

More than “Endeavoring to Ensure:”
The Department of Defense’s Response and Responsibility
to Human Trafficking

A Monograph

by

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Abstract

More than “Endeavoring to Ensure:” The Department of Defense’s Response and Responsibility to Human Trafficking, by COL Jason M. Alvis, 38 pages.

Human trafficking is both a local and a global problem. Human trafficking happens on the US homeland and is perpetrated near military installations and even by US servicemembers. While the Department of Defense has acknowledged the problem, much more could be done in the DoD spheres of influence in terms of synchronization, organization, and funding. This monograph assesses past and current programs and recommends solutions for the Department of Defense to do more than “endeavor to ensure” awareness of policies and programs.

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Finally, I would like to empathize with victims of human trafficking, regardless of association with DoD. None of you deserve this.

I pray and resolve to help eradicate human trafficking. Come Lord Jesus!

Abbreviations

AOR	Area of Responsibility
CCMD	Combatant Command
CTIP	Combatting Trafficking in Persons
DHS	Department of Homeland Security
DoD	Department of Defense
DOS	Department of State
DSCA	Defense Support to Civil Authority
EPIC	El Paso Interdiction Center
HIDTA	High Intensity Drug Trafficking Areas
JIATF	Joint Interagency Task Force
NDS	National Defense Strategy
NSS	National Security Strategy
TCO	Transnational Criminal Organizations
TMTF	Talent Management Task Force
USINDO-PACOM	United States Indo-Pacific Command
USSOUTHCOM	United States Southern Command
USSOCOM	United States Special Operations Command
WPS	Women Peace and Security

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Introduction

Human trafficking is not a new phenomenon in the world, much less in the Western Hemisphere nor in the United States. Its prevalent pervasiveness and impact necessitates closer scrutiny and action at the governmental and Department of Defense (DoD) levels. The current statistics are alarming, sometimes even petrifying, and ever increasing. In his introductory message, written for the Department of State's (DOS) *2019 Trafficking in Person's Report*, Secretary of State Pompeo highlights the shocking numbers. He wrote: "Human trafficking is one of the most heinous crimes on Earth. Right now, traffickers are robbing a staggering 24.9 million people of their freedom and basic human dignity—that's roughly three times the population of New York City."¹ The DoD is not unaware of the problem. At the Department of Defense's 2020 National Human Trafficking Awareness Month Event, both the Director of the Defense Human Resources Activity, Mr. William H. Booth and the Acting Director for the Pentagon Force Protection Agency, Dr. Daniel Walsh, made statements acknowledging the problem. In his opening remarks, Mr. Booth claimed, "human trafficking is a gross violation of an individual's human rights." Later he reiterated that the nation's values and fabric of equal opportunity compels all departments, including the DoD, to counter trafficking in persons.² Because the DoD is committed to upholding the nation's values³, it must continue to act and increase actions to counter trafficking in persons (CTIP). Fittingly, and perhaps a bit serendipitously, assessments and recommendations may be due, as 2020 is the year for "*Celebrating 20 Years of Progress to Combat Human Trafficking*" at the DOS, the US Government's lead for Human Trafficking.⁴

¹Trafficking in Persons Report (US Department of State, June 2019), accessed October 6, 2019, <https://www.state.gov/reports/2019-trafficking-in-persons-report/>.

² William H. Booth, "Introductory Comments" (Introduction, National Human Trafficking Awareness Month Event, Pentagon Auditorium, 09 January 2020).

³ Jim Mattis, "Summary of the 2018 National Defense Strategy," 2018, 7.

⁴ "Celebrating 20 Years of Progress To Combat Human Trafficking," US Department of State (blog), accessed February 27, 2020, <https://www.state.gov/celebrating-20-years-of-progress-to-combat-human-trafficking/>.

Aim and Intent

Before assessing progress up to the present, the aim and intent of this monograph must be articulated. The aim is twofold. Firstly, DoD personnel participating in human trafficking and receiving services from trafficked persons must stop; and the DoD must be part of that prevention through strong action. Secondly, the DoD should focus some of its vast capability and expansive resources to specific areas where human trafficking is prevalent, particularly at or near military installations, or where human trafficking is conducted and threatens US national security and defense interests. Related to this, a simple analysis of departmental budgets within the United States government shows a lack of parity from the Department of Defense to all of the other departments.⁵ Connecting to the DoD's vast resources to the problem of human trafficking will give CTIP programs the staying power and resources needed for progress and permanence instead of repetitive publications and perpetual pontification.

Who is Doing What?

The United States Government (USG) has organizations dedicated and designed to combat human trafficking. The Department of State is the USG's lead for combatting human trafficking. Its office to Monitor and Combat Trafficking in Persons (TIP Office) leads the Department's global efforts to combat modern slavery through the prosecution of traffickers, the protection of victims, and the prevention of human trafficking.⁶

⁵ Kimberly Amadeo, "Secrets of the Federal Budget Revealed," The Balance, accessed October 6, 2019. <https://www.thebalance.com/u-s-federal-budget-breakdown-3305789>.

⁶ "Office to Monitor and Combat Trafficking in Persons," US Department of State (blog), accessed January 16, 2020, <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/office-to-monitor-and-combat-trafficking-in-persons/>.

The Department of Homeland Security sees countering human trafficking as a subset of its simple mission: “Keep America Safe.”⁷ Acknowledging human trafficking as a threat to keeping America safe, the DHS conducts the Blue Campaign, dedicated to awareness and information about human trafficking.

Blue Campaign is a national public awareness campaign, designed to educate the public, law enforcement and other industry partners to recognize the indicators of human trafficking, and how to appropriately respond to possible cases. Blue Campaign works closely with DHS Components to create general awareness training and materials for law enforcement and others to increase detection of human trafficking, and to identify victims.⁸

While DOS and DHS are clearly the USG’s lead entities for CTIP, many other departments have a role. Figure 1 lists all US Governmental entities combatting human trafficking. Lesser known than the aforementioned DOS and DHS efforts, but not less important, the Department of Defense also has a role in combatting human trafficking. The DoD has a Countering Trafficking in Persons Program Management Office (CTIP PMO). CTIP PMO outlines duties and responsibilities through its charter. Unfortunately, CTIP work within DOD organizations (which is mandated in the charter) is conducted as collateral duty the participants from the organizations with representation articulated in the charter are often doing CTIP work as collateral duties after completion of primary tasks in a position with higher priority work. There are only two full time CTIP personnel at the DOD level. The progress of this very small office is described later. It is interesting to note that even while “combat” is the operative word to counter human trafficking, the DoD’s action verb in Figure is “endeavors”. All other entities engage, assist, provide, fund, investigate and/or prosecute while the DoD “endeavors to ensure.”⁹

⁷ “About DHS,” Department of Homeland Security, May 4, 2012, accessed January 16, 2020 <https://www.dhs.gov/about-dhs>.

⁸ “*Blue Campaign*,” Department of Homeland Security, December 22, 2014, accessed January 16, 2020 <https://www.dhs.gov/blue-campaign>. (DHS’s more comprehensive mission statement reads, “With honor and integrity, we will safeguard the American people, our homeland, and our values.”)

⁹ “U.S. Government Entities Combating Human Trafficking,” US Department of State (blog), accessed February 27, 2020, <https://www.state.gov/u-s-government-entities-combating-human-trafficking/>.

U.S. Government Entities Combating Human Trafficking

Department of State (DOS) engages with foreign governments, international and intergovernmental organizations, and civil society to develop and implement effective strategies for confronting modern slavery. DOS chairs the PITF and the SPOG, funds international anti-trafficking programs, and produces the annual *Trafficking in Persons Report*.

Department of the Treasury (Treasury) engages with financial institutions to analyze and disseminate information related to human trafficking.

Department of Defense (DOD) endeavors to ensure that the U.S. military, civilian employees, and contractors have the necessary tools for awareness and prevention of human trafficking, including through training, distribution of awareness materials, and development of policies and procedures to address vulnerabilities in defense contracts.

