



Department of Defense INSTRUCTION

NUMBER 2200.01
September 15, 2010

USD(P&R)

SUBJECT: Combating Trafficking in Persons (CTIP)

References: See Enclosure 1

1. PURPOSE. This Instruction:

a. Reissues DoD Instruction 2200.01 (Reference (a)) in accordance with the authority in DoD Directive 5124.02 (Reference (b)).

b. Establishes policy and assigns responsibilities for CTIP.

c. Implements National Security Presidential Directive 22 (Reference (c)).

2. APPLICABILITY. This Instruction applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense (IG, DoD), the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense (hereafter referred to collectively as the "DoD Components").

3. DEFINITIONS. The following terms are elements of or constitute trafficking in persons (TIP). The terms are defined in section 7102 of title 22, United States Code (U.S.C.) (Reference (d)) and section 1589 of title 18, U.S.C. (Reference (e)). Additional TIP-related offenses can be found in sections 241, 242, 1581, 1584, and 1590 of Reference (e). The DoD Components shall uniformly apply these terms when issuing internal implementing instructions and regulations.

a. coercion. Defined in Reference (d).

b. commercial sex act. Defined in Reference (d).

c. debt bondage. Defined in Reference (d).

- d. forced labor. Defined in Reference (e).
- e. involuntary servitude. Defined in Reference (d).
- f. severe forms of TIP. Defined in Reference (d).
- g. sex trafficking. Defined in Reference (d).

4. POLICY. It is DoD policy to:

a. Oppose prostitution, forced labor, and any related activities as described in section 3 that may contribute to the phenomenon of TIP as inherently harmful and dehumanizing. TIP is a violation of U.S. law and internationally recognized human rights, and is incompatible with DoD core values.

b. Deter activities of DoD Service members, civilian employees, indirect hires, contract personnel, and command-sponsored dependents that would facilitate or support TIP, domestically and overseas. This includes activities such as pandering, prostitution, and patronizing a prostitute even though such activities may be legal within a host nation country, but which are in violation of chapter 47 of title 10, U.S.C. (also known as “The Uniform Code of Military Justice” (Reference (f)) and paragraph 97, part IV of Manual for Courts-Martial 2008 (Reference (g))).

5. RESPONSIBILITIES. See Enclosure 2.

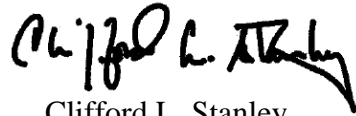
6. INFORMATION REQUIREMENTS. The reporting of program data to the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) as described in Enclosures 2 and 3 has been assigned Report Control Symbol DD-P&R(AR)2424 in accordance with DoD 8910.1-M (Reference (h)).

7. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE

- a. This Instruction is effective immediately.

b. The Heads of the DoD Components with organizations having collective bargaining obligations shall ensure those organization satisfy those obligations according to chapter 71 of title 5, U.S.C. (Reference (i)), prior to issuing local operation procedures.



Clifford L. Stanley
Under Secretary of Defense for
Personnel and Readiness

Enclosures

1. References
2. Responsibilities
3. Annual TIP Training Report Format

ENCLOSURE 1

REFERENCES

- (a) DoD Instruction 2200.01, "Combating Trafficking in Persons (CTIP)," February 16, 2007 (hereby cancelled)
- (b) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
- (c) National Security Presidential Directive 22, "Trafficking in Persons," February 25, 2003
- (d) Sections 7102, 7103(b), 7103(f), and 7104(h) of title 22, United States Code
- (e) Sections 241, 242, 1581, 1584, 1589 and 1590 of title 18, United States Code
- (f) Chapter 47 of title 10, United States Code (also known as "The Uniform Code of Military Justice")
- (g) Paragraph 97, Part IV of Manual for Courts-Martial, 2008
- (h) DoD 8910.1-M, "Department of Defense Procedures for Management of Information Requirements," June 30, 1998
- (i) Chapter 71 of title 5, United States Code
- (j) Federal Acquisition Regulation Subpart 22.17, "Combating Trafficking in Persons," and Federal Acquisition Regulation Clause 52.222-50, "Combating Trafficking in Persons" (Feb 2009)
- (k) Sections 401 through 407 of Public Law 110-457, "William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008," December 23, 2008

