

January 17, 2025

To: Contract & Grant Officers

Subject: Federal Awarding Agencies' Implementation of the Trafficking Victims Protection Act of 2000

Background

As set forth in the terms and clauses described below, federal law prohibits trafficking in persons, procuring commercial sex acts, or using forced labor in the performance of a federal award. Receipt of federal contracts and grants is conditioned on compliance with specific federal requirements, also described below. The awarding agency may take certain actions in response to a violation of these requirements, such as terminating the award/subaward, suspending payment, or suspending/debarring a contractor (see FAR 52.222-50 for full list possible actions). Employees who violate these requirements may be subject to removal from the contract, disciplinary action up to and including termination of employment, and criminal prosecution.

The University of California recognizes that trafficking in persons and related activities are illegal, harmful, dehumanizing and contrary to the mission and values of the University. In addition, the University of California's [Statement of Ethical Values](#) sets forth its "Standards of Ethical Conduct," which include "Compliance with Applicable Laws and Regulations." This encompasses an expectation of compliance with the applicable federal laws and regulations referenced in this Memo.

Award Terms

Federal Acquisition Regulation (FAR) [52.222-50, Combating Trafficking in Persons](#), pertaining to federal contracts, and [2 CFR Part 175](#), pertaining to federal grants and cooperative agreements, implement section 106 of the Trafficking Victims Protection Act of 2000 (TVPA). These award terms outline the government's policy prohibiting human trafficking-related activities. The government's policy prohibits award recipient employees and subrecipients from:

- Engaging in severe forms of trafficking in persons during the period of performance of the award;
- Procuring a commercial sex act during the period of performance of the award;
- Using forced labor in the performance of the award or subawards under the award; or
- Engaging in acts that directly support or advance trafficking in persons, relating to recruitment practices, provision of housing and transportation, and denying an employee access to that employee's identity or immigration documents.

The federal awarding agency can take remedial actions, including terminating an award, if a recipient or subrecipient employee under the award engages in any of the above practices. The recipient must immediately inform the federal funding agency “. . . of any information you receive from any source alleging a violation” of the government’s policy.

Guidance

Notification requirements

The award terms described above require the University to notify employees and agents of the government's policy prohibiting trafficking in persons and the actions that the government could take in response to violations of the policy.

Campuses may elect to use the attached template Trafficking in Persons Notification Letter. This letter should be sent to principal investigators (PI) with instructions that they must share it with all employees and subcontractors directly engaged in the performance of work under the contract. Contracts and grants officers (CGOs) should also notify the campus Procurement office of the clause so that they can include its requirements in vendor contracts where applicable. This clause must be flowed down to all subawardees.

Compliance Plan

The University is also required to implement a compliance plan if either 1) a portion of a federal contract has an estimated value of over \$700,000 and is for supplies, other than commercially available off-the-shelf items, acquired outside the United States, or services to be performed outside the United States (see 52.222-50(h)), or 2) if the estimated value of services required to be performed outside the United States under a grant or cooperative agreement exceeds \$500,000.

Campuses may elect to use the attached Compliance Plan template. CGOs may share this template with the PIs with instructions that they work with the appropriate campus personnel and officials in the relevant foreign countries to put together a plan specific to their project. PIs should then share the plan with all employees and subcontractors directly engaged in the work.

Other compliance requirements

In addition, the University must:

- Take appropriate action (e.g. removal from the contract, reduction in benefits, or termination of employment) against employees or agents who violate the policy.
- Inform the contracting officer and inspector general of the sponsoring agency of any credible information” the university has received indicating that an employee, subcontractor or agent has violated the policy as well as any action taken in response to the violation.
- Cooperate with the agency’s investigation of a violation or potential violation.
- Flow down FAR 52.222-50 or the requirements in Part 175 to all subcontractors.

Contact

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Attachments:

- 1) Template Trafficking in Persons Notification Letter
- 2) Compliance Plan Template

Compliance Plan for Combating Trafficking In Persons

Contractor: The Regents of the University of California, on behalf of the

campus

Sponsor Award Number:

Principal Investigator:

Project Title:

Background:

For certain federal awards, the University must maintain a plan to comply with the Trafficking Victims Protection Act and its implementing regulations. For federal contracts of over \$700,000 for supplies acquired or services performed outside the United States, see [Federal Acquisition Regulation \(FAR\) 52.222-50, Combating Trafficking in Persons](#). For federal grants or cooperative agreements in which the estimated value of services to be performed outside the United States exceeds \$500,000, see [2 CFR Part 175](#).

