

Client Alert

President Biden Signs Bipartisan Legislation Requiring Agencies to Refer Potential Human Trafficking Matters for Suspension/Debarment Consideration

November 7, 2022

On October 17, 2022, President Biden signed the [End Human Trafficking in Government Contracts Act of 2022](#) (“the Act”) into law, amending the 2013 National Defense Authorization Act (“2013 NDAA”) to require U.S. government agency heads to refer any suspected instances of human trafficking to the agency’s suspension and debarment official (“SDO”) for consideration and disposition.

In March 2012, both the House of Representatives and the Senate introduced the End Trafficking in Government Contracting Act of 2012, which Congress eventually passed as part of the 2013 NDAA. The goal of this law was to strengthen anti-human trafficking compliance efforts in federal contracts. However, in recent years, the Government Accountability Office and the Department of Defense Inspector General have released reports finding that human trafficking still persisted among a number of U.S. government contractors.

In addition to requiring agency heads to report suspected instances of human trafficking to SDOs, the Act also requires the director of the Office of Management and Budget to submit a report to Congress on implementation of the provisions within 90 days of the Act’s enactment.

Given this heightened scrutiny, contractors should review the relevant rules, including the requirement to have an anti-human trafficking compliance plan for contracts exceeding \$550,000.

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