Department of Justice (DOJ) conducts human trafficking investigations and prosecutions and provides grant funding for victim services. DOJ supports anti-trafficking task forces; conducts trainings, research, and outreach initiatives; and produces the annual *Attorney General's Trafficking in Persons Report*.

Department of the Interior (DOI) provides anti-trafficking training for personnel and partners with federal, state, local, and tribal entities to combat human trafficking and provide victim services in American Indian and Alaskan Native communities.

Department of Agriculture (USDA) provides anti-trafficking training for employees, inspectors, and industry partners to raise awareness of human trafficking in agriculture and rural areas in the United States.

Department of Labor (DOL) assists law enforcement partners in the identification of trafficking victims. In addition, DOL engages internationally with governments as well as business, labor, and civil society groups to implement models that work to reduce child labor and forced labor, and produces the following reports: *Findings on the Worst Forms of Child Labor*; *List of Goods Produced by Child Labor or Forced Labor*; and *List of Products Produced by Forced or Indentured Child Labor*.

Department of Health and Human Services (HHS) funds victim assistance services programs and the **National Human Trafficking Hotline**, issues Certification and Eligibility Letters for foreign national victims of trafficking, provides training and technical assistance to local communities, and conducts public awareness campaigns and public health initiatives focused on human trafficking.

Department of Transportation (DOT) partners with other U.S. government agencies and transportation industry leaders across the country to train stakeholders, develop educational tools, and disseminate awareness materials focused on anti-trafficking initiatives.

Department of Education (ED) raises awareness of human trafficking in school communities; provides technical assistance; encourages schools to embed the issue in emergency operations and management planning; and works with federal, state, and local agencies to develop and disseminate resource materials.

Department of Homeland Security (DHS) conducts domestic and international investigations of human trafficking, conducts public awareness campaigns through the Blue Campaign, provides education and training, grants immigration benefits to victims of human trafficking, and authorizes victims who are potential witnesses to remain in the United States temporarily during the investigation or prosecution of their traffickers.

Office of the United States Trade Representative (USTR) uses U.S. trade policy, such as trade agreements, to combat labor trafficking by enforcing labor rights and raising worker protections.

Agency for International Development (USAID) funds international anti-trafficking programs; engages in innovative private sector partnerships; and integrates anti-trafficking activities across development sectors, applying research and evaluation and strengthening efforts in conflict and crisis-affected environments.

Equal Employment Opportunity Commission (EEOC) investigates, attempts to informally resolve, and litigates charges alleging discrimination and pursues cases on behalf of trafficked workers and secures civil remedies (e.g. monetary and equitable relief) for trafficking victims.

Figure 1. *US Government Entities Combating Human Trafficking*, compiled by monograph author, “Celebrating 20 Years of Progress To Combat Human Trafficking” (US Department of State, January 31, 2020), accessed 10 February 2020, <https://www.state.gov/celebrating-20-years-of-progress-to-combat-human-trafficking/>.

Certainly, the DoD can do better than “give it the ol’ college try.” Figure 2 articulates the sentiment of “give it the ol’ college try.”¹⁰ In colloquial terms, it simply means acknowledging an issue, yet minimally acting to complete any associated tasks.

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Figure 2. “Calvin and Hobbes,” accessed March 10, 2020, <https://store.gocomics.com/wp-content/uploads/1995/06/ch950628-framed.png>.

¹⁰ Watterson, Bill, “Calvin and Hobbes,” accessed March 10, 2020, <https://store.gocomics.com/wp-content/uploads/1995/06/ch950628-framed.png>.

Doing better requires understanding the context and scope of human trafficking. To understand the context and scope, definitions are important. The US Government defines human trafficking as “the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.”¹¹ Both DoD and DoS break human trafficking into labor trafficking, sex trafficking and child soldiering.¹²

The DoD explains each specific category in the following manner:

1) Labor Trafficking

- Labor or service compelled by force, fraud, or coercion
- Debt bondage: using debt to compel labor from another person
- Victims are found in any location or industry: factories, farms, construction, restaurants, mines, or personal homes
- Children are also labor trafficking victims
- Forced labor generates an estimated \$51.2 billion per year

Forced labor, also referred to as labor trafficking, encompasses the range of activities -- recruiting, harboring, transporting, providing, or obtaining -- involved when a person used force or physical threats, psychological coercion, abuse of legal processes, deception, or other coercive means to compel someone to work. Once a person's labor is exploited by such means, the person's prior consent to work for an employer is legally irrelevant: the employer is a trafficker and the employee is a trafficking victim. Migrants are particularly vulnerable to this form of human trafficking, but individuals also may be forced into labor in their own countries. Female victims of forced or bonded labor, especially women and girls in domestic servitude, are often sexually exploited as well.

2) Sex Trafficking

- Commercial sex compelled by force, fraud, or coercion
- Victims have been found in brothels, street prostitution, escort services, strip clubs, and in the pornography industry
- Child sex tourism: traveling to countries to have sex with children
- An estimated \$99 billion are generated by commercial sexual exploitation exacted by fraud or force per year

Source: United Nations, International Labour Organizations, Department of State

When an adult engages in a commercial sex act, such as prostitution, as a result of force, threats of force, fraud, coercion, or any combination of such means, that person is a victim of trafficking. Under circumstances, perpetrators involved in recruiting, harboring, enticing, transporting, providing, obtaining, patronizing, soliciting, or maintaining a person for that purpose are guilty of sex trafficking of an adult. When a child (under 18 years of age) is recruited, enticed, harbored, transported, provided, obtained, patronized, solicited,

¹¹ “Overview of Human Trafficking and NIJ’s Role,” National Institute of Justice, accessed March 25, 2020, <https://nij.ojp.gov/topics/articles/overview-human-trafficking-and-nij-s-role>.

¹² “What Is Trafficking in Persons?” accessed November 25, 2019, <https://ctip.defense.gov/What-is-TIP/>.

or maintained to perform a commercial sex act, proving force, fraud, or coercion is not necessary for the offense to be characterized as human trafficking.

3) *Child Soldiering*

- Unlawful recruitment of children under 18 by government or government armed forces
- Children are used as combatants, cooks, servants, messengers, spies, or sex slaves
- Children are often sexually and physically abused
- Children are forced to commit atrocities against others
- 200,000 - 300,000 children in over 57 armed conflicts worldwide
- Average age: 15 - 18, but as young as 7

Child soldiering is a manifestation of human trafficking when it involves the unlawful recruitment or use of children -- through force, fraud, or coercion -- by armed forces as combatants or for other forms of labor. Some child soldiers are sexually exploited by armed groups. Perpetrators may be government armed forces, paramilitary organizations, or rebel groups. Many children are forcibly abducted to be used as combatants. Others are made to work as porters, cooks, guards, servants, messengers, or spies. Young girls can be forced to marry or have sex with commanders and male combatants. Both male and female child soldiers are often sexually abused.

** The lists above are not exhaustive; rather, they are select lists of examples seen around the world, including in the United States. ¹³*

It is also necessary to distinguish between human trafficking and human smuggling. Often these two terms are incorrectly used interchangeably. Compared to human trafficking, where the victims are coerced and forced against their will, human smuggling is act of transporting or moving a willing and paying individual from one location to another, usually across an international border. Those who are smuggled could be considered a victim, but they are usually fleeing dire circumstances or seeking much better circumstances in their destination. The mixing of terms and associated confusion is a longstanding problem. Confusion was common even a decade ago, as articulated by a United Nations survey of existing knowledge from a global perspective.

Despite efforts made by scholars to compare and clarify the respective scope of the concepts of smuggling and trafficking, one can still find an improper use of terms in the research, leading to confusion regarding both the quantitative and qualitative analysis of these phenomena.¹⁴

¹³“*What Is Trafficking in Persons?*” accessed November 25, 2019, <https://ctip.defense.gov/What-is-TIP/>.

