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Statement
of
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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

Chairman Hunter, Chairman Smith, and other members and staff of the Committee on Armed Services and the Commission on Security and Cooperation in Europe: thank you for this opportunity to participate in today's forum on Implementing the Department of Defense "Zero Tolerance" Policy With Regard to Trafficking in Humans.

Since 1778, starting at Valley Forge, inspectors general in America have served as independent extensions of the eyes, ears, and conscience of their respective commanders.

This Inspector General's commander is Secretary of Defense Donald Rumsfeld, who recently admonished all leaders in the Department of Defense never to "turn a blind eye" to what our Commander-in-Chief, in a speech last year to the United Nations General Assembly, singled out a "special evil."¹

Before going on any further, I want to express my gratitude to the Members of Congress who have enacted what I like to call "legislative tools" for us to deploy throughout the Department of

Defense in our ongoing efforts to teach and train our troops about human trafficking and otherwise to suppress this “dissolute and immoral practice.”²

I would also like to acknowledge and thank the uniformed inspectors general of the military departments, with whom my mostly civilian professional staff and I have been closely cooperating to suppress over the past 2 years any form of human slavery associated with Department of Defense programs and operations around the world.

One might ask why, in the midst of the Global War on Terrorism, even as deployed American soldiers are risking the ultimate sacrifice in Afghanistan and Iraq, the President of the United States would devote almost a fifth of his United Nations speech last September to the subject of human trafficking. One answer might be the nexus between human traffickers and the arms traffickers supporting the terrorists who are killing our soldiers.³ Another answer might be that caring for the victims of human

trafficking is a paradigmatically righteous thing to do for a President who refers to himself as a “compassionate conservative.”⁴ A more fundamental answer might be that to confront modern day human slavery forces us all to focus on “first things first,” that is, we need to focus on the principles that are worth fighting for, in order that we might better focus on “second things,” which include survival.

“[T]he principle of ‘first and second things,’ as C. S. Lewis calls it . . . [is] that when second things are put first, not only first things but second things too are lost. More exactly, when there are greater goods, or ultimate ends and proximate ends, if we put lesser goods, like survival, before greater goods, like values to survive for, then we lose not only the greater goods, the values, but even the lesser goods that we’ve idolized [T]he society that believes in nothing worth surviving for beyond mere survival will not survive.”⁵

Our currently available legislative tools for suppressing human trafficking include, of course, the Victims of Trafficking and Violence Protection Act of 2000 and its 2003 reauthorization, which

together prescribe a model “zero tolerance” standard not only for all Americans but for our Western Alliance partners as well. There is another legislative tool for combating trafficking in persons, less known but equally potent for those of us serving in the Department of Defense, known as the “Exemplary Conduct” leadership standard.

Congress first approved this leadership standard in 1775 and reenacted it in 1997 to promote precisely the type of moral courage expected of leaders throughout the Department of Defense in the face of relativists⁶ and cynics who say either that it’s no use to take on the so-called “oldest profession known to man,” or worse, and I have personally witnessed this pernicious attitude in Washington, D.C., and around the world, “they're just prostitutes.”

Among the many “lessons learned” in the course of our joint and global human trafficking inspections in Korea, Bosnia-Herzegovina, and Kosovo over the past 2 years, two “lessons learned” warrant reiteration today. First of all, among the root causes of the recent resurgence of human trafficking, aside from the

obvious profit motive of organized criminals, is a general reluctance of leaders at all levels to promulgate and to enforce principle-based standards for subordinates who create the demand for prostitution generally, and for sex slavery specifically. The second “lesson learned” that I would respectfully reiterate today is that whenever leaders, especially those of us who swear to “support and defend the Constitution of the United States,”⁷ become aware of human beings being referred to as “just” something else (for example, “they’re just prostitutes”), we ought never to turn a blind eye.

To actively subjugate -- or even to “turn a blind eye” when others subjugate -- any group of humans to a category of existence beneath the dignity of individuals “created equal, [and] endowed by their Creator with certain unalienable Rights, [among which] are Life, Liberty, and the pursuit of Happiness”⁸ is, in a word, un-American.

Simply stated, slavery is antithetical to the core principles that underlie our Constitution. By taking on this “special evil,” we focus

not only on physically surviving the ongoing Global War on Terrorism, but on the very principles that define “survival.”

My testimony today draws not only upon two human trafficking Inspector General reports over the past 2 years, but also upon a draft article, the working title of which is “[Inspecting Sex Slavery through the Fog of Moral Relativism](#).” Copies of the reports and the draft article are included as attachments to my prepared statement. The reports speak for themselves.⁹ The draft article is based on first-hand observations I have made as Inspector General.

In Korea, we found that leadership of U.S. Forces Korea (USFK) had initiated aggressive efforts to address the challenges of human trafficking. During the course of our assessment we noted some areas of the USFK human trafficking program that could be improved. General Leon LaPorte, USFK Commander, embraced our recommendations and acted promptly to implement them.

At the invitation of General LaPorte, I personally traveled to Korea – twice. During my first inspection visit to Korea, one of our Army MP escorts explained that the contracts for Russian entertainers on the so-called “Hooker Hill” in Seoul are sold weekly from one establishment to another. When I asked the young MP if he would like to do something about this blatant form of human slavery, he unhesitatingly responded in the affirmative, but then added that it was beyond his control. The young soldier was obviously waiting for a signal from the chain-of-command that would empower him to combat this affront to human dignity that, to him, seemed so morally wrong. Unbeknownst to this soldier, the top of his USFK chain of command had already sent the signal. It just hadn’t made it down to his level – yet.

Upon my return a year later, I found obvious indicators of substantial improvement: the message is getting out to all levels of command. The DoD’s zero tolerance policy is being effectively

implemented thanks to the moral leadership of General LaPorte and his entire USFK leadership team.

In Bosnia-Herzegovina and Kosovo, we found negligible evidence that members of the U.S. Armed Forces were patronizing prostitutes or were engaging in any other activities that support human trafficking. We did identify some opportunities to improve contractor awareness of the Department's zero tolerance policy with regard to trafficking in persons. Subsequent to our report, the Deputy Secretary of Defense issued a memorandum to all of the military departments, combatant commands, and Department of Defense offices implementing National Security Presidential Directive 22, formalizing a zero tolerance approach to trafficking in persons. I have included along with my prepared statement copies of both [Deputy Secretary Wolfowitz's](#) memorandum as well as [Secretary Rumsfeld's](#) more recent memorandum on the same subject.

