



DEPARTMENT OF THE ARMY  
JOINT CONTRACTING COMMAND-IRAQ/AFGHANISTAN  
APO AE 09316



Reply to  
PARC-Reconstruction

April 21, 2006

LETTER TO ALL PARC-RECONSTRUCTION CONTRACTORS

SUBJECT: Withholding of Passports, Trafficking in Persons

Dear Sir/Madame:

Evidence indicates a wide spread practice of holding and withholding employee passports to, among other things, prevent employees "jumping" to other firms. It is the position of Multi-National Forces-Iraq (MNF-I) that this practice violates Title 18, United State Code (USC), Sections 1589 and 1592.

All contractors engaging in this practice are directed to cease and desist in this practice immediately. **All passports held shall be returned to employees by May 1, 2006, no exceptions.** This requirement shall flow-down to each of your subcontractors performing work in the Iraq theater. The MNF-I Inspector General will conduct compliance inspections.

Should any PARC-Reconstruction contractor disregard this direction and not take actions to correct this situation, I and PARC-Reconstruction contracting officers will take any steps necessary, and within our authority, to compel compliance, including withholding payments, contract termination, negative past performance evaluation, suspension, and/or debarment, or negative past performance evaluations. Further, installation law enforcement and garrison leadership may bar access to any government installation for illegal activity.

The following will appear in future PARC-Reconstruction solicitations and contracts:

- A "termination without penalty" provision in accordance with Title 22 U.S.C., Section 7104(g).
- A requirement for the contractor and subcontractors at all tiers to provide workers with a signed copy of their employment contract that defines the terms of their employment / compensation (e.g., salary, currency, work hours, overtime pay/policies, vacation).
- A prohibition on the contractor and subcontractors at all tiers against utilizing unlicensed recruiting firms or recruiting firms that charge illegal recruiting fees.
- The establishment of 50 feet as the minimum acceptable square footage of personal living space per employee.
- Requirement for contractors and subcontractors at all tiers to comply with international and host nation laws regarding transit/exit/entry procedures, and the requirements for work visas.

The right of freedom of movement and quality living standards are serious issues; MNF-I an my command take a zero tolerance approach to any violation. Again, **ALL** passports **shall be** returned to the safekeeping of each contractor employee not-later-than **May 1, 2006**. Thanks in advance for your immediate attention this matter. And, if your firm is not engaged in the practices discussed herein, thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Packard", with a stylized, cursive script.

Douglas W. Packard  
Principal Assistant Responsible for  
Contracting-Reconstruction