¹⁴ Daphné Bouteillet-Paquet, “2010 Smuggling of Migrants A Global Review” (United Nations Office on Drugs and Crime, 2010), accessed September 13, 2019, www.unodc.org/unodc/en/human-trafficking/smuggling-of-migrants.html.2010

To alleviate the confusion, the Department of Defense published the following helpful chart.

COMBATING TRAFFICKING IN PERSONS

Smuggling vs. Human Trafficking

Human Smuggling is the facilitation, transportation, attempted transportation, or illegal entry of a person(s) across an international border, in violation of one or more countries laws, either clandestinely or through deception, such as the use of fraudulent documents

TRAFFICKING	SMUGGLING
Must contain an element of force, fraud, or coercion (actual, perceived, or implied); unless victim under 18 years of age is involved in commercial sex	The person being smuggled is generally cooperating
Persons who are trafficked are victims	Persons who are smuggled are complicit in the smuggling crime and are not necessarily victims of the crime
Does not need to involve the actual movement of the victim. There is no requirement to cross an international border	Facilitates the illegal entry of person(s) from one country into another. Smuggling always crosses an international border
Persons are subjected to limited movement or isolation, or had documents confiscated	Persons are free to leave, change jobs, etc.
Persons have been forced, tricked, or coerced into labor/services or commercial sex acts, i.e. must be "working"	Persons must only be in country or attempting entry illegally

1 /

Figure 3. Smuggling vs. Human Trafficking Chart, “Required Training,” accessed December 12, 2019, <https://ctip.defense.gov/Training/>.

Literature Review

To further understand the context and scope of human trafficking, a broad study of literature is required. Though human trafficking has been known to exist for some time, there are two prevailing, yet erroneous, thoughts when discussed around Americans.¹⁵ The first thought is that it is an overseas problem. The second thought is that it does not happen in government and particularly in military circles and there is therefore no substantial military response to human trafficking. The book *The Slave Next Door*.¹⁶ is a chilling exposé on human trafficking that happens within the borders of the United States.

¹⁵ “Infographic: Out of the Shadows: Exposing the Myths of Human Trafficking,” Office on Trafficking in Persons | ACF, December 30, 2016, accessed September 13, 2019, <https://www.acf.hhs.gov/otip/resource/myths>.

¹⁶ Kevin Bales and Ron Soodalter, *The Slave Next Door: Human Trafficking and Slavery in America Today*, Paperback ed. (Berkeley, CA: Univ. of California Press, 20).

Even before “*The Slave Next Door*” was written, President George W. Bush created the Human Trafficking Task Force and the “Trafficking in Persons Report,”¹⁷ an annual requirement for both governmental and non-governmental organizations. Additionally, articles in *The Journal of Criminal Justice*¹⁸ and *International Migration*¹⁹ have very focused lenses onto human trafficking into and within the United States. Covering the crisis more broadly, *Human Trafficking: A Reference Handbook* and *Global Human Smuggling: Comparative Perspectives* describe the problem with a global view, which can aid in understanding the American problem within a greater context.

Once the problem of trafficking is understood in its appropriate contexts, it is necessary to understand how traffickers think. By relaying stories in examples and vignettes from case studies and books like *What Slaveholders Think*,²⁰ a trafficker’s mindset can be understood, albeit incompletely. While *What Slaveholders Think* is a systematic analysis of contemporary slaveholders in rural India, the specific instances examined show applicable insights into human trafficking writ large. These case studies show how some traffickers think they are doing their victims a service or saving them from a much worse lifestyle, whether that is poverty, abuse, disease etc. These examples also show that different cultures view slaveholding, indentured servitude, and/or trafficking differently than the American culture. These differing views, unfortunately, are actually capitalized upon by traffickers both in and outside of the United States, for the gain of the trafficker and the demise of the trafficked. These vignettes also show the connection between human trafficking and illegal immigration. When illegal immigration is not contained, the thoughts and attitudes of slaveholders are brought within the borders of the United States

¹⁷ Trafficking in Persons Report (US Department of State, June 2019), accessed October 6, 2019, <https://www.state.gov/reports/2019-trafficking-in-persons-report/>.

¹⁸ Amy Farrell and Stephanie Fahy, “The Problem of Human Trafficking in the US: Public Frames and Policy Responses,” *Journal of Criminal Justice* 37, no. 6 (November 2009): 617–626.

¹⁹ Elzbieta M. Gozdziaik and Elizabeth A. Collett, “Research on Human Trafficking in North America: A Review of Literature,” *International Migration* 43, no. 1–2 (January 2005): 99–128.

²⁰ Austin Choi-Fitzpatrick, *What Slaveholders Think: How Contemporary Perpetrators Rationalize What They Do* (New York: Columbia University Press, 2017).

and make the human trafficking problem worse. In an effort to simply survive victims will comply with a trafficker or slaveholders demands (such as surrendering passports, limiting movement, etc.). The victims then feel like they do not have a voice or personal choice. This mentality, regardless of physical location across the globe, hinders efforts to free trafficked victims and prosecute oppressors.

Even after irrefutable evidence that human trafficking is a problem within the United States, it can still be hard to see and comprehend human trafficking as a national security concern, much less a military problem. Because the issue is so dynamic and policies vicissitude with events and/or governmental administrations, in-depth study and review of contemporary articles, monographs and even webpages is required along with the literature and necessitates inclusion in this literature review. The article “Human Trafficking: Breaking the Military Link”²¹ describes the problem of US military personnel overseas and prostitution; and the Department of Defense’s initial response. This initial response was also the catalyst for CTIP training requirements within the Depart of Defense and the catalyst for the TIP report required by the Department of State. Another case study of trafficked laborers (vice humans trafficked for sex) describes how the Department of Defense utilized trafficked personnel to build the US Embassy in Baghdad.²² Specific cases with individual actors have come to light since this monograph commenced. One incident claims that the director of the Black Sea Area Support Team, forward deployed to Mihail Kogalniceanu Airport, Romania, solicited underage girls at nearby brothels.²³ Even an Inspector General report from 2019 states that major command headquarters in Kuwait were not

²¹ Keith J. Allred, “Human Trafficking: Breaking the Military Link,” *Connections: The Quarterly Journal* 04, no. 4 (2005): 63–72.

²² Kevin Bales and Ron Soodalter, *The Slave Next Door: Human Trafficking and Slavery in America Today*, Paperback ed. (Berkeley, CA: Univ. of California Press, 20).

²³ “Bordelul Din Baza Militară Americană de La Kogălniceanu,” *Cotidianul RO* (blog), January 23, 2020, accessed January 30, 2020, <https://www.cotidianul.ro/documente-bordelul-din-baza-militara-american-a-de-la-kogalniceanu/>.

hiring contractors and subcontractors in accordance with CTIP policies, and were therefore contributing to labor trafficking on US installations overseas.²⁴

Human trafficking episodes within the Department of Defense necessitated literature and analysis of the topic from a DoD perspective. Unfortunately, some of the writings only state that it is a problem, such as a “Human Trafficking and the Impact on National Security for the United States” written by COL Sandra Keefer in 2006 at the US Army War College.²⁵ Other writers make recommendations as to what the Department of Defense can do to respond to this crisis. The best recommendation comes from MAJ Phillip Brown’s School of Advanced Military Studies monograph titled “USSOCOM’s Role in Addressing Human Trafficking”.²⁶ It focused on United States Special Operations Command's (USSOCOM) response to human trafficking and recommends feasible and suitable counter measures. As the USG “celebrates” twenty years of progress to combat human trafficking,²⁷ reviewing MAJ Brown’s monograph from ten years ago may be a beneficial assessment. Many suggestions to counter human trafficking in that monograph may be parroted here, as the concepts and capabilities are still applicable and available in the ways described a decade ago. It is difficult to ascertain whether these writings were the impetus for any programs initiated by the Department of Defense, the Department of the Army, the United States Special Operations Command, or any other recommended entity therein, to counter human trafficking. Even if proponents or task forces are stood up, such as USSOCOM’s HERO (Human

²⁴ US Department of Defense Inspector General, *Evaluation of DoD Efforts to Combat Trafficking of Persons in Kuwait*, Report No. DODIG-2019-088 (Washington, DC, June 11, 2019)

²⁵ Sandra Keefer, “Human Trafficking and the Impact on National Security for the United States” (US Army War College, March 2006).

