

**Federal Acquisition Regulation (FAR)**  
**Contractors Performing Private Security Functions Outside the**  
**United States**  
**OMB Control No. 9000-0184**  
**Justification - Part A Supporting Statement**

**FAR section affected:** 52.225-26

Overview of Information Collection:

- This justification supports clearance of an extension of the collection.

There are no program changes. The FAR requirements remain the same. This extension includes adjustments to the burden due to use of the calendar year 2025 Office of Personnel Management (OPM) General Schedule (GS) Salary Table for the rest of the United States as explained in item 15.

1. Need & Method for the Information Collection. This clearance covers the information that contractors must submit to comply with the following FAR requirements:

a. *FAR 52.225-26, Contractors Performing Private Security Functions Outside the United States*. When contract performance is required outside the United States in an area of combat operations or significant military operations, this clause requires contractors to ensure employees performing private security functions under the contract comply with 32 CFR part 159, and any orders, directives, or instructions that are identified in the contract for:

- Registering, processing, accounting for, managing, overseeing, and keeping appropriate records of personnel performing private security functions;
- Requesting authorization of and accounting for weapons to be carried by or available to personnel performing private security functions;
- Registering and identifying armored vehicles, helicopters, and other military vehicles operated by employees performing private security functions; and
- Reporting incidents in which personnel performing

private security functions: discharge a weapon; are attacked, killed, or injured; kill or injure a person or destroy property as a result of conduct by contractor personnel; have a weapon discharged against them or believe a weapon was so discharged; or employ active, non-lethal countermeasures in response to a perceived immediate threat.

2. Use of the Information. The Government uses the information provided to ensure accountability, visibility, force protection, medical support, personnel recovery, and other related support can be accurately forecasted and provided to deployed contractors, as required.
3. Use of Information Technology. Federal agencies use information technology to the maximum extent practicable. Where both the Government agency and contractors are capable of electronic interchange, contractors may submit this information collection requirement electronically.
4. Non-duplication. These requirements are issued under the FAR, which has been developed to standardize Federal procurement practices and eliminate unnecessary duplication. The Defense Federal Acquisition Regulation Supplement (DFARS) clause 252.225-7040, Contractor Personnel Supporting U.S. Armed Forces Deployed Outside the United States, collects this information from the Department of Defense (DoD) contractors (see OMB Control Number 0704-0460, Synchronized Predeployment and Operational Tracker Enterprise Suite (SPOT-ES) System). This clearance does not duplicate the requirements of the DFARS clause, as this clearance only applies to applicable contractors of non-DoD agencies.
5. Burden on Small Business. The burden applied to small businesses is the minimum consistent with applicable laws, Executive orders, regulations, and prudent business practices.
6. Less Frequent Collection. Collection of this information on a basis other than contract-by-contract is not practical. If this data is not collected and updated, as necessary, there is

a risk that contractor personnel will be without the ability to obtain life support or personnel recovery services when placed in harm's way. Also, the collection of information is required to comply with section 862 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2008 (Pub. L. 110-181), as amended by section 853 of the NDAA for FY 2009 (Pub. L. 110-417), and sections 831 and 832 of the NDAA for FY 2011 (see 10 U.S.C. Subtitle A, Part V, Subpart G Note).

7. Paperwork Reduction Act Guidelines. Collection is consistent with guidelines in 5 CFR 1320.5(d)(2).

8. Consultation and Public Comments.

A. A 60-day notice was published in the *Federal Register* at 90 FR 14448, on April 2, 2025. Several comments were received from four respondents; however, they did not change the estimate of the burden.

**Comments on the need and utility of the information collection:**

Two respondents expressed support for the collection. A respondent stated that "the collection of data on private security contractors operating abroad remains necessary for accountability and human rights monitoring, but the utility can be significantly improved by requiring disaggregation of incident reports by location, contractor, and demographic details (e.g., gender, nationality, civilian vs. combatant status)."

**Response:** The respondents' input is appreciated. Any changes to the collection of information on contractors performing private security functions outside the US will require rulemaking.

**Comment on the burden estimate:** A respondent stated that "the estimate of 70 burden hours annually appears low given the complexity and seriousness of the required reporting on weapons discharge incidents, personnel injuries, and military vehicle registration." The respondent recommended reassessing the burden estimate "using recent case studies of contractor reporting complexity in areas like Iraq and Afghanistan."