Two of the main observations of our inspector general activities thus far are the need to educate service members on human trafficking issues, and the need for leaders to be “vigilant inspecting the conduct of all persons who are placed under their command.”

This leadership standard, which I referred to at the beginning of my prepared statement, was first drafted by John Adams and enacted by the Continental Congress as Article I of the 1775 Navy Regulations.¹⁰ More recently, in the aftermath of various sexual misconduct scandals of the 1990’s, Congress reenacted for leaders of all three military departments this same “exemplary conduct” leadership standard, thereby reaffirming “a very clear standard by which Congress and the nation can measure officers of our military services.”¹¹

In the coming weeks, I will be visiting the George C. Marshall European Center for Security Studies in Garmisch-Partenkirchen, Germany, and the U.S. European Command in Stuttgart. The Marshall Center provides training for ambassador-level leaders,

senior executives, and “young leaders” from all over Europe and Eurasia, focusing mostly on Eastern Europe and Eurasia. I intend to use this opportunity to review how well we are teaching and training our European allies not only on how, but also why, we expect our commanding officers and others in authority throughout the Department of Defense to be vigilant in inspecting for any indications of complicity in human trafficking and otherwise to suppress this dissolute and immoral practice. During this upcoming trip, I will also follow up on our efforts in Bosnia-Herzegovina and Kosovo to help measure improvement and determine whether my Office can be of further assistance.

[Secretary Rumsfeld](#) has called upon leaders throughout the Department of Defense “to make full use of all tools available, including DoD Inspectors General and criminal investigative organizations, to combat these prohibited activities.”

In conclusion, to reiterate Secretary Rumsfeld’s orders, “No leader in this department should turn a blind eye to this issue.”

¹ George W. Bush, “President Bush Addresses United Nations General Assembly,” Sept. 23, 2003 (“an estimated 800,000 to 900,000 human beings are bought, sold or forced across the world’s borders . . . generat[ing] billions of dollars each year -- much of which is used to finance organized crime”).

² 10 U.S.C. §§ 3583, 5947, & 8583 (same “exemplary conduct” leadership standard for “commanding officers and others in authority” in the Army, Naval Services, and Air Force, respectively).

³ See United States Department of State, “Trafficking in Persons Report,” p. 14 (June 2004) (“Trafficking Fuels Organized Crime According to the UN, human trafficking is the third largest criminal enterprise worldwide, generating an estimated 9.5 billion USD in annual revenue according to the U.S. intelligence community. . . . There have also been documented ties to terrorism.”).

⁴ Cf. Mt. 25:37-40 (NRSV) (“Then the righteous will answer him, ‘Lord, when was it that we saw you hungry and gave you food, or thirsty and gave you something to drink? . . . And the King will answer them, ‘Truly I tell you, just as you did it to one of the least of these who are members of my family, you did it to me.’”).

⁵ Peter Kreeft, *A Refutation of Moral Relativism: Interviews With An Absolutist*, p. 133 (Ignatius Press 1999); see C.S. Lewis, “Time and Tide,” reprinted in *GOD IN THE DOCK* (1942) (“You can’t get second things by putting them first; you can get second things only by putting first things first. . . . Civilizations have pursued a host of different values in the past: God’s Will, honour, virtues, empire, ritual, glory, mysticism, knowledge. The first and most practical question for ours is to raise the question, to care about the summum bonum, to have something to live for and to die for, lest we die.”).

⁶ See *THE CAMBRIDGE DICTIONARY OF PHILOSOPHY*, p. 690 (Robert Audi, General Editor, 1995) (“relativism, the denial that there are certain kinds of universal truths”).

⁷ 5 U.S.C. § 3331 (“An individual . . . elected or appointed to an office of honor or profit in the civil service or uniformed services, shall take the following oath: ‘I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.’”).

⁸ Declaration of Independence (July 4, 1776) (“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. . . .”).

⁹ Both reports are available on the Office of Inspector General, Department of Defense website at: <http://www.dodig.osd.mil/aim/alsd/H03L88433128PhaseI.PDF> and http://www.dodig.osd.mil/aim/alsd/HT-Phase_II.pdf.

¹⁰ Continental Congress, “Rules for the Regulation of the Navy of the United Colonies of North America” (28 November 1775), Article 1 (www.history.navy.mil).

¹¹ Senate Armed Services Committee, “National Defense Authorization Act for Fiscal Year 1998” (Report to Accompany S. 924), p. 277, quoted in the Introduction, “The Declaration of Independence and the Constitution of the United States of America” (www.defenselink.mil/pubs/liberty.pdf).

Inspecting Sex Slavery through the Fog of Moral Relativism

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An enemy of the United States Constitution gnaws at the good order and discipline of the American Armed Forces and, by extension, of the entire Western Alliance. This enemy answers to the name *moral relativism*, feeding on the side of human nature that would turn a blind eye to moral truths, as in “We hold these truths to be self-evident,”¹

Prologue

One might ask why, in the midst of the Global War on Terrorism, even as deployed American soldiers are dying in Afghanistan and Iraq, the President of the United States would devote almost one fifth of his speech to the United Nations General Assembly to the subject of human trafficking -- also known as “Trafficking in Persons,” “TIP,” or in its most common form, “sex slavery.”² One answer might be the connection between human traffickers and the arms traffickers supporting the terrorists who are killing our soldiers.³ A more fundamental answer might be that challenges of modern-day Human Slavery force us to focus on “first things first,” *i.e.*, the principles worth fighting for, in order that we might better focus on the “second things,” which include survival.

“[T]he principle of 'first and second things,' as C. S. Lewis calls it . . . [is] that when second things are put first, not only first things but second things too are lost. More exactly, when there are greater goods, or ultimate ends and proximate ends, if we put lesser goods, like survival, before greater goods, like values to survive for, then we lose not only the greater goods, the values, but even the lesser goods that we've idolized . . . [T]he society that believes in nothing worth surviving for beyond mere survival will not survive.”⁴

¹ Declaration of Independence (July 4, 1776) (“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. . . .”).

