



Oversight of Human Trafficking Training for Airline Personnel

August 26, 2019

Fiscal Year 2019 Report to Congress



**Homeland
Security**

Under Secretary for Management

Message from the Office of the Under Secretary for Management

August 26, 2019

I am pleased to submit the following report, "Oversight of Human Trafficking Training for Airline Personnel," which has been prepared by the Department of Homeland Security's (DHS) Office of Partnership and Engagement, in coordination with the U.S. Department of Transportation.

This document has been compiled pursuant to language set forth in the Joint Explanatory Statement accompanying the Fiscal Year 2019 DHS Appropriations Act (P.L. 116-6).

Pursuant to congressional requirements, this report is being provided to the following members of Congress:

The Honorable Lucille Roybal-Allard
Chairwoman, House Appropriations Subcommittee on Homeland Security

The Honorable Chuck Fleischmann
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Shelley Moore Capito
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Jon Tester
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries relating to this report may be directed to me at (202) 447-3400.

Sincerely,



R.D. Alles
Deputy Under Secretary for Management





Oversight of Human Trafficking Training for Airline Personnel

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I. Legislative Language

This report was compiled pursuant to language set forth in the Joint Explanatory Statement accompanying the Fiscal Year (FY) 2019 Department of Homeland Security (DHS) Appropriations Act (P.L. 116-6).

The Joint Explanatory Statement includes the following language:

The Department is also reminded of its requirement to submit findings related to the Blue Campaign, as directed in House Report 115-948.

House Report 115-948, referenced in the Joint Explanatory Statement, includes the following language:

Additionally, DHS in coordination with the Federal Aviation Administration, shall identify ways to appropriately strengthen oversight of training on human trafficking for airline personnel and explore the viability of in-person training to complement online training. The Department shall, not later than 180 days after the date of enactment of this Act, report back to the Committee with its findings.

II. Background

A. Existing Aviation Training Program

The Blue Lightning Initiative (BLI), led by DHS and the U.S. Department of Transportation (DOT), is an element of the DHS Blue Campaign.

BLI, currently tailored for domestic air carriers, trains aviation personnel to identify potential traffickers and human trafficking victims, as well as to report their suspicions to federal law enforcement.

DOT and DHS are committed to raising awareness about human trafficking across the aviation industry. BLI pre-dates statutory air carrier training requirements, with the first four BLI partners announced on June 7, 2013. Today, there are 24 BLI partners. The initial BLI training was released as a computer-based training module with supplemental materials.

In August 2017, the second iteration of BLI training was released, incorporating air carrier and survivor feedback into a user-friendly, 17-minute online training format. The second iteration includes four lessons: (1) What is Human Trafficking; (2) Indicators of Human Trafficking Activity; (3) Reporting Suspected Human Trafficking; and (4) an Indicator Challenge. In 2017, BLI expanded its reach to include aviation personnel beyond air carriers to include airports, professional associations, and training institutes.



B. Federal Mandate on Aviation Training

Section 2113 of the Federal Aviation Administration (FAA) Extension, Safety, and Security Act of 2016 (P.L. 114-190) (49 U.S.C. § 44734(a)(4)) requires that air carriers operating under parts 121 and 135 of the Code of Federal Regulations that engage in passenger carrying operations to provide initial and annual flight attendant training about recognizing and responding to potential human trafficking victims. On October 25, 2016, FAA issued Information for Operators (InFO) 16019 informing air carriers of the new training requirement and alerted them to the availability of the BLI training. Additionally, in January 2017, DOT and DHS notified each of the chief executives of affected air carriers informing them of the new training requirement and informing them that becoming a BLI partner and using the virtual training is a simple and responsible way to adhere to the air carrier training requirements.

Section 408 of the FAA Reauthorization Act of 2018 (P.L. 115-254) (49 U.S.C. § 44738) expands the training requirement to require “ticket counter agents, gate agents, and other air carrier workers whose jobs require regular interaction with passengers on recognizing and

responding to potential human trafficking victims” to receive training. On February 19, 2019, FAA issued InFO 19002 informing air carriers of the new training requirement and once again alerting them to the availability of the BLI training.

The size of the industry and geographic dispersion would make it impractical to provide in-person training for airline employees. As of June 2019, there are 93 certificated air carriers with domestic passenger operations, across hundreds of airports nationwide. Additionally, there are more than 100,000 flight attendants as well as other air carrier personnel at airports large and small across the country who encounter millions of passengers annually.

