

Your sponsored project award contains a clause called “Trafficking in Persons” or “Combating Trafficking in Persons”. This clause indicates that the United States government has adopted a zero tolerance policy regarding trafficking in persons and you and other employees (as defined below) may not:

- Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
- Procure a commercial sex act during the period of time that the award is in effect;
- Use forced labor in the performance of the award or subawards under this agreement.

Employee is defined as:

- An individual employed by ISU or a subrecipient who is engaged in the performance of the project or program under this award; or
- Another person engaged in the performance of the project or program under this award and not compensated by ISU, including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost-sharing or matching requirements.

To understand your obligations, you need to be familiar with the following terms and their meanings, which are from Section 103 of the Trafficking Victims Protection Act of 2000 and 2 CFR 175.15:

(1) Coercion

The term “coercion” means—

- (A) threats of serious harm to or physical restraint against any person;
- (B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or
- (C) the abuse or threatened abuse of the legal process.

(2) Commercial sex act

The term “commercial sex act” means any sex act on account of which anything of value is given to or received by any person.

(3) Debt bondage

The term “debt bondage” means the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

(4) Forced Labor

The term “forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(5) Involuntary servitude

The term “involuntary servitude” includes a condition of servitude induced by means of—

- (A) any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or
- (B) the abuse or threatened abuse of the legal process.

(6) Severe forms of trafficking in persons

The term "severe forms of trafficking in persons" means--

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(7) Sex Trafficking

The term "sex trafficking" means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

Any individual violating the requirements of this clause will be removed from the project. ISU may take disciplinary action against the violating individual up to and including termination. ISU will also be required to report any violations of this clause to the federal agency funding the award, which may result in sanctions by the agency.

If you are the Principal Investigator for this award, you are required to distribute this memo to all employees and volunteers performing work under this award to meet the notification requirements of the trafficking clause. OSPA will notify subrecipients as required by flowing down this clause in all subrecipient agreements. Purchasing will notify any vendors as required and modify purchase orders as appropriate.

Training on human trafficking can be viewed at:

http://www.dhs.gov/xlibrary/training/dhs_awareness_training_fy12/launchPage.htm

Should you have any questions about the trafficking clause, please contact Becky Musselman, Director of the Office of Sponsored Programs Administration at 294-5225.