² See George W. Bush, “President Bush Addresses United Nations General Assembly,” September 23, 2003 (“an estimated 800,000 to 900,000 human beings are bought, sold or forced across the world's borders . . . generat[ing] billions of dollars each year -- much of which is used to finance organized crime”); see also “Findings,” VICTIMS OF TRAFFICKING AND VIOLENCE PROTECTION ACT OF 2000, Section 102(b)(1) (“Approximately 50,000 women and children are trafficked into the United States each year.”); Trafficking Victims Protection Reauthorization Act of 2003 (see <http://www.state.gov/documents/organization/28225.pdf>); Executive Order Amending Executive Order 13257 to Implement the Trafficking Victims Protection Reauthorization Act of 2003, March 18, 2004 (<http://www.whitehouse.gov/news/releases/2004/03/20040318-7.html>).

³ See United States Department of State, “Trafficking in Persons Report,” p. 14 (June 2004) (“Trafficking Fuels Organized Crime According to the UN, human trafficking is the third largest criminal enterprise worldwide, generating an estimated 9.5 billion USD in annual revenue according to the U.S. intelligence community. . . . There have also been documented ties to terrorism.”).

⁴ Peter Kreeft, *A Refutation of Moral Relativism: Interviews With An Absolutists*, p. 133 (Ignatius Press 1999); see C.S. Lewis, “Time and Tide,” reprinted in *GOD IN THE DOCK* (1942) (“You can't get second things by putting them first; you can get second things only by putting first things first. . . . Civilizations have pursued a host of different values in the past: God's Will, honour, virtues, empire, ritual, glory, mysticism, knowledge. The first and most practical question for ours is to raise the question, to care about the summum bonum, to have something to live for and to die for, lest we die.”).

In a transparent society based upon the rule of law,⁵ all man-made laws must first be both prescribed and promulgated before they can be enforced.⁶ This article highlights a joint, global, and continuing Inspector General success story in helping military commanders throughout the world better to promulgate and to enforce laws against human trafficking.

I. DOMESTIC ENEMY NUMBER ONE: MORAL RELATIVISM

A year after the terrorist attacks on the World Trade Center and the Pentagon, immediately after the Pentagon ceremony honoring “America’s Heroes Lost September 11, 2001,” I had the honor of escorting Dr. Henry Kissinger through the Pentagon to his waiting car. As we walked, I mentioned to Dr. Kissinger that I had recently queried one of his mentors, Dr. Fritz G. A. Kraemer,⁷ for nearly thirty years a senior Pentagon advisor, about what Dr. Kraemer thought was the most dangerous “domestic enemy to the United States Constitution.” Dr. Kraemer had unhesitatingly answered, “Relativism”; and upon hearing this, Dr. Kissinger unhesitatingly replied, “I agree.”

Moral relativism, for purposes of this article, is the rejection of absolute, principle-based moral values.⁸ As explained below, moral relativism is inconsistent with foundational principles and enduring core values of the United States of America. Moreover, both moral relativism and its practical manifestations vis-à-vis human trafficking are antithetical to the foundational principles and enduring shared values of the ever-expanding Western Alliance.⁹

The success thus far in the aforementioned joint, global, and continuing inspection of sex slavery has been made possible only by leaders throughout the Department of Defense understanding – and rejecting – moral relativism. The story itself began on May 31, 2002, with a letter from Congressman Christopher Smith and twelve other Members of Congress to Secretary of Defense

⁵ In *Marbury v. Madison*, the bedrock United States Supreme Court case establishing the principle of judicial review, Chief Justice John Marshall wrote, “The government of the United States has been emphatically termed a government of laws, and not of men.” 5 U.S. (1 Cranch) 137, 163 (1803).

⁶ See William Blackstone, I COMMENTARIES ON THE LAWS OF ENGLAND, pp. 44-46 (1765) (All “municipal or civil law . . . is likewise ‘a rule *prescribed*.’ Because a bare resolution, confined to the breast of the legislator, without manifesting itself by some external sign, can never be properly a law. It is requisite that this resolution be notified to the people who are to obey it. . . . [W]hatever what is made use of, it is incumbent upon the promulgators to do it in the most public and perspicuous manner; not like Caligula, who (according to Dio Cassius) wrote his laws in very small character, and hung them up upon high pillars, the more effectually to ensnare the people.”).

⁷ At the October 8, 2003, Arlington National Cemetery funeral of Fritz Kraemer, Dr. Kissinger was one of three eulogists. See Hodgson, “Fritz Kraemer: Brilliant geopolitical strategist who launched Henry Kissinger’s rise to power,” *The Guardian*, November 12, 2003. (<http://www.guardian.co.uk/usa/story/0,12271,1083074,00.html>).

⁸ See THE CAMBRIDGE DICTIONARY OF PHILOSOPHY, p. 690 (Robert Audi, General Editor, 1995) (“relativism, the denial that there are certain kinds of universal truths”); Kreeft, A REFUTATION OF MORAL RELATIVISM, *supra*, at 28-29 (Ignatius Press 1999) (“Relativism is the philosophy that denies absolutes. Any absolutes. Everyone believes there are many relativities, that some things are relative; but relativism claims that all things are relative. . . . [M]oral relativism says, ‘Perhaps there are absolutes in nonmoral knowledge, like ‘two plus two makes four’, but not in moral knowledge: we know no moral absolutes.’”).

⁹ For example, eleven republics and/or satellite states of the former Soviet Union have recently become members of the North Atlantic Treaty Organization (NATO): The German Democratic Republic (East Germany), Hungary, Poland, the Czech Republic; Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia.

Donald Rumsfeld, requesting a “thorough, global and extensive” investigation into publicized allegations of U.S. Military complicity in sex trafficking.¹⁰

In the course of subsequent inspections in Korea, Bosnia-Herzegovina, and Kosovo, the “lessons learned” thus far include: (1) among the root causes of the recent resurgence of human trafficking, aside from the obvious profit motive of organized criminals, is a general reluctance of leaders at all levels to promulgate and to enforce principle-based standards for subordinates who create the demand for prostitution generally, and for sex slavery specifically; and (2) whenever leaders, especially those of us who swear to “support and defend the Constitution of the United States,”¹¹ become aware of humans being referred to as “just” something else (*e.g.*, “they’re just prostitutes,” as discussed below), we ought never to turn a blind eye.

