



HEADQUARTERS
JOINT CONTRACTING COMMAND – IRAQ/AFGHANISTAN
APO AE 09348-1400



Reply to
Office of the Commanding General

February 15, 2007

LETTER TO Joint Contracting Command-Iraq/Afghanistan Contractors

SUBJECT: Trafficking in Persons

Dear Sir/Madame:

In April 2006, the Joint Contracting Command-Iraq/Afghanistan notified all Joint Contracting Command-Iraq/Afghanistan (JCC-I/A) contractors of evidence of wide spread improper practices involving contractor employees, including withholding employee passports and charging illegal recruiting fees. Further, the Government established 50 feet as the minimum acceptable square footage of personal living space per contractor employee. Contracts should now incorporate Trafficking in Persons Prohibition clauses.

The Multi-National Force-Iraq (MNF-I), Inspector General (IG) recently completed a re-inspection of Trafficking in Persons activities. Unfortunately, the IG found that many Third Country Nationals (TCN) are paying excessive recruitment fees, and almost half of the TCNs still have not been provided the mandated 50 square feet for living space per person. Based on the results of the IG re-inspection, MOD 1 to FRAGO 06-188 Prevention of Trafficking in Persons, was issued February 7, 2007; FRAGO 06-188 was issued April 4, 2006.

The MNF-I IG has provided JCC-I/A the list of contractors, by location, with TIP infractions. My contracting officers will take immediate actions to compel correction or to terminate the contract(s) without penalty to the government under Title 22, United States Code, Section 7104(g).

As a reminder, contractors shall:

- 1) Not hold employee passports and other identification documents, except for the shortest period of time reasonable for administrative processing purposes.
- 2) Provide all employees with a signed copy of their employment contract, in English as well as the employee's native language, that defines the terms of their employment / compensation.
- 3) Not utilize unlicensed recruiting firms, or firms that charge illegal recruiting fees.
- 4) Provide adequate living conditions (sanitation, health, safety, living space) for their employees. Fifty square feet is the minimum acceptable square footage of personal living space per employee. Upon a contractor's written request, contracting officers may grant a waiver in writing in cases where the existing square footage is within 20% of the minimum, and the overall conditions are determined by the contracting officer to be acceptable. The

contractor is now required by MOD 1 to FRAGO 06-188, to maintain a copy of the approval in the life support area.

5) Comply with international laws regarding transit/exit/entry procedures, and the requirements for work visas; and, follow all Host Country entry and exit requirements.

6) In accordance with MOD 1 to FRAGO 06-188, incorporate checks of life support areas to ensure compliance with the requirements of the Trafficking in Persons Prohibitions into their Quality Control program, which will be reviewed within the Government's Quality Assurance process.

Contractors have an affirmative duty to advise the Contracting Officer if they learn of their employees violating the rules regarding human trafficking and inhumane living conditions. Contracting officers and/or their representatives will continue to conduct random checks to ensure contractors, and subcontractors at all tiers, are adhering to the law on human trafficking and humane living conditions.

The right of freedom of movement and quality living standards are serious issues; MNF-I and my Command take a zero tolerance approach to any violation. I appreciate your immediate attention to this matter.

Sincerely,



Darryl A. Scott
Major General, US Air Force
Commanding General and
Head of Contracting Activity