²⁶ Phillip Brown, “USSOCOM’s Role in Addressing Human Trafficking” (US Army Command and General Staff College, May 2010).

²⁷ “Celebrating 20 Years of Progress To Combat Human Trafficking,” US Department of State (blog), accessed February 27, 2020, <https://www.state.gov/celebrating-20-years-of-progress-to-combat-human-trafficking/>.

Exploitation Rescue Operative) Child Rescue Corps,²⁸ they require sufficient resources for their success. USSOCOM's HERO program is a great initiative, but its relation to the military is primarily utilizing retired special operations personnel with niche training and skill sets to counter human trafficking. Although worthwhile, HERO is not funded by the DoD nor does it operate in conjunction with the campaigns or lines of effort of any Combatant Command (CCMD).

Nevertheless, there is historical precedence for Department of Defense resources being used for non-kinetic, non-combat endeavors. From the aforementioned USSOCOM HERO Child Rescue Corps to the historical humanitarian relief of the Berlin Airlift, to homeland assistance during hurricanes and other natural disasters via Defense Support to Civil Authorities (DSCA),²⁹ the Department of Defense has used personnel, time, money and material to enable these causes.

Human Trafficking as a National Security Concern

Human trafficking is addressed in our nation's strategic documents, specifically the National Security Strategy (NSS) and the National Defense Strategy (NDS). The NSS cautions that "Non-state actors undermine social order through drug and human trafficking networks, which they use to commit violent crimes and kill thousands of Americans each year."³⁰ The NDS references human trafficking only in the context of enabling African nations to counter it. Later in this writing, a description of various CTIP programs within Combatant Commands will show that it is a national security and defense issue in other areas of the world as well. While it would be correct to say that human trafficking is important to national security and national defense simply because the President says it is, it goes deeper than that,

²⁸ "US Special Operations Command's HEROs Combat Human Trafficking." www.army.mil, accessed September 26, 2019, https://www.army.mil/article/198743/us_special_operations_commands_heros_combat_human_trafficking.

²⁹ "STAND-TO! Defense Support to Civil Authorities." www.army.mil, accessed October 6, 2019, <http://www.army.mil/standto/2018-10-15>.

³⁰ "National Security Strategy," The Whitehouse, December 2017, accessed September 16, 2019, <https://www.whitehouse.gov/wp-content/uploads/2017/12/NSS-Final-12-18-2017-0905.pdf>.

primarily because, “while drugs are sold in one transaction, human beings can be sold over and over again.”³¹ When mentioned at the governmental level, human trafficking is referenced as both foreign and domestic issues. As a foreign issue, the United States will “continue to work with partners to improve the ability of their security services to counter terrorism, human trafficking, and the illegal trade in arms and natural resources.”³²

Human trafficking threatens the homeland. As a domestic issue, protecting the homeland and critical infrastructure is key. One measure that can be taken to protect the homeland is by reducing drug and human trafficking. The NSS again references human trafficking as a national security concern, stating:

We must prevent nuclear, chemical, radiological, and biological attacks, block terrorists from reaching our homeland, reduce drug and human trafficking, and protect our critical infrastructure. We must also deter, disrupt, and defeat potential threats before they reach the United States. We will target jihadist terrorists and transnational criminal organizations at their source and dismantle their networks of support.³³

A specific example of Human Trafficking as a national security issue is its linkage to terrorism and transnational criminal organizations (TCO). The Department of Defense has led the “Global War on Terror” since 2001. Some of the consequences, perhaps unintended, were the spillage or spin-off of criminal and terror organizations adapting to alternate means of making money and alternate commodities to traffic for profit. One of those commodities is humans. Multiple studies, some now decades old, discuss the nexus of terror, trafficking, and crime. Those studies indicate that many of the transnational criminal organizations (TCOs) that the Department of Defense will perpetually be in conflict against will

³¹ “What Fuels Human Trafficking?,” UNICEF USA, accessed November 30, 2019, <https://www.unicefusa.org/stories/what-fuels-human-trafficking/31692>.

³² “National Security Strategy,” The Whitehouse, December 2017, accessed September 16, 2019. <https://www.whitehouse.gov/wp-content/uploads/2017/12/NSS-Final-12-18-2017-0905.pdf>.

³³ Ibid.

utilize human trafficking to advance their cause.³⁴ These TCOs will traffic humans to make money and/or to supply people as commodities for forced labor, soldiering, and the like. Additionally, reports from African nations, particularly the Democratic Republic of the Congo and the Central African Republic, indicate significant Human Trafficking resulting in child soldiers. In 2014, at least nine countries worldwide were implicated by the US Department of State for child soldiers.³⁵ Each one of those countries had a US military exercise, engagement, or talks conducted in recent years. Reports from Syria and Iraq, where ISIS controlled cities, indicate human trafficking of the minority Yazidi tribe resulting in sex and labor slaves. Because human trafficking is a national security concern, the DoD's senior leaders and officials should have an understanding the problem writ large. A recent senior leader within the Department of Defense who was most aware and vocal about this problem is General John Kelly as commander of United States Southern Command. During his command (from 2012-2016), GEN Kelly made multiple mentions of human trafficking being a national security issue and a national defense issue that could result in potential terrorism on or near the homeland.³⁶

Progress to Date

The Department of Defense has been officially monitoring and attempting to counter human trafficking since 2002.

On December 16, 2002, the President signed National Security Presidential Directive 22 declaring the United States' zero tolerance policy for trafficking in persons (TIP). The Directive states, "Agencies shall review their internal structures, personnel requirements, capabilities, information systems, professional education programs, training procedures, legislative authorities, and budgets to accommodate the provisions of this directive...Departments and agencies shall ensure that all of the appropriate offices within their jurisdiction are fully training to carry out their responsibilities to combat trafficking."

³⁴ Fred Dews, "Joint Chiefs Chairman Dunford on the '4+1 Framework' and Meeting Transnational Threats," Brookings (blog), February 24, 2017, accessed 17 February 2020, <https://www.brookings.edu/blog/brookings-now/2017/02/24/joint-chiefs-chairman-dunford-transnational-threats/>.

³⁵ Alexis A. Aronowitz and Alexis A. Aronowitz, *Human Trafficking: A Reference Handbook, Second edition, Contemporary World Issues* (Santa Barbara, CA: ABC-CLIO, LLC, 2017), 85-88.

³⁶ "Top General Says Mexico Border Security Now 'Existential' Threat to U.S. - Defense One," accessed January 28, 2020, <https://www.defenseone.com/threats/2014/07/top-general-says-mexico-border-security-now-existential-threat-us/87958/>.

CTIP PMO is responsible for overseeing, developing, and providing, the tools necessary for implementing National Security Directive 22 within DoD.³⁷

Figure 4 highlights the major milestones of the CTIP PMO from 2000 – 2020.