II. KNOW THY ENEMY¹²

Our forefathers were well-schooled in Blackstone’s Commentaries on the Laws of England, the most definitive legal treatise at the time of the American Revolution. In his Commentaries, Blackstone explained the “Nature of Law” in terms antithetic to moral relativism:

Man, considered as a creature, must necessarily be subject to the laws of his creator, [who] has laid down only such laws as were founded in those relations of justice, that existed in the nature of things antecedent to any positive precept. These are the eternal, *immutable laws of good and evil*, to which the creator himself in all his dispensations conforms; and which he has enabled human reason to discover, so far as they are necessary for the conduct of human actions. Such among others are these principles: that we should live honestly, should hurt nobody, and should render to every one it’s due; to which three general precepts Justinian has reduced the whole doctrine of law.¹³

Even before the Declaration of Independence, John Adams had embedded within our country’s earliest laws the aspirational standard that no American leader should ever turn a blind eye to human practices inconsistent with these “immutable laws of good and evil,”¹⁴ notwithstanding the fog of moral relativism that typically surrounds human practices that are objectively immoral.

Article 1 of the 1775 “Rules for the Regulation of the Navy of the United Colonies of North America,” drafted by John Adams and enacted by the Continental Congress, reads in its entirety: “The Commanders of all ships and vessels belonging to the THIRTEEN UNITED COLONIES, are strictly required to shew in themselves a good example of honor and virtue to their officers and men, and to be very vigilant in inspecting the behaviour of all such as are under them, and to discountenance and

¹⁰ Congressman Smith is the Co-Chairman of the Commission on Security and Cooperation in Europe. His congressional co-signers were: George Voinovich; Frank Wolf; Dennis Kucinich; Steny Hoyer; Tom Lantos; Robert Aderholt; Joe Pitts; Melissa Hart; Mike Pence; Marcy Kaptur; Cynthia McKinney; and Diane Watson.

¹¹ 5 U.S.C. § 3331 (“An individual . . . elected or appointed to an office of honor or profit in the civil service or uniformed services, shall take the following oath: ‘I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.’”).

¹² See Sun Tzu, THE ART OF WAR (“If you know the enemy and know yourself, you need not fear the result of a hundred battles. If you know yourself but not the enemy, for every victory gained you will also suffer a defeat. If you know neither the enemy nor yourself, you will succumb in every battle.”) (<http://classics.mit.edu/Tzu/artwar.html>).

¹³ Blackstone’s Commentaries, *supra*, pp. 39-40 (emphasis added; footnote citation omitted).

¹⁴ *Id.*; see Rules for the Regulation of the Navy of the United Colonies of North America,” *supra*, Article 1.

suppress all dissolute, immoral and disorderly practices; and also, such as are contrary to the rules of discipline and obedience, and to correct those who are guilty of the same according to the usage of the sea.”¹⁵

In 1798, the same founding father who had drafted the 1775 Naval leadership standard admonished American military officers that “Oaths in this country are as yet universally considered as sacred obligations,”¹⁶ warning that “Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.”¹⁷

A century later, shortly after the Civil War, the United States Supreme Court sustained the court martial of an Army Captain “related to the incurring by the accused of debts” when “the circumstances under which the debts were contracted and not paid were such as to render the claimant amenable to the charge” of “conduct unbecoming an officer and a gentleman.”¹⁸ In the same case, the Court of Claims had explained, “We learnt as law students in Blackstone that there are things which are *malum in se* and, in addition to them, things which are merely *malum prohibitum*; but unhappily in the affairs of real life we find that there are many things which are *malum in se* without likewise being *malum prohibitum*. In military life there is a higher code termed honor, which holds its society to stricter accountability; and it is not desirable that the standard of the Army shall come down to the requirements of a criminal code.”¹⁹

In the following century, during the Vietnam War, the United States Supreme Court upheld the constitutionality of the “general articles” of the Uniform Code of Military Justice (UCMJ), which proscribe, *inter alia*, “all disorders and neglects to the prejudice of the good order and discipline in the armed forces.”²⁰ The Supreme Court reviewed the history of the UCMJ’s general articles, tracing them back to 17th Century “British antecedents of our military law”²¹ and through the United States Supreme Court’s own precedent of the 19th Century.²²

¹⁵ Continental Congress, “Rules for the Regulation of the Navy of the United Colonies of North America” (28 November 1775), Article 1 (www.history.navy.mil).

¹⁶ J. Adams, Oct. 11, 1798, Letter “to the Officers of the First Brigade of the Third Division of the Militia of Massachusetts,” in THE WORKS OF JOHN ADAMS -- SECOND PRESIDENT OF THE UNITED STATES, Vol. IX, p. 229 (C.F. Adams, ed. 1854).

¹⁷ *Id.*; cf. *Church of the Holy Trinity v. United States*, 143 U.S. 457, 468 (1892) (“Every constitution of every one of the forty-four States contains language which either directly or by clear implication recognizes a profound reverence for religion and an assumption that its influence in all human affairs is essential to the well being of the community.”); James H. Hutson, RELIGION AND THE FOUNDING OF THE AMERICAN REPUBLIC, pp. 57-58 (Library of Congress 1998) (At the time immediately after the American Revolution, “It appears that both the politicians and the public held an unarticulated conviction that it was the duty of the national government to support religion, that it had an inherent power to do so, as long as it acted in a nonsectarian way without appropriating public money. . . . This conviction – that holiness was a prerequisite for secular happiness, that religion was, in the words of the Northwest Ordinance, ‘necessary to good government and the happiness of mankind,’ was not the least of the Confederation’s legacies to the new republican era that began with Washington’s inauguration in 1789.”); Peter Kreeft, A REFUTATION OF MORAL RELATIVISM, *supra*, p. 162 (“[E]ven in a secular society like America it’s still true that religion is the firmest support for morality. There has never been a popular secular morality that’s lasted and worked in holding a society together. Society has always needed morality, and morality has always needed religion. Destroy religion, you destroy morality; destroy morality, you destroy society. That’s history’s bottom line.”).

