

# 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-0008

Comment on FR Doc # 2025-05579

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## Submitter Information

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## General Comment

### On Necessity and Utility of Information Collection

Comment: 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).

Supporting Evidence: UN Working Group on Mercenaries (2022) highlights persistent underreporting and lack of transparency regarding private security incidents and impacts on local populations; disaggregated data supports better policy and harm prevention (<https://undocs.org/A/HRC/51/25>).

### On Human Rights and Civilian Protection

Comment: The reporting framework should include mandatory fields on civilian casualties, use of force, and the outcome of post-incident investigations to promote compliance with international humanitarian law and minimize harm to non-combatants.

Supporting Evidence: Peer-reviewed analyses document frequent gaps in reporting civilian harm by private security personnel; comprehensive reporting is linked to improved accountability (Stanger, A., "One Nation Under Contract," 2020, <https://www.foreignaffairs.com/reviews/review-essay/2010-01-01/mercenary-question>).

### On Oversight and Public Transparency

Comment: FAR 52.225-26 compliance data should be made publicly accessible (with appropriate redactions), with an annual report summarizing key trends, violations, and enforcement actions, to allow for democratic oversight and civil society engagement.

Supporting Evidence: The SIGAR Afghanistan reconstruction reports demonstrate that public transparency on contractor activities drives improvements in compliance and oversight

#### On Contractor Workforce Protections

Comment: Information collected should also capture data on contractor labor conditions, injuries, and deaths (including mental health outcomes), to identify risks of exploitation, inadequate support, or workplace violence, and to promote fair labor practices.

Supporting Evidence: Reports have found elevated injury and PTSD rates among private security personnel in conflict zones, often underreported in official statistics

#### On Minimizing Burden and Improving Efficiency

Comment: To reduce burden, the rule should mandate electronic, standardized reporting tools that allow for secure, real-time data entry, and batch uploads; pilot programs have shown such systems can increase data quality and reduce contractor workload.

Supporting Evidence: The U.N. Global Compact (2023) recommends digital compliance platforms for contractor reporting in high-risk environments, citing cost and accuracy benefits

#### On Incident Definition and Reporting Consistency

Comment: Clarify and standardize definitions for “security incidents” and “use of force,” and provide contractors with clear guidance and training materials to ensure reporting consistency and comparability across contracts and regions.

Supporting Evidence: Studies of contractor reporting have shown that vague definitions lead to underreporting and unreliable data

#### On Third-Party and Local Stakeholder Input

Comment: The information collection should allow for inclusion of third-party incident reporting—such as from local partners, NGOs, or host government entities—to enhance accuracy and ensure that local community impacts are recognized and addressed.

Supporting Evidence: International Code of Conduct Association (ICoCA) best practices recommend multi-source reporting for private security oversight

#### On Gender, Racial, and Social Equity

Comment: Require reporting to capture any allegations or incidents of gender-based violence, discrimination, or abuse perpetrated or experienced by private security personnel, ensuring data supports equitable workplace and operational practices.

Supporting Evidence: Women in International Security (WIIS) finds security contractors frequently overlook sexual harassment and discrimination cases unless explicitly tracked

#### On Post-Contract Review and Continuous Improvement

Comment: FAR reporting should include a mechanism for post-contract review and feedback by both contractors and host community representatives, to inform lessons learned and support iterative improvement in oversight and risk mitigation.

Supporting Evidence: Studies in post-conflict contracting stress the value of feedback loops in contractor regulation

#### On Data Security and Privacy

Comment: Data collection and storage systems must ensure the protection of sensitive personal and operational information, with clear standards for data access, retention, and deletion, to prevent abuse or misuse of reported information.

Supporting Evidence: NIST cybersecurity framework provides best practice for sensitive federal contractor data