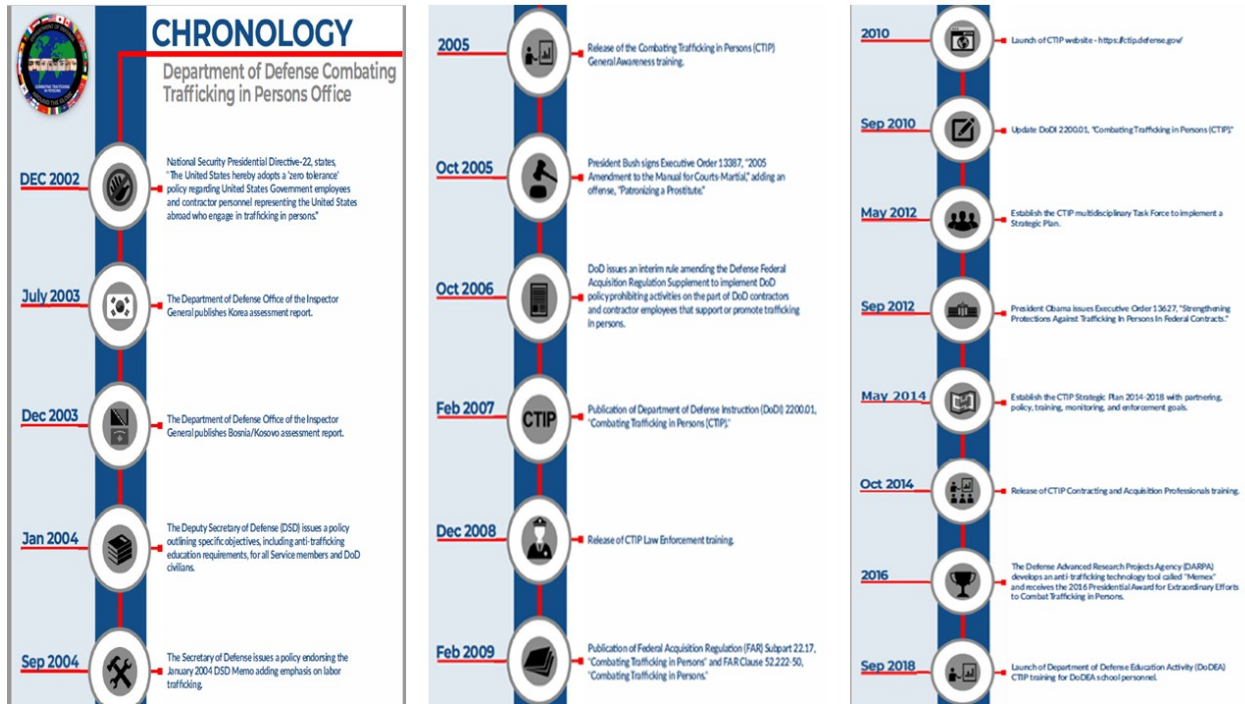


Figure 4. Chronology of Combating Human Trafficking, compiled by monograph author, accessed November 25, 2019, <https://media.defense.gov/2019/Jan/09/2002078090/-1/-1/1/CHRONOLOGY-OF-COMBATING-HUMAN-TRAFFICKING.PDF>

Training and awareness within the Department of Defense includes initial, one time online training completed by every service member and DoD civilian, along with campaigns and conferences that raise and maintain awareness. The online training has varying levels and focus, depending on the type of work a servicemember, civilian, or contractor will be doing. DoD personnel stationed overseas or deployed will conduct more in-depth training as part of their permanent change of station or mobilization. Training available includes: General Training, Department of Defense Education Activity (DODEA) Training, Investigative Professionals Training, Contracting and Acquisition Training, and Legal

³⁷ "What Is Trafficking in Persons?," accessed November 25, 2019, <https://ctip.defense.gov/What-is-TIP/>.

Counsel.³⁸ While this type of distributed training has significant reach, its effectiveness could be questioned. Anti-trafficking efforts and programs are difficult to assess because the activity is secretive, dark, and covert; yet often conducted close to urban centers, populations, military bases and even Department of Defense Education Activity Schools. Many victims may be reluctant to discuss the situation; and it appears that some metrics gathered by the CTIP program do not offer insight into prevention or rescue. For example, the [ctip.gov](https://ctip.defense.gov) website boasts, “DoD has accomplished many feats since the passage of the National Security Presidential Directive 22 and the Trafficking Victims Protection Act of 2000. The number of military members and civilian employees trained increased from 72 percent in 2008 to 90 percent in 2015.”³⁹ It goes on to state:

The number of victims identified increased as DoD personnel became more aware of how to recognize and report signs of trafficking. Establishments that have connections to prostitution and human trafficking have been placed off-limits to all DoD employees. Local governments and law enforcement have begun to work with the DoD to promote the US Government's zero tolerance policy on TIP. DoD has taken steps to ensure all contract employees have access to their passports and immigration documents, as well as conducted frequent inspections of work and living conditions to ensure the health and safety of its employees.⁴⁰

While those increases and zero tolerance policies are encouraging, they do not necessarily quantify CTIP improvement nor the number of trafficking victims helped, rescued or prevented. This complicates any hopes to assess anti-trafficking efforts within the DOD. A benefit, however, of the far-reaching requirements, particularly for the online CTIP training required by every military member and general service employee, is increased awareness and their subsequent inability to claim negative knowledge of human trafficking situations.

³⁸ “Required Training,” accessed December 12, 2019, <https://ctip.defense.gov/Training/>.

³⁹ “Combating Trafficking in Persons Program Office Event,” accessed December 10, 2019, <https://ctip.defense.gov/>.

⁴⁰ Ibid.

“Endeavoring to Ensure”

There are two prevalent justifications for simply “endeavoring to ensure” instead of tangibly acting by the Department of Defense. One is a lack of responsibility coupled with a reluctance to engage in anything other than combat. The other is a lack of resources. Because countering human trafficking is not kinetic, most Services are reticent to put time, personnel or money towards finding solutions to this problem. However, many strategists and leaders at CCMDs think about and discuss “gray zone conflict” and “actions below the threshold of armed conflict”. Human trafficking can be couched within those lexicons, yet it still seems the average military professional remains unaware of the connection between human trafficking and national security or national defense. Additionally, when programs, lines of effort or even task forces exist within a CCMD, their existence and impact remain known to few. This displays a synchronization and messaging problem that could be unambiguously rectified. Even if the synchronization and messaging was rectified, resources often remain reserved for kinetic or high intensity combat programs. Many non-kinetic DoD programs and endeavors are highlighted on page eleven of this monograph. One of the programs highlighted is Defense Support to Civil Authorities. Specifically, DSCA

is a total force effort by all federal military forces -- to include DOD civilians, contract personnel and reserve component forces and assets. This effort is in response to domestic emergencies, to include homeland defense, homeland security, terrorist attack, natural and man-made disasters and other events.⁴¹

Multiple Department of Defense Joint Publications and directives have codified DSCA as doctrine and as important means by which the DOD supports the US government writ large. CTIP clearly falls within the purview of DSCA as well. It is domestic, it is both a security and a defense issue. It clearly warrants effort by all military forces and assets. Whether utilizing intelligence network analysis, embedding military personnel with other governmental organizational tasks forces, or taking on a

⁴¹ “STAND-TO!,” www.army.mil, accessed October 6, 2019, <http://www.army.mil/standto/2018-10-15>.

supporting role, much can be done presently to counter and attempt to curb human trafficking around all US Department of Defense facilities and within the United States' borders.

In addition to the DoD CTIP PMO, each CCMD headquarters has CTIP Program Managers. These offices are not identical at the various CCMDs, and are not mimicked at echelons below the CCMD. At echelons below the CCMD, the individual training requirements are simply tracked like all other regulatory training requirements and taskers. Clearly the problem of human trafficking is known at the Department of Defense's enterprise level. Unfortunately, its magnitude and pervasiveness may not be fully recognized in military units below the enterprise and CCMD level. Certain locations, specifically forward and deployment locations, have made efforts beyond individual training courses to increase everybody's vigilance in recognizing and combatting human trafficking. One such effort is in Bagram, Afghanistan, where a sole CTIP employee conducts training for all newly arrived personnel, ensures Contracting Officer Representatives and companies are complying with CTIP policies and that commanders take action when necessary. This hands-on oversight ensures that USG Contracting Officer Representatives are not contracting for services with companies (or those companies' subcontractors) that "employ" trafficked humans. Also, this hands on oversight is necessary to ensure that USG contracts like were let for the building of the US Embassy in Baghdad are not repeated.⁴²

Some CCMD's geographic locations and areas of responsibility (AOR) necessitate robust human trafficking awareness and integration into exercises and operations. USSOUTHCOM is the only CCMD in the DOD that has a Human Rights Office, with all anti-human trafficking efforts emerging from there. CTIP is not the only program the Human Rights Office manages; and the team is rather small, containing only five personnel. USSOUTHCOM approaches CTIP with a dual track – focusing both internally and externally. The internal focus advises senior leaders and the commander on human trafficking issues that are coming down from the DoD and the USG as well as issues coming up from countries within the AOR.

