



SIGAR

Office of the Special Inspector General
for Afghanistan Reconstruction

September 12, 2014

Major General Kevin G. O'Donnell
Commanding General, U.S. Army Sustainment Command

Major General Theodore C. Harrison
Commanding General, U.S. Army Contracting Command

Dear Generals Wharton and Harrison:

The Office of the Special Inspector General for Afghanistan Reconstruction (SIGAR) is authorized by Congress to, among other things, investigate waste, fraud, and abuse in wartime contracts and contracting processes in Afghanistan. As part of an initiative undertaken by my office to combat human trafficking in connection with the multibillion-dollar Logistics Civil Augmentation Program (LOGCAP) contract in Afghanistan, SIGAR special agents are participating in enforcement sweeps and conducting interviews with Third Country National (TCN) workers employed by LOGCAP contractors.

In meetings with representatives from the U.S. Army Contracting Command, U.S. Army Sustainment Command, and LOGCAP managers, SIGAR learned that LOGCAP contractors have provided more than two thousand records of interviews with TCN workers to DOD officials with responsibility for overseeing LOGCAP. These records indicate that TCNs employed by LOGCAP contractors and subcontractors have been enticed by labor recruiters to pay improper "recruitment fees" to obtain their jobs on U.S. bases in Afghanistan. Unfortunately, during the meetings with DOD officials responsible for LOGCAP, my staff learned that your Commands appear to have taken only limited action to address the numerous reports suggesting that human trafficking is occurring in connection with LOGCAP.

In addition, SIGAR investigators have gathered evidence of other deceptive recruitment practices and mistreatment by interviewing TCN employees and LOGCAP contractor officials in Afghanistan. Specifically, SIGAR special agents interviewed TCN employees who were compelled to pay improper recruitment fees in order to obtain employment and uncovered evidence that an employee of a LOGCAP subcontractor was demanding kickback payments from his TCN subordinates. Such recruiting fees and coerced payments are prohibited by 22 U.S.C. § 7104(g), Joint Contracting Command Iraq/Afghanistan Clause 952.222-0001, and the zero-tolerance policy against trafficking in persons set forth in Executive Order 13627 and FAR 22.1703.

SIGAR is reviewing the efforts that your Commands have taken to address these issues in light of efforts by contractors themselves to report evidence suggesting that improper labor practices are prevalent in the labor market LOGCAP's contractors rely upon. A lack of appropriate oversight by your Commands could allow such improper conduct to continue and could send the wrong message to contractors that the government will not aggressively combat practices that contribute to human trafficking.

Given your Commands' important role in overseeing the LOGCAP program, and in order to understand your procedures for implementing the government's zero-tolerance policy against human trafficking, I request that you provide the following information:

1. What are your procedures for detecting, investigating, and enforcing penalties for violations of laws and regulations prohibiting trafficking in persons?
2. All records from the last three years concerning any action taken by Contracting or Sustainment Command officials in response to a contractor's report of a trafficking in persons violation.
3. All records of any disciplinary actions taken by Contracting or Sustainment Command officials against contractors, contractor employees, or federal employees at U.S. bases in Afghanistan for activities related to human trafficking.
4. How do you ensure that human trafficking regulations are enforced by subcontractors and labor recruiters hired by LOGCAP prime contractors?
5. What measures have your Commands have taken to enforce contractor compliance with laws and regulations prohibiting human trafficking in Afghanistan?
6. Provide all records of and an explanation for all decisions made by your Commands not to investigate allegations of human trafficking in connection with work performed by LOGCAP contractors or subcontractors in Afghanistan.

Please respond in writing to this request by September 25, 2014. Thank you in advance for your cooperation. These requests are made pursuant to the Inspector General Act of 1978, as amended, and Public Law No. 110-181, as amended.

Should you have any questions, please contact me directly, or have your staff contact Jack Mitchell, Director of Special Projects at [REDACTED] or [REDACTED].

Sincerely,



John F. Sopko
Special Inspector General
for Afghanistan Reconstruction