¹⁸ *United States v. Fletcher*, 148 U.S. 84, 91-92 (1893).

¹⁹ *Fletcher v. United States*, 26 Ct. Cl. 541, 562-63 (1891), quoted with approbation in *Parker v. Levy*, 417 U.S. 733, 765 (1974) (Blackmun, J., joined by Burger, C.J., concurring).

²⁰ *Parker v. Levy*, 417 U.S. at 738 (quoting and citing Article 134 of the UCMJ, 10 U.S.C. § 934).

²¹ *Id.* at 745.

²² *Id.* at 745-49.

In a 1974 concurring opinion, the Supreme Court described “[r]elativistic notions of right and wrong” (*i.e.*, moral relativism) as antithetical to the principle of military necessity:

Fundamental concepts of right and wrong are the same now as they were under the Articles of the Earl of Essex (1642), or the British Articles of War of 1765, or the American Articles of War of 1775, or during the long line of precedents of this and other courts upholding the general articles. And, however unfortunate it may be, it is still necessary to maintain a disciplined and obedient fighting force. . . . The general articles are essential not only to punish patently criminal conduct, but also to foster an orderly and dutiful fighting force. . . . Relativistic notions of right and wrong, or situation ethics, as some call it, have achieved in recent times a disturbingly high level of prominence in this country, both in the guise of law reform, and as a justification of conduct that persons would normally eschew as immoral and even illegal. The truth is that the moral horizons of the American people are not footloose,²³

Subsequently, in the midst of the Cold War between the Western Alliance and the Soviet Union, the Commander-in-Chief of the United States shared with Members of the British House of Commons his vision for leaving “Marxism-Leninism on the ash heap of history” -- based on underlying assumptions antithetical to *moral relativism*: “given strong leadership, time, and a little bit of hope, the forces of good ultimately rally and triumph over evil Here is the enduring greatness of the British contribution to mankind, the great civilized ideas: individual liberty, representative government, and the rule of law under God.”²⁴

Shortly after the Cold War concluded in Europe, the Polish-born Roman Pontiff, speaking in Baltimore, Maryland, likewise urged every generation of Americans to acknowledge “the moral truths which make freedom possible,” starting with those “truths” acknowledged in our Declaration of Independence and reiterated in the Gettysburg Address.²⁵ This enduring American and profoundly Western concept of “moral truths” simply cannot be squared with moral (or ethical) models that reject immutable “concepts of right and wrong.”²⁶

More recently, in the aftermath of various sexual misconduct scandals of the 1990’s, the United States Congress reenacted for leaders of all three military departments (Army, Navy, and Air Force) the same “exemplary conduct” leadership standard enacted by our Continental Congress as Article I of the 1775 Navy Regulations,²⁷ thereby reaffirming “a very clear standard by which Congress and the nation can measure officers of our military services.”²⁸ Title 10 of the United States Code thus still incorporates the principle-based substance of John Adams’ 1775 leadership standard: “All commanding officers and others in authority . . . are required to show in themselves a good example of

²³ *Id.* at 765 (Blackmun, J., joined by Burger, C.J., concurring).

²⁴ Ronald Reagan, “Speech to the House of Commons,” June 18, 1982 (www.fordham.edu/halsall/mod/1982reagan1.html).

²⁵ John Paul II, “Homily in Orioles Park at Camden Yards,” ¶7 (October 8, 1995) (<http://www.catholic-forum.com/saints/pope0264is.htm>).

²⁶ *Parker v. Levy*, *supra*, 417 U.S. at 765; see John Paul II, *Veritatis Splendor*, ¶¶1&101 (1993) (http://www.vatican.va/holy_father/john_paul_ii/encyclicals/documents/hf_jp-ii_enc_06081993_veritatis-splendor_en.html) (“As a result of that mysterious original sin, . . . giving himself over to relativism and skepticism, [man] goes off in search of an illusory freedom apart from truth itself. . . . Indeed, ‘if there is no ultimate truth to guide and direct political activity, then ideas and convictions can easily be manipulated for reasons of power. As history demonstrates, a democracy without values easily turns into open or thinly disguised totalitarianism.’” (footnote and citation omitted)).

²⁷ See 10 U.S.C. §§ 3583, 5947, & 8583 (same “exemplary conduct” leadership standard for all “commanding officers and others in authority” in the Army, Naval Services and Air Force respectively).

²⁸ Senate Armed Services Committee, “National Defense Authorization Act for Fiscal Year 1998” (Report to Accompany S. 924), p. 277, quoted in the Introduction, “The Declaration of Independence and the Constitution of the United States of America” (www.defenselink.mil/pubs/liberty.pdf).

virtue, honor, patriotism, and subordination; . . . to guard against and suppress all dissolute and immoral practices, and to correct . . . all persons who are guilty of them.”²⁹

These long-standing and principle-based moral pronouncements by Congress exemplify the reality that duly-enacted laws in our republic are the societal analog to an individual's conscience.³⁰ In the Anglo-American tradition, our national legislatures prescribe the national conscience through public laws, legislating what is right and what is wrong for the nation, *i.e.*, what choices we ought and ought not to make.³¹ Of course, as with any individual conscience formation process, there is always the possibility that this societal conscience be mis-formed, *i.e.*, inconsistent with a higher law.³² Also, as with the relationship between individual conscience and individual behavior, this societal conscience formation process is distinct from, yet integrally related to, both the promulgation and the enforcement processes.

III. THE NEED TO PROMULGATE AND ENFORCE LAWS AGAINST SEX SLAVERY

The inviolable moral truth about human trafficking and its associated underworld activities is that these practices are affronts to human dignity. Regardless of any alleged consent by the parties involved, these activities: debase human beings and suppress human freedom; compromise unalienable rights to liberty and the pursuit of happiness; constitute immoral practices proscribed (and prescribed) by Congress; and undermine both our internal and international security.