⁴² Kevin Bales and Ron Soodalter, *The Slave Next Door: Human Trafficking and Slavery in America Today*, (Berkeley, CA.: Univ. of California Press, 20).

The external focus develops policy for and provides country specific awareness and training for exercises and security cooperation events conducted in the AOR. Additionally, the human rights office writes and injects vignettes into USSOUTHCOM's command post exercises. Another external focus is the Joint Interagency Task Force – South. JIATFS's mission is to “conduct detection and monitoring (D&M) operations throughout their Joint Operating Area to facilitate the interdiction of illicit trafficking in support of national and partner nation security.”⁴³ It is important to note that “illicit trafficking” is not specifically defined in this particular instance. A common assumption is that “illicit trafficking” refers primarily to drugs, and then to money. It is not a far stretch, then, to add humans to the type of trafficking represented in the mission statement. Although the commodity may be different, when it comes to trafficking, countering the network is key. And keeping a broad description allows the Task Force, in this case JIATFS, to counter or respond to people, drugs, money or even food being trafficked.⁴⁴ JIATFS conducts a specific campaign that has been going on for eight years.

Martillo (Hammer) is a multi-national detection, monitoring and interdiction operation conducted by U.S. Navy and Coast Guard vessels and aircraft as well as U.S. federal law enforcement assets working in cooperation with military and law enforcement units from various Central and South American nations, Canada, the United Kingdom and the Netherlands. Martillo is a USSOUTHCOM supported and Joint Interagency Task Force-South (JIATF-South) led operation to deny transnational criminal organizations the ability to exploit shipment routes in the for the movement of narcotics, precursor chemicals, bulk cash, human trafficking and weapons.⁴⁵

For the DoD, the construct of Campaign Martillo is just as important as the mission. It demonstrates how the DoD can impact, support and influence operations, to include countering human

⁴³ “Joint Interagency Task Force South,” accessed February 16, 2020, <https://www.jiatfs.southcom.mil/About-Us/>.

⁴⁴ “Avocado Industry: Viagras Cartel Is Taking Notice of the Money Stream,” accessed January 2, 2020, <https://www.usatoday.com/story/money/2019/10/23/avocado-industry-viagras-cartel-taking-notice-money-stream/4071161002/>. (Food is brought up here as a caution to set limits on what the Department of Defense has a responsibility to respond to in terms of trafficking. But, the avocado cartels are now bigger than the drug cartels in Mexico. Somehow they are part of the network of illicit trafficking as well. At a minimum, they have influence or are influenced by traffickers of other commodities).

⁴⁵ “Martillo,” accessed February 16, 2020, <https://www.dvidshub.net/feature/martillo>.

trafficking, without being the lead agency. Furthermore, Campaign Martillo is a multi-national and multi-service campaign, so the examples demonstrate the potential for other multi-national efforts for other Component Commands. Campaign Martillo's webpage succinctly explains the supporting role of the military and DoD.

While the Department of Defense is not the lead agency responsible for countering threat networks, its unique capabilities can be leveraged to support other U.S. government and partner nation efforts. SOUTHCOM is aligned with and supports lead agencies, such as the Departments of Justice and State, as well as partner nations in the threat network fight. The DoD is the lead federal agency in efforts to detect and monitor aerial and maritime transit of illegal drugs towards the United States. Based on information gathered by JIATF South-coordinated operations, U.S. law enforcement agencies and partner nations take the lead in interdicting drug runners. U.S. military interdiction involvement, if any, is in support of those law enforcement agencies.⁴⁶

Furthermore, Campaign Martillo is a multi-national and multi-service campaign, and thus demonstrates the potential for other multi-national efforts for other Component Commands.

United States Indo-Pacific Command (USINDO-PACOM) highlights the linkages between CTIP and human rights violations, including gender-based violence. INDO-PACOM's Women, Peace and Security (WPS) Gender Advisor describes how the command can perpetuate CTIP awareness and action at lower levels:

For U.S. Indo-Pacific Command, and the Department of Defense, WPS programing approaches CTIP similarly, to include CTIP training modules. Also, a core function of the Command's Gender Advisor is to teach and mainstream a gender perspective across military planning, operations, and assessments, which essentially means understanding how gender-based differences shape the immediate needs and long-term interests for men, women, boys, and girls, in a given context. If applied appropriately, this type of gender analysis aids DoD in understanding the roots causes of human trafficking and tailoring context-specific responses. Overall, it enables DoD to become a more agile, effective warfighting force.⁴⁷

⁴⁶ "Operation Martillo," accessed December 7, 2019, <https://www.southcom.mil/Media/Special-Coverage/Operation-Martillo/>.

⁴⁷ Sharon Gouvia Feist, "Women, Peace, and Security (WPS) and Combating Trafficking in Persons (CTIP): Distinct Histories, Interlinked Agendas," DoD CTIP Quarterly Newsletter.

JITAF West is USINDO-PACOM's joint interagency task force closely commensurate to JIATF South.

The JIATF West team is a composite of approximately 166 active duty, reserve, DOD civilian, contractor, and U.S. and foreign law enforcement agency personnel.

Its mission is as follows:

Joint Interagency Task Force West executes Department of Defense counterdrug activities on behalf of Commander, U.S. Pacific Command to both defend the Homeland and stabilize the theater by hardening the environment against the growth of transnational crime and disrupting transnational criminal organizations that threaten U.S. interests.⁴⁸

JIATF-W's origins are in counter drug operations, yet their mission highlights again the networks' nexus of drugs, money and people trafficked by transnational criminal organizations.

In 2012, United States European Command (EUCOM) stood up the Joint Interagency Countering Trafficking Center.⁴⁹ Its purpose was to focus on trafficking in drugs, weapons, humans and other illicit commodities as well as their financing.⁵⁰ Unfortunately, its last readily accessible public information was in 2015. While Africa and human trafficking was mentioned in the 2019 National Security Strategy, it does not appear to have a resident CTIP program manager or office. Personnel have worked in that realm, per emails from former employees, but their CTIP efforts are not frequently or highly advertised.

Another enterprise level progression for CTIP is in Department of Defense Education Activity (DODEA) schools. CTIP PMO recognizes there are factors that contribute to human trafficking at DODEA schools and attempts ahead of these potential incidents. Teachers are afforded the opportunity for education seminars and training, and are supported when they report suspected trafficking situations their students may be involved in. This intersected facet of human trafficking and DoD is quite surprising, as most DoDEA schools are on military installations, and most military installations are considered , safe,

⁴⁸ "JIATFW," accessed March 8, 2020, <https://www.pacom.mil/JIATFW.aspx>.

⁴⁹ "United States European Command," accessed December 19, 2019, <https://www.eucom.mil/Tags/jictc-joint-interagency-counter-trafficking-center>.

⁵⁰ Ibid.

and exclusive gated communities.⁵¹ One assertion is that children growing up in these “exclusive gated communities” are more trusting, particularly of adults, than those that do not. With military youth moving every few years, predators capitalize on the trust that moves with them. Predators develop ways to empathize with the emotive parts of permanent changes of station, connect with these vulnerable youth, and gain a foothold before many realize all that is happening. While this is a significant start to this program, more research and funding must be applied here to fully understand and contain the problem before it is uncontrollable.