**Response:** The information collection burden estimate covers only contractors of non-DoD agencies. The information is collected from DoD contractors under OMB Control Number 0704-0460, Synchronized Predeployment and Operational Tracker Enterprise Suite (SPOT-ES) System.

**Comments on expanding reporting requirements:** Two respondents provided many recommendations to improve accuracy, timeliness,

oversight, accountability, and the transparency of the collected information. Key recommendations include clarifying the definitions of "significant military operations," "security incidents," and "use of force"; requiring readiness certifications for medical evacuation resources; increasing transparency through public incident reports; implementing post-contract reviews; incorporating third-party incident reporting and independent audits; mandating human rights and environmental impact reporting; collecting data on contractor workforce protections, gender, and diversity; and encouraging broader adoption of automated, secure digital reporting platforms.

**Response:** The respondents' input is appreciated. Any changes to the collection of information on contractors performing private security functions outside the US will require rulemaking.

B. A 30-day notice was published in the *Federal Register* at 90 FR 29547, on July 3, 2025.

9. Gifts or Payment. This collection does not provide any payment or gift to respondents, other than remuneration of contractors.

10. Privacy & Confidentiality. This information is disclosed only to the extent consistent with prudent business practices, current regulations, and statutory requirements.

11. Sensitive Questions. No sensitive questions are involved.

12. Burden Estimate.

This estimate is based on Federal Procurement Data System (FPDS) data on the number of service contracts and orders performed in combat zones<sup>1</sup> awarded annually by non-DoD agencies. According to FPDS data for fiscal years 2019 through 2021, non-DoD agencies award approximately 552 service contracts and orders to be performed in combat zones annually. Of these contracts, the Government estimates that 5 percent, or 28 contracts, may require contractor employees to perform private security functions. For each of the 28 contracts, it is estimated a contractor will provide approximately 5 responses to the Government over the life of the contract and that it will take 0.5 hour to prepare and submit a response.

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<sup>1</sup> <https://www.dfas.mil/militarymembers/payentitlements/Pay-Tables/CZ1/>

Estimated number of respondents/yr.....	28
Responses per respondent.....	<u>x 5</u>
Total annual responses.....	140
Estimated hrs/response.....	<u>x 0.5</u>
Estimated annual burden hours.....	70
Hourly rate*.....	<u>x \$71</u>
Estimated annual cost to the public.....	\$ 4,970

\* The hourly rate is calculated by applying a 36.25 percent fringe factor and a 12 percent overhead factor to a base hourly rate (\$48.13) and then rounding to the nearest whole dollar (\$71). The base hourly rate is derived from the OPM 2025 GS Locality Pay Table for a GS-12/step 5 salary for the rest of the United States ("Salary Table 2025-RUS"). The fringe factor is derived from OMB memorandum M-08-13. The overhead factor is derived from the OMB Circular No. A-76 Revised Supplemental Handbook.

13. Estimated nonrecurring costs. Not applicable.

14. Estimated cost to the Government.

The Government estimates that it will take approximately 0.5 hour for a Government employee to review and coordinate, as necessary, a response received under the clause at FAR 52.225-26.

Total annual responses.....	140
Review time per response (hours).....	<u>x 0.5</u>
Review time per year (hours).....	70
Hourly rate*.....	<u>x \$71</u>
Estimated annual cost to the Government.....	\$ 4,970

15. Reasons for changes. There are no program changes. The FAR requirements remain the same. This extension includes adjustments to the public and Government burden estimates based on the following:

- The estimated cost per hour is based on use of the calendar year 2025 OPM GS wage rates for the rest of the United States.

<b>Reporting Public Burden</b>	<b>2022</b>	<b>2025</b>	<b>Change</b>
<b>Responses</b>	140	140	0
<b>Hours</b>	70	70	0
<b>Cost</b>	\$4,130	\$4,970	+\$840

16. Publicizing Results. Results will not be tabulated or published.
17. OMB Not to Display Approval. Approval to *not* display the expiration date for OMB approval of the information collection is not sought.
18. Exceptions to "Certification for Paperwork Reduction Submissions". There is no exception to the certification statement.
19. Surveys, Censuses, and Other Collections that Employ Statistical Methods. Statistical methods are not used in this information collection. A Part B supporting statement is not needed, or required, and therefore was not completed.