



United States
Department of
Agriculture

Forest
Service

Washington Office

14th & Independence SW
P.O. Box 96090
Washington, DC 20090-6090

File 6320
Code:
Route
To:

Date: January 4, 2005

Subject: Service Contract Provisions

To: Regional Foresters, Station Directors, Area Director, Director FPL, Director IITC

Please review the Chief's 6320 letter of November 18th. In that letter the Chief emphasized three points concerning the safety and welfare of H2B seasonal workers and other contract workers conducting work on National Forests. The Chief also requested that I require the inclusions of specific contract language relating to worker welfare and safety in all service contracts.

We sought input from all your contracting staffs and based upon that input we developed a comprehensive set of provisions for inclusion in these contracts. Please ensure that these provisions (nine pages) are included in all service contracts, existing and new awards that have the potential for involving migrant and seasonal workers during performance. The first three pages, camp and personal protective equipment requirements, apply to all labor intensive service contracts regardless of whether or not seasonal or migrant labor is involved. It is also essential that these requirements be discussed at all pre-work meetings and those discussions documented. Note that any reference to the Immigration and Naturalization Service should be clarified as now the U.S. Citizen and Immigration Services (USCIS).

In addition to including these provisions, I ask that you notify the appropriate field offices of the Department of Labor, Occupational Safety and Health Administration, and the USCIS of contract awards that may result in H2B workers performing on the contract.

Finally, please ensure that all service contract files include a written statement to the effect that the Contracting Officer, the Contracting Officer's Representative, or the contract Inspector has reviewed the requirements of these provisions with the contractor and has conducted at least one inspection of existing and new service contracts to ensure compliance with these provisions when applicable.

If you have any questions you may contact Ron Wester, Assistant Director of AQM. Ron may be contacted at (703) 605-4665.

/s/Ronald E Hooper
RONALD E. HOOPER
Director, Acquisition Management

Enclosure

Cc: pdl wo ops aqm directors (w/enclosure)