While combatting human trafficking at the enterprise levels seems perpetually difficult, gaining authorization and resources to do so should not be. A common theme in all efforts referenced in this monograph is the interagency task force concept. This concept allows stakeholder agencies to have representation for their interests yet utilize authorities of other agencies when theirs has none. This organizational structure allows the DOS to remain the USG’s lead in countering human trafficking, allows the DHS to protect the homeland, all the while utilizing and capitalizing on niche military capabilities, even down to the individual soldier level. While JIATF-South may be the best contemporary example, other interagency task forces exist, specifically within the United States and at the state level. Multiple state National Guard units support current anti-trafficking efforts through the High Intensity Drug Trafficking Areas (HIDTA) program. This program has been ongoing since 1988 and exists in 28 states. While initiated as a counter-drug trafficking program, the same apparatus is used to counter the network of trafficking within the participating states. As stated previously in this monograph, “the network” consists of drugs, money, weapons and humans. Because it is not an agency, but rather a conglomeration of agencies from local, state and federal levels, HIDTA Investigative Support Centers can

⁵¹ “Military Bases Are Our Most Exclusive Gated Communities — and That Hurts Veterans,” accessed March 4, 2020, https://www.washingtonpost.com/opinions/military-bases-are-our-most-exclusive-gated-communities--and-that-hurts-veterans/2013/11/08/27841b1e-47cb-11e3-a196-3544a03c2351_story.html.

be (and are) tailored to the specific needs of the area in which they operate.⁵² Furthermore, because HIDTA ISCs have been in existence for so long, and effective enough to maintain operations for extended periods, adding human trafficking as a formal part of their charters (where applicable) and/or modeling other activities or task forces after HIDTA ISCs is a plausible option. In the Midwest region, the Missouri HIDTA has a Missouri National Guard intelligence analyst assigned, full time, to its center. The state utilizes Title 32 funding to collect intelligence and counter human trafficking. While at first, “only one service member” seems inconsequential or lacking impact, it is a start. Furthermore, if every state had a similar HIDTA ISC, or allowed its “only one service member” to serve on another’s HIDTA ISC, then the population of Department of Defense soldiers with this niche skill set would expand. Because the HIDTA ISCs and other similar organizations already exist, these organizations could have human trafficking added to as a component of their mission. One similar organization is the El Paso Interdiction Center (EPIC), headquartered at Fort Bliss, Texas. Its mission is:

to support US law enforcement (LE) through the timely analysis and dissemination of intelligence on threats to the Nation and those criminal organizations responsible for illegal activities within the Western Hemisphere, having a particular emphasis on Mexico and the Southwest Border.” While taking a hemispheric, all crimes/all threats view, **EPIC’s primary focus is on criminal activity *within* the United States.**⁵³

Without explicitly stating it, the EPIC already supports countering human trafficking by “analysis and dissemination of intelligence on threats...”. From the outside looking in, the work of responding to human trafficking is already being done when intelligence is collected against other illicit networks.

Even if DoD units or personnel are task-organized correctly for CTIP, whether stateside or overseas, resources may still be an issue. Once again, because CTIP is not kinetic, it receives little attention and

⁵² “National Guard Analysts Help Police Disrupt Drug Trafficking,” National Guard, accessed January 14, 2020, <https://www.nationalguard.mil/News/Article/573420/national-guard-analysts-help-police-disrupt-drug-trafficking/>. (“The purpose was to establish a coordinated effort among local, state, and federal law enforcement agencies to focus on drug problems confronting a particular region,” said Thomas Carr, director of the Baltimore/Washington HIDTA. “This is not a cookie cutter program. Each HIDTA tailors the needs of its region to properly focus on its threats.”)

⁵³ “El Paso Intelligence Center (EPIC),” accessed January 14, 2020, <https://www.dea.gov/el-paso-intelligence-center-epic>.

even less funding than combat operations. The DoD should either increase its budget for CTIP or reallocate funds from other projects and allow the CTIP PMO to direct and allocate funds for its programs. As it stands now, most CTIP programs have minimal staff and minimal budgets. The small staffs are left to find creative ways to fund their programs and accomplish little more than “endeavoring to ensure.” When he was Secretary of Defense, James Mattis stated that the Department of State must be appropriately funded, lest the Department of Defense be forced to buy more ammunition. This sentiment is applicable in the CTIP world, as DOS is the lead agency for human trafficking. Another way to ensure the DoD is not forced to buy more ammunition would be to bolster funding for CTIP within the DoD. Specific budgetary recommendations are made further in this monograph.

Cautions and Risk

One of many concerns regarding Department of Defense organizations engaging in activities or operations is whether it is legal. Specifically, the Posse Comitatus Act cannot be violated. The Posse Comitatus Act, dating back to 1878 and implemented by President Rutherford B. Hayes, specifically forbids US military forces to fulfill a law enforcement role, save for military policemen on military installations. The concept of combatting human trafficking, particularly within the borders of the United States could conjure up mental images of military units manning check points, conducting raids and “walking a beat” just as police, sheriffs and the like. While that may not be the way current forces would conduct operations to counter human trafficking, history indicates that the US Army as a constabulary force is not a too distant memory. Snider and Matthews highlight the many times military personnel were used to police and govern; and they posit that this is more of a norm than high intensity combat, even in the future.⁵⁴ Even long after the Posse Comitatus Act was enacted, US Army personnel were used to govern and police. Perhaps the appropriate caution is to military members that as long as the mission does not violate the Posse Comitatus Act, they can be expected to perform constabulary roles to counter

⁵⁴ Don M. Snider and Lloyd J. Matthews, *The Future of the Army Profession*, 2nd Edition, 355.

trafficking networks, including human trafficking networks. While some say the Department of Defense is not manned or equipped to conduct operations in that way, Snider and Matthews highlight that DoD's personnel and equipment has been used extensively in just that way. Furthermore, the DoD currently supports those types of operations, specifically through the National Guard.

Referencing the National Guard highlights another caution. Different titles of United States Code (USC) allow for different activities. In execution, it is important to ensure individuals or units are operating underneath the appropriate title. For example, Title 10 refers to active duty military activities while Title 32 refers to National Guard activities under state authority. The aforementioned HIDTAs are Title 32 activities; and personnel conducting Title 32 activities are not governed by the Posse Comitatus Act. The adage "where there's a will, there's way" is appropriate here. If officials and general officers and policy makers were serious enough about countering human trafficking beyond "endeavoring to ensure," they would find a way to work within present guidelines, change current laws, or task organize to optimize CTIP operations. The issue of amending or changing USC titles, authorities and policies often comes down to priorities and values. The US Army recently stood up its Talent Management Task Force (TMTF). This is an entity, headed by a Major General, that is completely transforming how the Army selects, promotes and slates its personnel, specifically its mid to senior leaders. In order to resource the TMTF, the Chief of Staff of the Army authorized overstrength billets⁵⁵ for personnel and move funds from other programs. Via the National Defense Authorization Act, even the US Congress approved of the TMTF initiation and the subsequent changes it will make for the Army.⁵⁶ This vignette is not a critique of the Army's TMTF, nor appropriate and necessary changes in the Army. Rather, this vignette is an example that what the DoD prioritizes and values can and will get resourced with personnel and money.

⁵⁵ TMTF- Personnel Policy Team, Directed Military Overstrength, accessed March 10, 2020, <https://www.srleaders.army.mil/portal2/DOM/PositionPopup.aspx?id=300584>.

⁵⁶ Dr. Leonard Wong, Cultural Lines of Defense Against Change, US Army Professional Forum, December 20, 2019, video, 10:03, accessed March 10, 2020, <https://www.youtube.com/watch?v=6UqjLLISZCw&list=PLhoZ3RxkpeYOJu8uR-XYjYCvJO9NcMJhF&index=38&t=0s>.

Authorities, policies and USC titles can be adjusted or amended to fulfill the DoD's priorities and defend the nation's values.

