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Statement
of
Mr. Thomas F. Gimble
Principal Deputy Inspector General
Department of Defense

before the
House Armed Services Subcommittee on Military Personnel

and

House International Relations Subcommittee on Africa,
Global Human Rights and International Operations

on

Trafficking in Persons

Chairmen and Members of the Subcommittee on Military Personnel and the Subcommittee on Africa, Global Human Rights and International Operations:

Thank you for this opportunity to discuss past and ongoing efforts by the Office of Inspector General (OIG) in the area of combating Trafficking in Persons (TIP). Previously, on September 21, 2004, the OIG presented testimony regarding TIP in a joint hearing before Chairman Hunter of the full committee and the Commission on Security and Cooperation in Europe.

OIG initiatives into the area of human trafficking were triggered when thirteen Members of Congress wrote to the Secretary of Defense on May 31, 2002, to request a “thorough, global and extensive” investigation into the publicized allegation that U.S. military leadership in Korea had been implicitly condoning sex slavery. In response to those concerns the OIG initiated a Human Trafficking Assessment Project. The first phase of the project focused on United States Forces-Korea (USFK). The second phase focused on the European theater, specifically Bosnia-Herzegovina and Kosovo. The results of the assessment project indicated that awareness training, along with leader focus, were important tools in the effort to combat human trafficking.

DoD IG inspection teams visited Korea in December of 2002 and March of 2003, and the Balkans in June 2003 to conduct an assessment of trafficking issues and concerns. In Korea, we visited the following locations and conducted inquiries with the leaders and personnel of the host commands:

- Yongson, Seoul and the Itaewon District USFK

- Camp Casey and TongDuChon (2nd Infantry Division)
- Camp Red Cloud (HQ, 2nd Infantry Division)
- Osan Air Base (51st Fighter Wing)

For the assessment in the Balkans, we visited:

- Stuttgart, Germany (U.S. European Command)
- Sarajevo, Bosnia-Herzegovina (Stabilization Forces)
- Tuzla (Multinational Brigade North at Eagle Base)
- Kosovo, Serbia & Montenegro(Kosovo Forces), and
- Camp Bondsteel (Multinational Brigade East)

We published our findings in the Phase I report in July 2003. During our assessment, we identified a number of opportunities for expanded efforts on the part of USFK leadership to combat human trafficking, particularly efforts that focused on reducing the number of off-post installations that were engaged in prostitution or human trafficking. Further, we found that the USFK expressed a desire to work with other agencies to address human trafficking issues. At the conclusion of our March 2003 visit to Korea, we made several recommendations to the Commander, USFK, to increase the effectiveness of his TIP program. The Commander, USFK, incorporated our recommendations into his effort to combat TIP throughout the Korean peninsula.

Specifically, USFK:

- Bolstered human trafficking situational awareness with emphasis on “Core Values” and “The Noncommissioned Officer Creed.”

- Provided an official “tool kit” to Service members that included copies of:
 - The Presidential Directive on Human Trafficking, “National Security Presidential Directive 22 (NSPD 22)”
 - Public Law 106-386, Division A, 114 Stat.1464, “Trafficking Victim’s Protection Act of 2000”

- Developed and deployed a “Human Trafficking Indicators” guide to sensitize Military Police, Courtesy Patrols (CP), and each Service member. The guide included:
 - Formal briefings on force protection measures
 - Written instructions on duties and responsibilities of CPs
 - Lists of off-limit establishments

The results of our inspection team visit to the Balkans were published in the Phase II report on TIP in December 2003. During our assessment we identified opportunities for improvement, on the part EUCOM leadership, through reviewing service members compliance with TIP related restrictions, amending General Order No. 1, prohibiting TIP associated establishments, and incorporating anti-TIP clauses into service contracts. The Commander, European Command (EUCOM), subsequently took action to implement our recommendations. In a March 2004 response to the recommendations contained in the report USAREUR stated that:

- Inspections of the “Fighter Management Pass Program” and rest and relaxation locations found minimal incidences of pandering. In addition, USAEUR tasked Task Force Falcon to conduct quarterly inspections of their rest and relaxation locations.
- On February 9, 2004, General Order No. 1 was amended to include a provisions prohibiting engagement in TIP prostitution and indentured servitude, patronage of establishments suspected of TIP violations, and other activities related to human trafficking. Subsequently, in October 2005, the “Manual for Courts Martial” was amended to include the specific offense of “Patronizing a Prostitute” under Article 134.
- Steps had been taken to implement training programs and education to reduce or prevent TIP.
- Reviews of contracts showed that many, but not all, specifically prohibited employees and subcontractors from engaging in human trafficking and tasked their Joint Contracting Command to ensure that all future contracts have similar language.
- USARUER would direct Balkans Task Forces to implement policies to which provide for regular communication between U.S. military authorities, local judicial authorities, local law enforcement authorities, and the Trafficking and Prostitution Investigative Unit.

Ongoing Evaluation

On November 18, 2005, my office announced our current TIP evaluation project, “Evaluation of the Department of Defense (DoD) Efforts to Combat Trafficking in Persons.” To date, we have completed the field work and are now coordinating the draft report. This evaluation is examining TIP policies, programs, and actions at the OSD-level and analyzing program execution at the Combatant Command and installation levels. The objectives of our evaluation are:

- Determine if DoD directives, implementing instructions, organization, metrics, and resources are adequate for the DoD components to develop implementing programs and objectives.
- Determine if current TIP training is effective in promoting awareness of applicable laws and restrictions and fostering behavioral changes among all DoD employees—Service members, civilians, and contractor personnel.
- Determine if current laws and international agreements are sufficient to give commanders the requisite authority “outside the gate.”

During the preliminary phases of this project, the team reviewed relevant OSD, Joint Staff, Services, and Combatant Commanders policies and programs regarding trafficking in persons. Interviews were conducted with senior OSD and Military Department officials, command representatives, and various non-government organizations members.

In January 2006, the evaluation team initiated the field work phase and visited U.S. Pacific Command (PACOM) and EUCOM installations and numerous CONUS-based combatant command headquarters and installations.

Specific sites visited included:

- PACOM: Hawaii, Japan, and Korea
- EUCOM: Germany, Bosnia, Kosovo, and Italy
- U.S. Northern Command Headquarters, Colorado Springs, CO
- U.S. Central Command Headquarters, Tampa, FL
- U. S. Special Operation Command Headquarters, Tampa, FL
- U.S. Army Mobilization Station and Power Projection Platform, Fort Bliss, TX

During the visits, the team interviewed a cross section of officers and enlisted personnel and conducted group sensing sessions. So far, the team has collected information from over 900 individuals. Furthermore, a survey questionnaire was posted at the DoD IG Web site and was available from January 2006 through April 2006. Over 10,000 respondents completed the online survey. Suggestions, feedback, and recommendations have been reviewed and analyzed and will be included in the final report, as appropriate.

Other Activities

In addition to our ongoing evaluation, our DoD IG inspectors and evaluators continue to collaborate with the various TIP stakeholders across the Department of Defense. Examples include:

- Efforts to finalize the inclusion of TIP related clauses in the Defense Federal Acquisition Regulation Supplement (DFARS). On April 19, 2006, the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Counsel published an interim rule, Combating Trafficking in Persons, which amended the Federal Acquisition Regulation (FAR). The interim rule implements the Trafficking Victims Protection Reauthorization Act of 2003, as amended in 2005. The rule applies to contractors awarded service contracts (other than commercial service contracts under FAR Part 12), and prohibits severe forms of trafficking in persons, procurement of commercial sex acts, and the use of forced labor. The proposed DFARS interim rule extends the FAR clause prohibitions to all DoD service and construction contracts performed outside the United States.
- On April 14, 2006 the OIG responded to a request from the Undersecretary of Defense for Personnel and Readiness (USD P&R), into alleged TIP practices by DoD contractors and subcontractors in Iraq as reported in a series of Chicago Tribune articles regarding the circumstances leading to the death of 12 Nepalese workers inside Iraq on August 31, 2004. The allegations concerned involuntary servitude occurring under the auspices of DoD contractors in Iraq. The DoD IG made the following recommendations to the USD P&R, which were provided to Ambassador Miller by Under Secretary Chu on May 18, 2006:

- DoD continue to prosecute military members who become involved in TIP or TIP-related activities, in accordance with the Uniform Code of Military Justice.
 - DoD ensure that all new contracts incorporate the language of the anti-TIP DFAR clause, once it is approved.
 - DoD evaluate rewriting existing contracts to incorporate the language of the anti-TIP DFAR clause, once it is approved.
 - Military Department and Combatant Command Inspectors General continue their involvement in DoD efforts to combat TIP, within the limits of their authority to do so.
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- We have also worked with the U.S. Central Command (CENTCOM) IG and the in-theater IGs on issues related to labor or debt bondage in the CENTCOM area of operations. In April 2006, the Commanding General, Multi-National Force-Iraq, published Fragmentary Order 06-188 [Trafficking in Persons], “Prevention of Trafficking in Persons in Multi National Forces Iraq.”

Conclusion

In conclusion, we remain committed to support DoD’s “zero tolerance” policy against trafficking in persons and will continue to evaluate programs and compliance. I will be happy to provide an update upon completion of our current evaluation report. Enclosed at the Appendix are some of the key events and activities in which the OIG

has participated regarding combating trafficking in persons. Thank you again for this opportunity to update you on our efforts to combat TIP.

Appendix

OIG TIP Initiatives

Reports:

Procedures for Selecting Contract Personnel to Perform Maintenance on Army Aircraft in Bosnia, September 2002.

Assessment of DOD Efforts to Combat Trafficking In Persons Phase I United States Forces Korea, July 2003

Assessment of DOD Efforts to Combat Trafficking in Persons Phase II Bosnia-Herzegovina and Kosovo December 2003

Evaluation of Department of Defense's efforts to combat Trafficking in Persons (*ongoing*)

Speeches and Testimony:

Remarks by the Deputy Inspector General for Inspections and Policy, Department of Defense: "Mobilizing Our Forces for a Coordinated Attack on Human Trafficking: U.S. Department of Defense Plans for Combating Trafficking in Persons" (Marshall Center Conference on Human Trafficking, Mar 8, 2005)

Remarks of the Inspector General of the Department of Defense: "Military Chaplains as Moral Leaders: a Central Role in Suppressing 21st Century Human Slavery" (International Military Chaplains Conference, Feb 9, 2005)

Remarks of the Inspector General of the Department of Defense: "Suppressing Slavery in the 21st Century: from Legislation to Enforcement" (Organization for Security and Cooperation in Europe Forum for Security Cooperation Nov 17, 2004)

Statement of Inspector General of the Department of Defense, before the House Committee on Armed Services and the Commission on Security and Cooperation in Europe on Implementing the Department of Defense "Zero Tolerance" Policy with regard to Trafficking in Humans, Sep 21, 2004.

Conferences/Workshops:

United States Mission to the North Atlantic Treaty Organization (NATO) Seminar "Toward a NATO Policy on Trafficking in Persons" March 4-5, 2004

Workshop for Curriculum Development on Combating Trafficking in Human Beings, Geneva Center for Security Police, September 30-October 1, 2004

Organization for Security and Cooperation in Europe Forum for Security Cooperation November 17 2004

European Command International Military Chaplains' Conference February 9, 2005

Seminar On "Avoiding Military Involvement in Trafficking in Human Beings: Best Practices From the Field" National Defense College, Helsinki, Finland March 3-4 2005

Conference on Human Trafficking: Security Implications, Marshall Center March 8, 2005.