



## **“FAR”-Reaching Provisions Obligate Swath Of Contractors**

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As of March 2, hundreds of thousands of federal contractors and subcontractors became subject to a new Federal Acquisition Regulation rule to assist the U.S. government’s efforts in preventing human trafficking. These companies must now guarantee their entire supply chain is free of human trafficking and forced labor-related violations, and given the FAR rule’s broad language regarding contractors’ responsibilities, it is more a matter of which businesses are not subject to the rule as opposed to which ones are.

The new FAR rule, “Ending Trafficking in Persons,” strengthens the Obama Administration’s “zero-tolerance” policy against human trafficking by expanding the requirements contractors and subcontractors must follow in preventing human trafficking and forced labor abuses while carrying out contracts. Previously, FAR only prohibited federal contractors from engaging in “severe forms of trafficking in persons,” under its Combating Trafficking of Persons rule, which included soliciting prostitutes and using forced labor.

President Barack Obama’s 2012 Executive Order 13627 compelled amendments to the FAR to prohibit federal contractors and subcontractors from engaging in such practices as charging employees recruitment fees, using misleading recruitment practices, providing and arranging housing that fails to meet the host country’s safety standards, and denying an employee access to his or her identity or immigration documents.

But the expansion of prohibitions is not the main compliance challenge the FAR rule poses for companies.

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