Another caution for strategic planners and policy makers is to not play into the hands of the United States' great power competitors. This is especially salient for the CCMDs with AORs that contain great power competitors or where the great powers have interests and activity, particularly gray zone activity. A scenario that visualizes this point is as follows: The United States Government, involved in an African country, refuses to contract with a local construction and distribution company because it has known ties to corrupt government officials and is known to use indentured laborers in order to keep prices low and complete contracts quickly. A great power, China, is already known to use predatory lending practices in Africa for China's national interest. China could see the United States' values-based business practices as a seam to exploit. Because China's concerns for human rights and national values is much less than the United States, it could offer the same near-term security, contracts, employment and economic boost. Many third world countries are concerned more with immediate survival than adhering to values-based norms, adding to the complexity the United States working by, with and through their governments, governmental agencies and corporations.

One risk of the DoD dedicating further resources to CTIP is what Rosa Brooks terms the "Walmartization" of the military.

Today, American military personnel operate in nearly every country on Earth — and do nearly every job on the planet. They launch raids and agricultural reform projects, plan airstrikes and small-business development initiatives, train parliamentarians and produce TV soap operas. They patrol for pirates, vaccinate cows, monitor global email communications, and design programs to prevent human trafficking.⁵⁷

In doing too much, or in doing everything, the DoD runs the danger of unaccountability, improper execution of the CTIP mission, and subverting the expertise and authority of other departments

⁵⁷ Rosa Brooks, "How the Pentagon Became Walmart," Foreign Policy (blog), accessed March 10, 2020, <https://foreignpolicy.com/2016/08/09/how-the-pentagon-became-walmart-how-everything-became-war/>.

in the USG. This danger does not mean the DoD should not act nor increase resources as suggested previously. It does mean that the DoD should be precise and exacting in its application of resources to CTIP. It also means that changes in policy and USC titles, which would not necessarily require increased funding or manpower, may be the best way to do more than “endeavoring to ensure” it is responding appropriately to human trafficking.

Recommendations

While the DoD responds to human trafficking through training, education, exercise integration, and small yet important personnel inputs into standing JIATFs, more can be done to get beyond “endeavoring to ensure.” Commanders and leaders of agencies, task forces, and centers at the departmental and enterprise levels to synchronize, prioritize and authorize funding to substantially counter human trafficking. Synchronization and prioritization could happen like any other operation or strategic support mission. The CTIP PMO at the DoD level should be empowered to weight efforts and direct funds to the CCMD or other entity that appropriately articulates the need for resources to counter human trafficking. CCMDs should ensure their CTIP offices or sections have input into exercises and missions throughout their respective AORs in order to obtain funding.

Funding for anti-human trafficking efforts could be done easily and with limited (if any) increase to the DoD budget. With a defense budget of \$686 billion for fiscal year 2020, it is hard to see how the US could not fund CTIP efforts by, with, and through the Department of Defense. Applying the calculus of the popular (and tangentially related) movie from 2016 *War Dogs*⁵⁸, CTIP policy, lines of effort, and applicable missions could be funded by the crumbs of the DoD’s budget. Acknowledging that there were costs associated with sequestrations and continuing resolutions of recent fiscal years, the DoD writ large

⁵⁸ *War Dogs*, directed by Todd Phillips (Green Hat Films, 2016), *War Dogs* is a movie about weapons traffickers that operate in the margins of the defense arms and ammunition industry. As a small business owner, they are given preferential treatment for niche US government requirements. The quote that can be applied to funding smaller efforts like human trafficking with the DOD budget is "Everyone's fighting over the same pie and ignoring the crumbs. I live off crumbs."

still managed to function. A sequestration attitude toward appropriately and judiciously moving money and giving CTIP the crumbs (or the decimal points) from other programs would bolster CTIP activities with minimal negative effects to current programs.

Defense headlines routinely report the significant dollar amounts given to DoD projects or programs.

Figure 5 illuminates this concept.

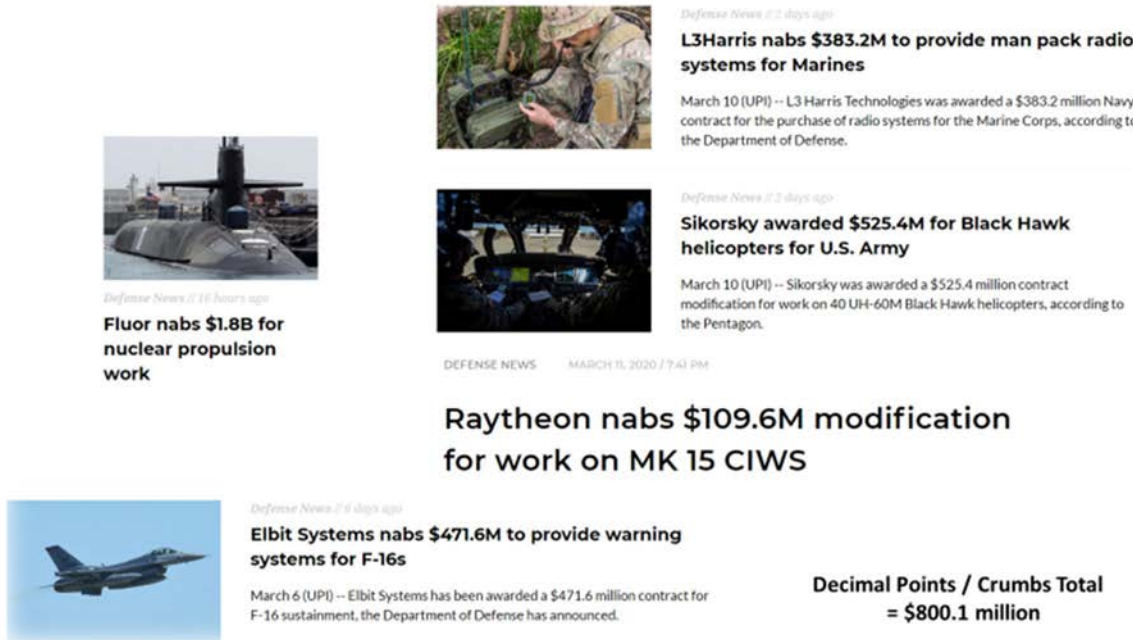


Figure 5. Headlines taken from *Defense News* online publication, figure created by monograph author, www.defensenews.com

Adding just the decimal points (or the crumbs) from the headlines listed, the DoD significantly bolsters the CTIP funding by \$801.8 million. In multiple publications, the Department of Defense has instructed subordinate organizations to prepare for situations such as DSCA and human trafficking. Even so, funding continues to be applied to combat systems and combat operations, the likes of which are never fully employed.

The DoD should find ways to allow Title 10 personnel to be assigned to Title 32 task forces at the state level or amend the Posse Comitatus Act to allow constabulary activities within the United States. Now is the time for the Department of Defense to act and to think beyond the way things have always

been organized, synchronized, funded, and executed. The tragic phenomena of human trafficking highlights that finding solutions within the current system or changing the system in order to counter the threat must be done. The US Army's recent foray into talent management and human capital may be part of the solution. If the Army can change its personnel system for the betterment of the Soldier; the DoD can change or champion change to Congress to amend Titles, US Code, or Acts to allow for its personnel to contribute to CTIP.

Conclusion

Human trafficking is clearly both a local and a global problem. Human trafficking happens on the US homeland and is perpetrated near military installations and even by US servicemembers. In 2020 more than 1,000 humans in the United States alone were trafficked for forced labor, for sexual activity and for easy money. United States Marines were discharged from the Marine Corps for trafficking humans while on active duty. The DoD is doing more than the average citizen and servicemember realizes to appropriately respond to and adequately fulfill its responsibility to human trafficking. Whether missions conducted by JIATF-South or individual service members assigned to HIDTAs, the DoD is a participant in combatting human trafficking. When the US government acknowledges the CTIP fight commensurate with the War on Terror and the War on Drugs, the DoD can further increase focus and funding in this in this gray zone area of competition. While not kinetic or necessarily large scale, the DoD's response to human trafficking highlights the nation's values and its responsibility to those values.

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