

DFARS Procedures, Guidance, and Information

PGI 222—Labor Laws

(Revised January 5, 2011)

PGI 222.17—COMBATING TRAFFICKING IN PERSONS

PGI 222.1703 Policy.

(i) The DoD Office of the Deputy Inspector General for Inspections and Policy (DoD OIG(I&P)) assists in implementing DoD Trafficking in Persons (TIP) programs and evaluates DoD's efforts to combat TIP. The DoD OIG(I&P) TIP website is <http://www.dodig.mil/Inspections/IPO/combatinghuman.htm>. The website includes DoD policy memoranda, TIP awareness policy, DoD OIG policy on human trafficking, TIP awareness training, and a link to the Department of State TIP website, <http://www.state.gov/q/tip>.

(ii) Secretary of Defense memorandum of September 16, 2004 (located at http://www.dodig.mil/Inspections/IPO/SECDEF_TIP_Policy2.pdf), Subject: Combating Trafficking in Persons, states that "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."

(iii) Department of Defense Instruction 2200.01, dated February 16, 2007, entitled Combating Trafficking in Persons, (located at <http://ctip.defense.gov/docs/TIP%20DODI%20220001p.pdf>), requires the incorporation of provisions in overseas contracts that—

(A) Prohibit any activities on the part of contractor employees that support or promote trafficking in persons; and

(B) Impose suitable penalties on contractors who fail to monitor the conduct of their employees.

(iv) DoD Instruction 5525.11, Criminal Jurisdiction Over Civilians Employed By or Accompanying the Armed Forces Outside the United States, Certain Service Members, and Former Service Members, dated March 3, 2005, located at <http://www.dtic.mil/whs/directives/corres/pdf/552511p.pdf>, and as supplemented by Directive-Type Memorandum 09-015 at <http://www.dtic.mil/whs/directives/corres/pdf/DTM-09-015.pdf>, implements policies and procedures, and assigns responsibilities, under the Military Extraterritorial Jurisdiction Act of 2000, as amended by Section 1088 of the National Defense Authorization Act for Fiscal Year 2005, for exercising extraterritorial criminal jurisdiction over certain current and former members of the U.S. Armed Forces, and over civilians employed by or accompanying the U.S. Armed Forces outside the United States.

DFARS Procedures, Guidance, and Information

PGI 222—Labor Laws

(v) Quality assurance surveillance plans (QASPs) that are developed in accordance with DFARS 237.172 should appropriately describe how the contracting officer's representative will monitor the contractor's performance regarding trafficking in persons such that non-compliance with FAR clause 52.222-50, Combating Trafficking in Persons, is brought to the immediate attention of the contracting officer.

PGI 222.1704 Violations and remedies.

(1) If the contracting officer receives information indicating that the contractor, a contractor employee, a subcontractor, or a subcontractor employee has failed to comply with the requirements of the clause at FAR 52.222-50, the contracting officer shall, through the contracting officer's local commander or other designated representative, immediately notify the Combatant Commander responsible for the geographical area in which the incident has occurred.

(2) The Unified Combatant Command DefenseLINK website, <http://www.defenselink.mil/specials/unifiedcommand/>, identifies each command's area of responsibility.