1. Awareness

- a. Before beginning work on _____, the Principal Investigator and all project personnel must review the United States Government's policy prohibiting trafficking in persons (for a federal contract see [FAR clause 52.222-50](#); for a federal grant or cooperative agreement, see [2 CFR Part 175](#)).
- b. Violations of this Compliance Plan may result in disciplinary actions in accordance with applicable UC policies, including but not limited to, removal from the contract, reduction in benefits, or termination of employment.

2. Reporting

- a. Employees are encouraged to report activity that is in violation of this Compliance Plan by calling the Global Human Trafficking Hotline at 1-844-888-FREE or sending an email to help@befree.org.
- b. Should violations of this Compliance Plan occur, the Principal Investigator must inform _____ immediately and take any remedial actions necessary. The appropriate campus official will inform the Contracting Officer and the agency Inspector General immediately.

3. Subawards

- a. [FAR 52.222-50](#) or [2 CFR Part 175](#), whichever is applicable, shall be incorporated into any subawards resulting from this project, and subrecipients must receive a copy of this Compliance Plan and be bound to the same requirements as UC. Violations of this Compliance Plan may result in subaward termination.

4. Recruitment and Wage Plan

- a. Check one of the following, as applicable, to the project:

Recruitment companies will not be used during the course of the project.

A recruitment company will be used during the course of the project. The following describes the activities that will be undertaken to use only recruitment companies with trained employees, who prohibit charging recruitment fees to employees or potential employees, and who ensure that wages meet applicable host-country legal requirements:

5. Housing Plan

- a. Check one of the following, as applicable, to the project:

Housing will not be provided or arranged for during the course of the project.

Housing will be provided or arranged for during the course of the project. The following describes the activities that will be undertaken to ensure that housing meets host-country housing and safety standards:

6. Certification

- a. The Principal Investigator shall furnish this Compliance Plan to the Contracting Officer upon request.

- b. Annually, by the anniversary date of this signed Compliance Plan, the Principal Investigator shall report the annual status to the Contracting Officer by certifying to one of the following compliance statuses:
 - i. To the best of the Principal Investigator's knowledge and belief, neither the project employees nor Subrecipients have engaged in human trafficking; or

 - ii. The Principal Investigator is aware that human trafficking violations have occurred, remedial actions have been taken, and actions to prevent future violations have been taken.

This Compliance Plan has been reviewed and approved by:

Principal Investigator

Date

Date

7. Acknowledgment and Agreement

I, _____, an employee or agent of working on the above referenced project, acknowledge that I have received this Compliance Plan for Combatting Trafficking in Persons and agree to comply with the requirements of [FAR 52.222-50](#) or [2 CFR Part 175](#), as applicable. I understand that I cannot begin work on this project until I sign and submit my agreement.

Acknowledged by:

Date

Date: [Insert Date]

To: All employees directly engaged in performance of work under the [Project Name and Award Number]

From: [Name]
Principal Investigator

OR

[Name]
Director of Sponsored Projects]

Re: Mandatory Compliance: ***Federal Prohibition on Trafficking in Persons***

The federal award that funds [award number] for the project titled [project title] (the Award) contains [Federal Acquisition Regulation (FAR) clause 52.222-50—Combating Trafficking in Persons OR 2 CFR 175, Award Term for Trafficking in Persons]. This [clause/term] prohibits employees and agents (including, for example, faculty, students, postdocs and subcontractors) from engaging in a number of actions defined as trafficking in persons.

Before beginning work on [project title] you must review the full text of [FAR clause 52.222-50 (see <https://www.acquisition.gov/far/52.222-50>) OR 2 CFR 175 (see <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-1/part-175>)]. If you have any questions about the prohibitions defined in the [clause/term], please contact [campus contact].

Any violations of the above prohibitions may result in [the federal sponsor] terminating funding for the Award. Actions taken by the University of California, [Campus Name] against its employees for violations of this term of award may result in disciplinary action in accordance with applicable UC policy.

[Insert the following paragraph if applicable to the award]

Because [a portion of the contract has a value of over \$700,000 and is for supplies, other than commercially available off-the-shelf items, acquired outside the United States, or services to be performed outside the United States OR the estimated value of services required to be performed under the grant or cooperative agreement outside the United States exceeds \$500,000], all employees and agents working on [project title] must give specific attention to the compliance plan requirements outlined in [52.22-50 paragraph (h) or § 175.105(b)]. In order to comply with these requirements, the Principal Investigator must fill out, review and sign, and all other project personnel must read and sign, the attached Compliance Plan document. Please consult as needed with the appropriate campus offices on creating your Compliance Plan.

Please contact [campus contact] if you have any questions.

Sincerely,

[SPO officer]

Read and acknowledged:

[Name of PI], Principal Investigator

Date: _____