Notwithstanding anti-trafficking laws enacted by Congress and general agreement among U.S. and Western leaders that sex slavery is repugnant to our core values, both actual and apparent complicity in sex slavery unfortunately still happens. Recent inspections have validated at least the appearance of such complicity, albeit as exceptions to the general rule, within segments of the United States Armed Forces and among some U.S. contractors.³³ Moreover, there remains a general reluctance on the part of military leaders both to promulgate and to enforce principle-based standards for subordinates who create the demand for prostitution generally, and for sex slavery specifically.

Shortly after Congressman Chris Smith, Co-Chairman of the Commission on Security and Cooperation in Europe, and twelve of his congressional colleagues had expressed concerns about media reports that U.S. military personnel in South Korea were engaged in activities that promote and facilitate the trafficking and exploitation of women,³⁴ the Secretary of the Army personally called the Department of Defense Inspector General to request assistance in responding to the May 31, 2002, congressional inquiry. The Army Secretary already had mobilized a team of Army Inspectors General

²⁹ 10 U.S.C. § 5947; see 10 U.S.C. § 3583 (Army) and § 8583 (Air Force); *see also* 10 U.S.C. § 933 (“Conduct unbecoming an officer and a gentleman”).

³⁰ *Cf. Church of the Holy Trinity v. United States, supra*, 143 U.S. at 467-70 (“[T]he Declaration of Independence[,], the constitutions of the various States[, and] the Constitution of the United States . . . affirm and reaffirm that this is a religious nation. These are not individual sayings, declarations of private persons; they are organic utterances; they speak the voice of the entire people.”).

³¹ *See generally* Blackstone, *supra*, at 42-44 (describing “human law” as: (a) subordinate to “the law of nature and of revelation”; and (b) “properly defined to be ‘a rule of civil conduct prescribed by the supreme power in a state, commanding what is right and prohibiting what is wrong’”).

³² *See id.*

³³ Based on the ongoing nature of various activities of the Office of Inspector General, it is not appropriate in this forum to delve further into these validated findings.

³⁴ *See* text accompanying footnote 8, *supra*.

who had initiated a Human Trafficking Assessment Project within United States Forces Korea (USFK). The Secretary explained, however, that the Members of Congress expect the project to be “joint and global,” which meant that the Army Inspector General team, as able and engaged as it was, could not fully respond to the congressional concerns.

Phase I: Korea

Before inspecting on the ground in Korea, our “joint and global” inspection team met with various experts in Washington, D.C., and with international anti-trafficking advocates, including the sponsor of anti-trafficking legislation in the Russian Duma. The Russian legislative sponsor expressed little hope in the success of her proposed legislation because, as she explained through a translator, “like most Russian men, the attitude of almost all my brethren in the Duma is that, ‘They’re just prostitutes.’” Unfortunately, our subsequent inspection validated that the Russian Duma holds no monopoly on this moral relativist attitude.³⁵

As our joint IG team inspected the establishments of Seoul’s *Itaewon* district, it was self-evident not only to our seasoned inspectors – but, more importantly, to our young U.S. Army military police escorts – that the entertainers in the brothels and on the various bar stages of *Itaewon* are not “just prostitutes”; they are human beings first, “endowed by their Creator with certain unalienable Rights, . . . among [which] are Life, Liberty and the pursuit of Happiness.”³⁶

According to some Korean officials, most Russian entertainers on “Hooker Hill” and elsewhere in Korea consent to their employment status. According to our Army MP escorts, however, the contracts for these Russian entertainers are sold weekly from one establishment to another. When I asked one of the MPs if he would like to do something about this blatant human trafficking, he unhesitatingly responded in the affirmative, but then added that it was beyond his control. The young soldier was obviously waiting for a signal from the chain-of-command that would empower him to combat this affront to human dignity that, to him, seemed morally wrong. Unbeknownst to this soldier, the top of his USFK chain of command had already sent the signal. It just hadn’t made it down to his level – yet.

The next weekend, two teams of U.S. Army military police took on *Itaewon*’s Hooker Hill, leaving 29 entertainment establishments off limits to American GIs³⁷ -- and, if nothing else, sending a strong, principle-based moral message throughout the entire USFK chain of command that turning a blind eye to sex slavery is not an option.³⁸

Shortly thereafter, our first Inspector General report identified several opportunities to build on the aggressive efforts taken by USFK leadership to combat human trafficking.³⁹ In response to our

³⁵ Inclusion of further anecdotal evidence of this attitude are not included in this article in light of ongoing bilateral and multilateral efforts.

³⁶ Declaration of Independence, *supra*.

³⁷ See Kirk, “USFK declares 29 bars off-limits,” *Stars and Stripes* at p. 13 (March 22, 2003).

³⁸ During a May 2004 return visit to Korea, we validated not only that these establishments are still off limits, but that USFK leadership has on its own taken further proactive measure to reaffirm the message that turning a blind eye to immoral practices is not an option.

³⁹ Office of Deputy Inspector General for Investigations, Program Integrity Directorate, “Assessment of DoD Efforts to Combat Trafficking in Persons: Phase I – United States Forces Korea,” July 10, 2003 (<http://www.dodig.osd.mil/AIM/alsd/H03L88433128PhaseI.PDF>).

Phase I report, twenty-six Members of Congress, including most of those who had signed the original letter, signed a second letter to the Secretary of Defense, dated October 10, 2003, concluding with the following admonition: “Commanders and service members at all levels must understand their role in helping to eradicate the scourge of human trafficking and to avoid giving any indication that DOD turns a blind eye to this barbaric practice.”⁴⁰

Phase II: Bosnia-Herzegovina and Kosovo

Even before completing our assessment in Korea, we had turned our attention to the European theater, specifically to various publicized indicators that human trafficking was becoming a growing menace in Bosnia-Herzegovina and Kosovo. In this second phase, we undertook to determine the extent to which commanding officers and others in authority were being “vigilant in inspecting the conduct of all persons who are placed under their command”⁴¹ and otherwise suppressing human trafficking; and whether any U.S. service members, civilian employees, or contractors assigned to or affiliated with NATO peacekeeping forces were engaged in activities that promoted, facilitated, or even turned a blind eye to the trafficking and exploitation of women and children.

