

# PUBLIC SUBMISSION

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**Docket:** FAR-2025-0053

Federal Acquisition Regulation (FAR) Information Collections - 2025

**Comment On:** FAR-2025-0053-0007

Agency Information Collection Activities; Proposals, Submissions, and Approvals: Contractors Performing Private Security Functions Outside the United States

**Document:** FAR-2025-0053-DRAFT-0003

Comment on FR Doc # 2025-05579

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## Submitter Information

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## General Comment

### On Burden Estimates

**Comment:** 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. Reassess the burden estimate using recent case studies of contractor reporting complexity in areas like Iraq and Afghanistan.

**Supporting Evidence:** A 2023 Government Accountability Office (GAO) report highlights ongoing contractor oversight challenges, suggesting reporting burdens are often underestimated. (GAO-23-105571, <https://www.gao.gov/products/gao-23-105571>)

### On Use of Automated Reporting Systems

**Comment:** Encourage broader adoption of automated, secure digital reporting platforms to reduce contractor reporting burdens while improving data accuracy and timeliness.

**Supporting Evidence:** The U.S. Army's Logistics Civil Augmentation Program (LOGCAP) successfully integrated digital reporting tools to streamline incident tracking, leading to faster, more accurate reporting. (Congressional Research Service, 2022, <https://crsreports.congress.gov/product/pdf/IF/IF11998>)

### On Human Rights and Accountability

**Comment:** Require contractors to submit evidence of human rights training compliance and adherence to international humanitarian law when operating in combat or high-risk areas.

**Supporting Evidence:** The 2021 Montreux Document recommends increased transparency and accountability for private security providers to prevent human rights violations. (ICRC, 2021,

<https://www.icrc.org/en/document/montreux-document-private-military-and-security-companies>)

#### On Incident Reporting Transparency

Comment: Strengthen public transparency by requiring anonymized, quarterly public reports summarizing incident data, including use of force and casualties, to enhance oversight and public trust.

Supporting Evidence: Increased transparency requirements for private contractors were recommended after Blackwater's 2007 Nisour Square incident, which revealed gaps in public accountability. (Center for Strategic and International Studies, 2022, <https://www.csis.org/analysis/contractors-battlefield>)

#### On Environmental Impact of Contractor Operations

Comment: Expand reporting requirements to include any significant environmental damages caused by private security contractors, such as destruction of natural resources or civilian infrastructure.

Supporting Evidence: Environmental damage from military and contractor operations was documented in Iraq and Afghanistan, impacting local communities and long-term recovery efforts. (UNEP Post-Conflict Assessments, 2020, <https://www.unep.org/resources/report/afghanistan-post-conflict-environmental-assessment>)

#### On Gender and Diversity Data

Comment: Require contractors to report on workforce gender composition and diversity metrics to promote inclusive practices in line with U.S. federal equity priorities.

Supporting Evidence: Executive Order 13985 mandates advancing racial equity and support for underserved communities through federal actions, including procurement. (White House, 2021/)

#### On Whistleblower Protections

Comment: Reinforce contractor obligations to inform employees about whistleblower protections and include annual reporting on internal incident disclosures without retaliation.

Supporting Evidence: Whistleblower protections are critical in environments with limited external oversight, per the DoD IG's 2023 annual report on whistleblower retaliation. (DoD Inspector General, 2023)

#### On Medical Evacuation and Support Readiness

Comment: Require contractors to submit readiness certifications confirming the availability of medical evacuation (medevac) resources for personnel deployed in hostile zones.

Supporting Evidence: Contractor reliance on military medevac assets has strained operational capacity in past conflicts. Proactive contractor provisions are essential. (RAND Corporation, 2021)

#### On Clarifying "Significant Military Operations" Definition

Comment: Clarify and standardize the definition of "significant military operations" to avoid inconsistent contractor compliance interpretations across regions and missions.

Supporting Evidence: Ambiguities in operational definitions have led to contractor confusion and reporting failures in multiple U.S. Central Command operations. (Congressional Research Service, 2023b)

## On Combatting Underreporting of Incidents

Comment: Implement independent third-party audits or spot checks to verify incident reporting accuracy by contractors, especially regarding weapons use and civilian interactions.

Supporting Evidence: Studies found significant discrepancies between contractor self-reports and independent findings in conflict zones, suggesting a need for independent audits. (Special Inspector General for Afghanistan Reconstruction (SIGAR), 2021)