ENCLOSURE 2

RESPONSIBILITIES

1. USD(P&R). The USD(P&R) shall:

a. Develop overall guidance related to personnel policy issues for DoD CTIP, in coordination with the Under Secretary of Defense for Policy (USD(P)).

b. Establish and oversee the OSD CTIP Coordinating Council.

c. Represent the Department of Defense on the President's Interagency Task Force on CTIP in accordance with section 7103(b) of Reference (d), as necessary and in coordination with the USD(P).

d. Represent the Department of Defense on the TIP Senior Policy Operating Group (SPOG) in accordance with section 7103(f) of Reference (d) as necessary and in coordination with the USD(P).

e. Collaborate with U.S. Federal and State agencies that address TIP and serve as the DoD liaison to their committees and advisory groups, as appropriate.

f. Develop and provide basic CTIP awareness training support package for use by the DoD Components.

g. Collect data to compile an annual report on the participation of DoD personnel in TIP training; DoD contractor adherence to DoD CTIP policy consistent with Federal Acquisition Regulation (FAR) subpart 22.17 and FAR clause 52.222-50 (Reference (j)); and disposition of criminal cases on DoD personnel referrals for TIP or TIP-related offenses.

h. In coordination with the Military Services, establish a metric to track TIP awareness training and understanding of TIP-related policy and programs. This metric shall track the total number of DoD personnel assigned and the total number trained, broken out by Service members, DoD civilians, and DoD contractors. Use this data to monitor compliance with the annual CTIP awareness training requirement.

i. Monitor compliance of this Instruction.

2. UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS (USD(AT&L)). The USD(AT&L) shall:

a. Advise and assist the USD(P&R) on FAR and Defense Federal Acquisition Regulation Supplement (DFARS) issues related to U.S. Government and DoD CTIP programs.

b. Ensure that the FAR and DFARS implement all statutory requirements relating to CTIP (see Reference (j)).

3. USD(P). The USD(P) shall:

a. Incorporate anti-TIP and TIP-protection measures for vulnerable populations, in particular for women and children, into post-conflict and humanitarian emergency assistance programs in accordance with section 7104(h) of Reference (d).

b. Develop and distribute policy guidance to rehabilitate and reintegrate recovered child soldiers in accordance with sections 401 through 407 of Public Law 110-457 (Reference (k)).

c. Represent the Department of Defense in the annual U.S. Government TIP sanction review process.

d. Prepare and coordinate, as required, the review and approval of:

(1) DoD national interest waivers of proposed Department of State sanctions (e.g., on Foreign Military Sales or other Defense Security Cooperation Agency programs).

(2) Brief the justification for DoD waivers to the Department of State Office to Monitor and Combat TIP, Office of the Under Secretary of State for Democracy and Global Affairs.

(3) Support the National Security Council process of adjudicating DoD requests for waivers in preparation for the annual Presidential TIP sanctions determination.

e. Collaborate with intergovernmental organizations that address TIP (e.g., the United Nations, the North Atlantic Treaty Organization, the Organization for Security and Cooperation in Europe, and the International Criminal Police Organization) and serve as the DoD liaison to their committees and advisory groups, as appropriate, and in coordination with the Office of the USD (OUSD)(P&R).

4. ASSISTANT SECRETARY OF DEFENSE FOR PUBLIC AFFAIRS (ASD(PA)). The ASD(PA) shall represent the Department of Defense on the TIP SPOG Public Affairs Subcommittee as necessary.

5. GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE (GC, DoD). The GC, DoD, shall provide advice and assistance to the DoD CTIP Program Manager on all TIP legal matters, including reviewing and coordinating on all proposed TIP policies, regulations, directives, and instructions, and on all proposed exceptions to DoD CTIP policy.

6. IG, DoD. The IG, DoD, in addition to the responsibilities in section 7 of this enclosure, shall:

a. Conduct periodic evaluations of the DoD CTIP program.

b. Maintain the DoD TIP Hotline, as part of the Defense Hotline. Provide information on other Federal hotlines as needed for assistance.

c. Investigate allegations related to TIP, and provide a report to OUSD(P&R) on the findings of the investigations.

