San Francisco Department of Public Health

Policy & Procedure Detail*

Policy & Procedure Title: Trafficking Victims Protection Act Policy (CON1)

Category: Office of Contract Management and Compliance – Business Office
Effective Date: March 22, 2017
Last Revision Date: N/A

DPH Unit of Origin: Office of Policy and Planning/DPH Contracts Unit
Policy Owner: DPH Contracts Office
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Distribution: DPH-wide Other:

*All sections in table required.

1. Purpose of Policy

The purpose of this policy is to ensure that all federally funded contracts and grants executed by the Department of Public Health contain language requiring that contractors, subcontractors and grantees comply with the Trafficking Victims Protection Act of 2000.

2. Background

The Trafficking Victims Protection Act (TVPA), was enacted by Congress in 2000 to “combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their victims.”

In reaching this goal, TVPA Section 106(g) authorizes the federal government to terminate any grants, contracts or cooperative agreements with a private entity that engages in or facilitates acts of trafficking, as defined under the law. The duty to include contract language prohibiting conduct relating to trafficking applies to contracts issued by local agencies, where the source of the funding is federal. The Code of Federal Regulations (2 Code of Federal Regulations Part 175.10) also makes it clear that this would apply to awards made to private entities through agreements between the federal government and local entities, such as health departments.

The State of California, as part of its State-County contract, requires that each county have policies and procedures in place to address county-managed and/or county-subcontracted programs that do not comply with the TVPA of 2000.
The San Francisco Department of Public Health regularly receives funding from the State and federal government and re-conveys that funding to private entities through contracts and grants.

2. **Policy**

   It is the policy of the San Francisco Department of Public Health to comply with the requirements of the TVPA by including language in its federally funded contracts and grants that requires compliance with the TVPA.

3. **Procedures**

   a. DPH contracts and grants already include a provision that incorporates all terms and conditions of the source of funding into the contract or grant that is conveying that funding. However, in order to underscore DPH’s commitment to complying with the terms of the TVPA, DPH’s boilerplate contracts and grants will now include a provision in all federally funded contracts, including State-County contracts, requiring contractors and subcontractors to comply with Section 106(g) of the TVPA OF 2000.

4. **References/Attachments**

   a. [Trafficking Victims Protection Act of 2000](#)
   b. [2 Code of Federal Regulations Part 175](#)