

## E-ALERT | Government Contracts

November 25, 2013

### FAR COUNCIL EXTENDS DEADLINE FOR COMMENTS ON PROPOSED HUMAN TRAFFICKING RULE

On [September 27, 2013](#) and [November 7, 2013](#), we issued e-alerts on the Federal Acquisition Regulatory (FAR) Council's [proposed rule](#) regarding ending trafficking in persons. This proposed rule, published on September 26, 2013, would impose significant new requirements on contractors and subcontractors related to the prevention of human trafficking. Although the proposed rule's aim of preventing human trafficking is undeniably laudable, significant questions remain as to how certain provisions of the rule will be interpreted and what contractors' and subcontractors' ultimate obligations will be. Moreover, certain aspects of the proposed rule could be interpreted in a way that would impose onerous compliance obligations on contractors and subcontractors across various industries.

On November 21, 2013, the FAR Council issued a notice in the [Federal Register](#) extending the deadline for comments on the proposed rule from November 25, 2013 to December 20, 2013. We have also learned that the DoD has informally extended the comment deadline on its [proposed rule](#) related to human trafficking to December 20, 2013. The FAR Council, in particular, appears to be interested in receiving comments on how it can abide by the restrictions and obligations imposed under [Title XVII of the 2013 Defense Reauthorization Act](#) and [Executive Order 13627](#) without imposing unreasonable obligations on contractors and subcontractors.

Contractors and subcontractors should consider taking action in this extended comment period to ensure that the ambiguities and questioned raised in the proposed rules are resolved in the formulation of the Final Rule.

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If you have any questions concerning the material discussed in this client alert, please contact the following members of our government contracts practice group:

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