In a speech to the United Nations General Assembly on September 23, 2003, President George W. Bush identified human trafficking as a “special evil,” publicly rejecting moral relativism by reminding us all that the “founding documents of the United Nations and the founding documents of America . . . assert that human beings should never be reduced to objects of power or commerce, because their dignity is inherent. Both . . . recognize a moral law that stands above men and nations, which must be defended and enforced by men and nations.”⁴²

Four months later, as a result of our recently completed Phase II Inspector General report and recommendations,⁴³ the Deputy Secretary of Defense promulgated the Commander-in-Chief’s “zero tolerance” policy on human trafficking throughout the Department of Defense: “The responsibilities of commanders and supervisors at all levels are clear, as codified by Congress under Title 10. Those statutory provisions require commanders and others in authority ‘to be vigilant inspecting the conduct of all persons who are placed under their command; to guard against and suppress all dissolute and immoral practices, and to correct . . . all persons who are guilty of them.’ Efforts to combat trafficking in persons in DoD begin with the recognition that all commanding officers and other DoD officers and employees in positions of authority are expected to conduct themselves in a manner that is consistent with statutory requirements for exemplary conduct.”⁴⁴

⁴⁰ Along with Congressman Christopher Smith, the following twenty-five Members of Congress co-signed: George Voinovich; Duncan Hunter; Henry Hyde; Jim Saxton; Curt Weldon; Frank Wolf; Tom Lantos; Ed Royce; Ileana Ros-Lehtinen; Joseph Pitts; Cass Ballenger; Tom Tancredo; Dave Weldon; Mike Pence; Robert Aderholt; Jo Ann Davis; Jim Ryun; Ginny Brown-Waite; Todd Akin; Scott Garrett; Heather Wilson; William Lipinski; Mike Ferguson; Collin Peterson; and Elton Gallegly.

⁴¹ 10 U.S.C. §§ 3583, 5947, & 8583, *supra*.

⁴² “President Bush Addresses United Nations General Assembly,” *supra*.

⁴³ Office of Deputy Inspector General for Investigations, Directorate for Investigations of Senior Officials (formerly Program Integrity Directorate), “Assessment of DoD Efforts to Combat Trafficking in Persons: Phase II – Bosnia-Herzegovina and Kosovo,” December 8, 2003 (http://www.dodig.osd.mil/AIM/alsd/HT-Phase_II.pdf).

⁴⁴ Paul Wolfowitz, Memorandum for Secretaries of the Military Departments, et al., “Combating Trafficking in Persons in the Department of Defense,” January 30, 2004; see “DoD Office of Inspector General Policy on Human Trafficking,” June 16, 2003 (“Human trafficking . . . is antithetical to the core values of the Office of Inspector General. We neither condone nor turn a blind eye to it; . . . all in authority throughout the OIG shall be vigilant in inspecting the conduct of those placed

Subsequently, on March 4, 2004, the United States Army – Europe (“USAREUR”) stated that it “is committed to prevention of human trafficking” and reported that it “has made significant progress” in implementing recommendations in the Phase II Inspector General Report.⁴⁵ USAREUR reported that it has taken specific action within its command to:

- prohibit “engaging in any activities associated with human trafficking”;
- “implement training programs and education to reduce or prevent involvement in human trafficking”; and
- review contracts with U.S. and local contractors to insure incorporation of “standard clauses...for work to be performed in Bosnia-Herzegovina and Kosovo that prohibit contractor employee involvement in activities that may support human trafficking” and to insure that such contractual language is enforced on a continuing basis.⁴⁶

Phase III: Building Upon Successes in Korea, Bosnia-Herzegovina, and Kosovo

Parallel and consistent with ongoing U.S. anti-trafficking efforts, including but not limited to those Department of Defense activities described above, the North Atlantic Treaty Organization (“NATO”) circulated a final draft NATO policy document on May 21, 2004, reaffirming that human trafficking constitutes a “serious abuse of human rights, especially affecting women and children,” while at the same time announcing a “zero tolerance policy” by “NATO forces and staff.”⁴⁷ NATO is cooperating with international institutions such as the United Nations and with non-governmental organizations in furtherance of this zero tolerance policy.⁴⁸ Most NATO nations have indicated a commitment to insure full national implementation of the zero tolerance policy regarding human trafficking.⁴⁹

Finally, on September 16, 2004, Secretary of Defense Donald Rumsfeld issued a one page Memorandum on “Combating Trafficking in Persons,” in which he expressed his own “view on this important matter to augment the [Deputy Secretary’s] January 30, 2004 memo on this subject.”⁵⁰ Secretary Rumsfeld admonished, *inter alia*, that “No leader in this department should turn a blind eye to this issue,” urging commanders to “be vigilant” and “make full use of all tools available, including DoD Inspectors General and criminal investigative organizations, to combat these prohibited activities.”⁵¹ Secretary Rumsfeld’s bottom line: “I am committed to taking every step possible to combat Trafficking in Persons.”⁵²

under them, directly or indirectly, to ensure that this immoral practice is not countenanced in any way.”)
(www.dodig.osd.mil/IGInformation/IGPolicy/HumanTrafficking.pdf).

⁴⁵ Memorandum from Department of the Army, “Response to EUCOM [European Command] tasker on USAREUR Efforts to Combat Human Trafficking in the Balkans,” March 4, 2004.

⁴⁶ *Id.*

⁴⁷ “NATO Policy on Combating Trafficking in Human Beings,” Annex 1, AC/119-N (2004) 0032-Rev4 (Draft), 21 May 2004 08:30, ¶1, 1-1.

⁴⁸ *Id.*, at ¶2.

⁴⁹ *Id.*, at ¶7, 1-2 (National representatives at the NATO Anti-Trafficking Seminar on March 4, 2004, at NATO Headquarters in Belgium informally affirmed this commitment.).

⁵⁰ Donald Rumsfeld, Memorandum for Secretaries of the Military Departments, et al., “Combating Trafficking in Persons,” September 16, 2004.

