

Emergency Processing Determination

Pursuant to 5 CFR 1320.13, it is determined that:

1. The USAID Security Firm Survey must be initiated prior to the expiration of the 30-day notice period (after publication in the Federal Register) and the standard 60-day OMB approval period established by 5 CFR 1320.10. The minimum two to three-month delay entailed in OMB's normal approval process would cause serious disruption in gathering information regarding the contracts and agreements USAID has executed with private security firms and how these firms have performed, as outlined below.
2. USAID and the Office of Acquisition and Assistance ("OAA") will evaluate how successfully the security firm contracts and agreements have been implemented and determine whether any changes should be made to existing and future contracts/agreements. For example, OAA may determine that based on the information collected an additional contract clause should be introduced to better define the security firm's role in protecting USAID employees and provide for closer monitoring of a contractor/awardee performance.
3. Collection of this information is particularly urgent at this time because of the unanticipated event involving the use of deadly force by U.S. Government contractors and/or subcontractors or subgrantees in Iraq. There is now a tremendous amount of interest in how, when and where the Government is using private security firms. This interest has been heightened in recent weeks due to the media coverage and Government investigation of Blackwater's actions in Iraq. USAID/Washington has been proactive in the last month by contacting USAID missions to collect security firm information in anticipation of questions it may receive from government agencies.
4. From an administrative perspective, this emergency processing request is necessary to complete the collection already underway.

Mr. Jim Kunder, the Acting Assistant Administrator of USAID, sent an initial question to the USAID missions the week of October 15, 2007 to establish the number of USAID missions worldwide that use private security firms. Seven questions were then sent to the 18 missions who use private security firms. These questions asked whether or not the program is implemented under a contract or a grant, the terms of the contract/grant, the number of personnel covered in the contract/grant, the scope of protection the security firm offers, and the types of security incidents reported by the security firm. The USAID mission responses are now being analyzed by USAID/Washington.

It was quickly determined that sixteen missions have security firm agreements and that these missions will be unable to completely answer the necessary questions. This is because agreement instruments allow for less USAID management and involvement than provided for in contracts.

5. USAID will not be able to respond to anticipated U.S. Government inquiries regarding the nature of its security service contacts/agreements nor will it be able to analyze and revise current security service firm contracts/agreements if this collection is not conducted.