

DFARS Procedures, Guidance, and Information

PGI 222—Labor Laws

(Revised November 18, 2011)

PGI 222.17—COMBATING TRAFFICKING IN PERSONS

PGI 222.1703 Policy.

(1) The Office of the Under Secretary of Defense for Personnel and Readiness (OUSD(P&R)) is responsible for developing overall guidance related to personnel policy issues relating to Combating Trafficking in Persons (CTIP). The DoD CTIP website is <http://ctip.defense.gov/>. The website includes DoD policy on CTIP, CTIP training information, and links to the National TIP hotline, the DoD IG website, the Department of State Office to Monitor and Combat Trafficking in Persons, and other Government and non-Government organization websites.

(2) Department of Defense Instruction 2200.01, reissued September 15, 2010, entitled Combating Trafficking in Persons, (located at <http://www.dtic.mil/whs/directives/corres/pdf/220001p.pdf>), requires the incorporation of provisions in overseas contracts that—

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

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

(3) 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.

(4) 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.

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(5) When using the basic FAR clause at 52.222-50, Combating Trafficking in Persons, with its Alternate I, as required by FAR 22.1705 for contracts performed outside the United States, the contracting officer shall refer to the Geographic Combatant Commander's (GCC's) Office of Security Cooperation webpage for the current Combatant Commander/Subordinate Joint Force Commander Trafficking In Persons-related regulations/orders. These webpages can be reached by going to http://www.acq.osd.mil/dpap/pacc/cc/areas_of_responsibility.html and clicking on the pertinent GCC AOR.

(6) DoD contracting officers shall ensure that the clause at FAR 52.222-50, Combating Trafficking in Persons, with its Alternate I, if appropriate, is included in every solicitation and contract as prescribed at FAR 22.1705. DoD contracting officers that use Procurement Desktop Defense (PD2) (also known as the Standard Procurement System) as their contract writing system shall not use system overrides or other administrative methods of developing clauses for use in PD2-generated contracts to avoid the inclusion of the clause at FAR 52.222-50, with its Alternate I, if appropriate, in solicitations and contracts.

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.