⁵¹ *Id.*

⁵² *Id.*

Whatever else one might say about sex slavery in the 21st Century, these recent proactive measures taken by U.S. and Western leaders reaffirm the “moral truth” that prostitution and human trafficking fall within those “dissolute and immoral practices” envisioned by our Continental Congress when it prescribed a duty to “guard against and suppress” such practices through, *inter alia*, vigilance by leaders in “inspecting the conduct of all persons who are placed under their command.”⁵³ With this in mind, various cadres of independent and objective professional inspectors throughout the U.S. Department of Defense -- and presumably throughout its allies who share our commitment to principles such as “individual liberty, representative government, and the rule of law under God”⁵⁴ -- stand ready to assist operational leaders in fulfilling this vigilant inspection duty and otherwise to promote accountability according to “a moral law that stands above men and nations, which must be defended and enforced by men and nations.”⁵⁵

IV. CONCLUSION

Although volumes could be written about the reprehensible nature of sex slavery and other forms of human trafficking, and how moral relativism contributes to the challenges of inspecting and meeting related leadership challenges, at least five points warrant emphasis:

- (1) Moral relativism is an enemy of the United States Constitution;
- (2) The President of the United States has identified 21st Century sex slavery as “a special evil” under “a moral law that stands above men and nations”⁵⁶;
- (3) Military leaders at all levels need robustly to promulgate and to enforce principle-based standards for subordinates who create the demand for prostitution generally, and for sex slavery;
- (4) American and other “Western” leaders ought “to be vigilant inspecting the conduct of all persons who are placed under their command; to guard against and suppress all dissolute and immoral practices, and to correct . . . all persons who are guilty of them”⁵⁷ -- in this regard, ostensible consent by the parties to immoral practices such as prostitution and sex slavery ought never to be an excuse for turning a blind eye; and
- (5) Even as we confront the new asymmetric enemies of the 21st Century, those of us who take an oath to defend the Constitution of the United States (and similar principle-based legal authorities) should recognize, confront, and suppress sexual slavery and other “dissolute and immoral practices” whenever and wherever they raise their ugly heads through the fog of moral relativism -- “so help [us] God.”⁵⁸

⁵³ See text accompanying footnotes 27-29, *supra*.

⁵⁴ Ronald Reagan, “Speech to the House of Commons,” *supra*; see text accompanying footnote 24.

⁵⁵ George W. Bush, “President Bush Addresses United Nations General Assembly,” *supra*; see text accompanying footnote 2.

⁵⁶ *Id.*

⁵⁷ 10 U.S.C. § 5947 (statutory Exemplary Conduct standard), *supra*; see text accompanying footnotes 27-29.

⁵⁸ 5 U.S.C. § 3331 (statutory Oath of Office), *supra*; see text accompanying footnote 11.



JAN 30 2004

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
COMMANDERS OF THE COMBATANT COMMANDS
DIRECTORS OF DEFENSE AGENCIES

SUBJECT: Combating Trafficking in Persons in the Department of Defense

As set forth in National Security Presidential Directive/NSPD-22, "The policy of the United States is to attack vigorously the worldwide problem of trafficking in persons, using law enforcement efforts, diplomacy, and all other appropriate tools." The Commander in Chief has decreed that all departments of the United States Government will take a "zero tolerance" approach to trafficking in persons.

It is the policy of the Department of Defense that trafficking in persons will not be facilitated in any way by the activities of our Service members, civilian employees, indirect hires, or DoD contract personnel. Following the policy set by the Commander in Chief, DoD opposes prostitution and any related activities that may contribute to the phenomenon of trafficking in persons as inherently harmful and dehumanizing. Trafficking in persons is a violation of human rights; it is cruel and demeaning; it is linked to organized crime; it undermines our peacekeeping efforts; and it is incompatible with military core values.

The responsibilities of commanders and supervisors at all levels are clear, as codified by Congress under Title 10. Those statutory provisions require commanders and others in authority "to be vigilant inspecting the conduct of all persons who are placed under their command; to guard against and suppress all dissolute and immoral practices, and to correct . . . all persons who are guilty of them." Efforts to combat trafficking in persons in DoD begin with the recognition that all commanding officers and other DoD officers and employees in positions of authority are expected to conduct themselves in a manner that is consistent with statutory requirements for exemplary conduct.

I expect those in authority at all levels to examine opportunities for combating trafficking in persons and consider the attached objectives as part of that effort.

Attachment:
As stated



U19895 /03

Objectives of DoD Efforts to
Combat Trafficking in Persons

- The education of all Service members and DoD civilians serving overseas on the worldwide trafficking menace, national policy with respect to trafficking in persons, and attendant personal responsibilities consistent with military core values and DoD ethical standards.
- Within their authority to do so, increased efforts by command and military police authorities worldwide to pursue indicators of trafficking in persons in commercial establishments patronized by DoD personnel, place offending establishments off-limits, and provide support to host country authorities involved in the battle against trafficking in persons.
- Consistent with U.S. and host-nation law, the incorporation of provisions in overseas service contracts that prohibit any activities on the part of contractor employees that support or promote trafficking in persons and impose suitable penalties on contractors who fail to monitor the conduct of their employees.
- A systemic method for evaluating efforts to combat trafficking in persons as part of ongoing evaluation and inspection programs conducted by Inspector General organizations.



THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

SEP 16 2004

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
COMMANDERS OF THE COMBATANT COMMANDS
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
DIRECTORS OF DEFENSE AGENCIES

SUBJECT: Combating Trafficking in Persons

I want to offer my view on this important matter to augment the January 30, 2004 memo on this subject.

Trafficking in Persons is the third largest criminal activity in the world, after illegal arms and drugs sales. It enslaves thousands of people. I am especially concerned with commercial sex exploitation and labor trafficking practices in areas near our overseas locations.

I want commanders at all levels to ensure their units are trained to understand and recognize indicators of this serious crime. I also want commanders to work with host nation law enforcement to identify businesses and establishments that are involved in trafficking for sexual exploitation. Once violators are identified, commanders then should take appropriate steps to put those establishments off limits to DoD members--military, civilian and contract civilian. No leader in this department should turn a blind eye to this issue.

Commanders need to be vigilant to the terms and conditions of employment for individuals employed by DoD contractors in their Areas of Operations. Trafficking includes involuntary servitude and debt bondage. These trafficking practices will not be tolerated in DoD contractor organizations or their subcontractors in supporting DoD operations.

Further, commanders should make full use of all tools available, including DoD Inspectors General and criminal investigative organizations, to combat these prohibited activities.

I am committed to taking every step possible to combat Trafficking in Persons.



OSD 11599-04