

**SUBPART 222.17—COMBATING TRAFFICKING IN PERSONS**  
*(Added October 26, 2006)*

**222.1700 Scope of subpart.**

This subpart also implements DoD policy for combating trafficking in persons in contracts performed outside the United States.

**222.1701 Applicability.**

This subpart also applies to all DoD contracts performed outside the United States.

**222.1702 Definitions.**

"Combatant Commander," "construction," "employee," "service contract," "severe forms of trafficking in persons," and "United States," as used in this subpart, have the meaning given in the clause at 252.222-7006, Combating Trafficking in Persons.

**222.1703 Policy.**

(1) Contracts performed outside the United States shall—

(i) Prohibit any activities on the part of the contractor that support or promote severe forms of trafficking in persons or use of forced labor;

(ii) Impose suitable penalties on contractors that—

(A) Engage in activities that support or promote severe forms of trafficking in persons or use forced labor; or

(B) Fail to take appropriate action against their employees and subcontractors that engage in or support severe forms of trafficking in persons or use forced labor.

(2) In addition to the prohibitions and penalties stated in paragraph (1) of this section, contracts performed outside the United States for services or construction shall—

(i) Prohibit any activities on the part of the contractor that promote or support the procurement of commercial sex acts;

(ii) Require contractors to develop policy and procedures that prohibit any activities on the part of contractor employees that support or promote severe forms of trafficking in persons, procurement of commercial sex acts, or use of forced labor; and

(iii) Impose suitable penalties on contractors that—

(A) Fail to monitor the conduct of their employees and subcontractors with regard to severe forms of trafficking in persons, procurement of commercial sex acts, or use of forced labor; or

(B) Fail to take appropriate action against their employees and subcontractors that engage in or support the procurement of commercial sex acts.

(3) See PGI 222.1703 for additional information regarding DoD policy for combating trafficking in persons outside the United States.

**222.1704 Violations and remedies.**

(a) *Violations.*

(i) The Government may impose the remedies set forth in paragraph (b) of this section if, during performance of the contract—

(A) The contractor or any contractor employee engages in severe forms of trafficking in persons;

(B) The contractor or any contractor employee uses forced labor; or

(C) The contractor fails to comply with the requirements of the clause at 252.222-7006, Combating Trafficking in Persons.

(ii) In addition to the violations stated in paragraph (a)(i) of this section, the Government may impose the remedies specified in paragraph (b) of this section if, during performance of a service or construction contract, the contractor or any contractor employee procures a commercial sex act.

(b) *Remedies.* After determining in writing that adequate evidence exists to suspect any of the violations stated in paragraph (a) of this section, the contracting officer may pursue any of the remedies specified in paragraph (f) of the clause at 252.222-7006, Combating Trafficking in Persons. These remedies are in addition to any other remedies available to the Government (see PGI 222.1704 for procedures and guidance regarding imposition of such remedies).

**222.1704-70 Notification to Combatant Commander.**

If the contracting officer receives information indicating that the contractor or its subcontractors have failed to comply with paragraph (c), (d), or (e) of the clause at 252.222-7006, 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 (see PGI 222.1704-70 for assistance in contacting the responsible Combatant Commander).

**222.1705 Contract clause.**

(1) Use the clause at 252.222-7006, Combating Trafficking in Persons, in solicitations and contracts when contract performance will be outside the United States.

(2) Do not use the clause at FAR 52.222-50, Combating Trafficking in Persons, in solicitations and contracts that include the clause at 252.222-7006, Combating Trafficking in Persons.