C. Existing Federal Oversight on Aviation Training

The human trafficking training requirements are self-executing per 49 U.S.C. §§ 44734(a)(4) and 44738 of Title 49. Essentially, air carriers are not required to use the BLI training to fulfill their training requirement and many use trainings created in-house. When FAA aviation safety inspectors perform routine certificate management reviews and surveillance, they provide information about the statutory requirements, observe training, monitor compliance, and inform air carriers that BLI is an effective way to comply with statutory requirements.

III. Findings

A. Strengthening Federal Oversight on Aviation Training

Air carrier self-certification continues to be the most manageable approach to ensuring compliance. FAA aviation safety inspectors will continue to provide information about the statutory requirements, observe training, and monitor compliance when performing routine certificate management reviews.

To strengthen federal oversight, improved clarity on what constitutes effective human trafficking training is needed. Human trafficking training should consist of information designed to improve competency and knowledge on how to respond to potential cases effectively. At a minimum, human trafficking training for aviation personnel should consist of: (1) defining human trafficking, (2) examples of indicators of human trafficking, and (3) how to report suspected human trafficking. Aviation training consistent with the BLI training program should be considered effective training for the aviation community.

B. Viability of In-person Training

The volume of aviation personnel identified to take human trafficking training and their many diverse roles make them an exceptionally challenging audience to reach with in-person training. As noted above, virtual training modules, including BLI, can be sufficient to train aviation personnel effectively. To date, it is estimated that BLI has trained more than 100,000 aviation personnel through the online module.

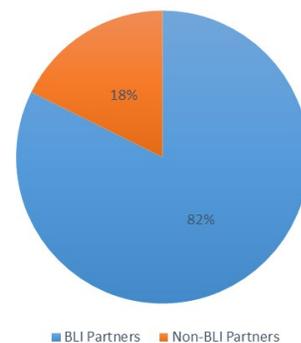
Currently, there is no requirement for in-person training of aviation personnel. The scalability and cost-effectiveness of virtual training modules facilitates widespread training adoption and implementation, which is needed to reach the greatest number of employees within the target audience. By taking the virtual training, aviation personnel are prepared and willing to respond appropriately to the indicators of human trafficking.

U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Tip Line

The BLI reporting protocol outlined in the online training module directs aviation employees to report trafficking tips expeditiously to ICE HSI’s Tip Line. The Blue Campaign works closely with the ICE HSI Tip Line to track incoming tips to include aviation industry-specific tips and those generated from BLI partners. Between FYs 2016-2018, ICE HSI reported that there were more than 1,200 human trafficking tips made to the ICE HSI Tip Line.

Human trafficking tips from the aviation industry made up 12 percent of those incoming reports.

Aviation Tips to the ICE Tip Line FY16-FY18



Of the incoming aviation tips reported during that period, ICE HSI reported that 82 percent were generated from BLI partners.

U.S. Customs and Border Protection (CBP) Carrier Liaison Program

In FY 2017, human trafficking training was incorporated into the existing CBP Carrier Liaison Program. The program trains airlines that have international routes to the United States and includes both U.S. and international air carriers. The training consists of BLI-approved materials, and uses several scenarios in an in-person setting.

Summits and Fora

An effective way to engage air carriers in-person is to assemble stakeholders through summits and other fora, in which pressing issues can be discussed openly. For example, in November 2018, a BLI Stakeholder Summit was convened that included more than 10 air carriers and more than 80 attendees from across the United States and Canada. The summit comprised subject matter experts from across the aviation industry and Federal Government, and included discussions on reporting protocols and industry best practices. Following the summit, BLI secured five new FY 2019 partnerships with the potential to expand virtual training modules to more than 62,000 additional aviation personnel.

BLI and its stakeholders continue to assess the program's needs, and to determine innovative solutions for raising awareness and providing training. DHS and DOT agree that education and awareness continue to play an important role in federal efforts to combat human trafficking.

Appendix: Abbreviations

Abbreviation	Definition
BLI	Blue Lightning Initiative
CBP	U.S. Customs and Border Protection
DHS	U.S. Department of Homeland Security
DOT	U.S. Department of Transportation
FAA	Federal Aviation Administration
FY	Fiscal Year
HSI	Homeland Security Investigations
ICE	U.S. Immigration and Customs Enforcement
InFO	Information for Operators