services, Education, Transportation, Treasury, Labor together with the United States Agency for International Development, Office of Management and Budget, and the Office of the Directorate of National Intelligence. The cabinet level official from each of these agencies are members of the President’s Interagency Task Force to Monitor and Combat Trafficking in Persons which meets at least once a year to discuss CTIP accomplishments and future initiatives.

OPEN FOR SUBMISSIONS

Have ideas for the next issue? Submit your suggestions and agency highlights to dodctip@mail.mil.