7. HEADS OF THE DoD COMPONENTS. The Heads of the DoD Components shall:

a. Ensure Component compliance with this Instruction; establish policies and procedures to implement the DoD CTIP program within their cognizance.

b. Designate a Component CTIP office of primary responsibility and CTIP program officer.

c. Conduct an annual CTIP awareness training program for all Component members employing training products internally developed and approved by the USD(P&R) or use OUSD(P&R) developed products according to paragraph 1f. of this enclosure.

d. Conduct periodic evaluations of CTIP awareness training; periodically involve the Component IGs in the conduct of these evaluations and provide the results of evaluations to the Component IGs.

e. Provide the CTIP program data that the USD(P&R) needs to compile its annual report, as required by paragraph 1g. of this enclosure.

f. Increase efforts, within their respective authorities, to pursue indicators of TIP in commercial establishments patronized by DoD personnel, place offending establishments off-limits, and provide support to host-country authorities involved in the battle against TIP.

8. SECRETARIES OF THE MILITARY DEPARTMENTS. The Secretaries of the Military Departments, in addition to the responsibilities in section 7 of this enclosure, shall:

a. Include CTIP training in Service institutional leadership training curricula for both officer and enlisted Service members and DoD civilians.

b. Integrate CTIP-related training into the programs of instruction at all power projection platforms, mobilization stations, and other similar pre-deployment or pre-mobilization training venues.

c. Ensure commanders establish a memorandum of understanding with local law enforcement agencies and nongovernmental organizations that work with victims of TIP (to include forced prostitution) at or near military installations to provide support to the DoD CTIP program.

d. Provide information on all known TIP cases to the USD(P&R) DoD Program Manager.

e. Assist the USD(P&R) to establish a metric to track TIP awareness training and understanding (see paragraph 1h. of this enclosure).

9. CHAIRMAN OF THE JOINT CHIEFS OF STAFF. The Chairman of the Joint Chiefs of Staff, in addition to the responsibilities in section 7 of this enclosure, shall:

a. Assess CTIP as part of the overall force planning function for any force deployment decision, including establishment of new DoD bases overseas. Annually reassess the CTIP posture of deployed forces.

b. Review the Combatant Commanders' joint plans, deployment orders, and other relevant documents and include CTIP information where necessary; monitor the Combatant Commanders' post-conflict plans and programs for inclusion of CTIP.

c. Monitor implementation of the policies in this Instruction and in related implementing instructions during military operations.

d. Maintain CTIP training modules in the Joint Knowledge Development and Distribution Capability; include CTIP training in the joint institutional training curriculum.

10. COMMANDERS OF THE COMBATANT COMMANDS. The Commanders of the Combatant Commands, in addition to the responsibilities in section 7 of this enclosure and through the Chairman of the Joint Chiefs of Staff, shall:

a. Develop policy documents to establish theater-level requirements for CTIP within their respective areas of operation.

b. Develop CTIP policy and program guidance unique to each Combatant Command, supplementing DoD CTIP training to include unique cultural and legal considerations for their respective areas of responsibility.

c. Provide oversight to theater and country TIP awareness training provided by subordinate component commanders.

d. Provide information on indictments and convictions on all known TIP cases to the USD(P&R) DoD Program Manager.

e. Provide subordinate component commanders with TIP intelligence and information pertinent to ongoing theater and country TIP awareness training.

ENCLOSURE 3

ANNUAL TIP TRAINING REPORT FORMAT

Figure. Annual TIP Training Report Format

DoD Combating Trafficking in Person's Training Report						
Organization	Total Strength	Military Members	Civilian Members	Total Trained	Contractors**	TIP POC
	MM+CM	(MM)	(CM)	MM+CM	assigned/trained	Name/E-Mail

** Contractors are not required to train their personnel on CTIP; however, FAR subpart 22.17 (Reference (j)) states that the presence of a TIP awareness program is a factor for the contracting officer to consider as a mitigating factor when determining remedies.