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Data Collection for Contingency Contracting

A Mandatory Reference for ADS 300

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Overview

The primary goal of this mandatory reference is to enhance the Agency's ability to comply with the requirements established by the fiscal year [2013 National Defense Authorization Act \(2013 NDAA\)](#) regarding contingency operations. Accordingly, this guidance addresses the following section of the 2013 NDAA: Section 844 "Data Collection on Contract Support for Future Overseas Contingency Operations Involving Combat Operations".

Collection of Acquisition Data Related to Contingency Operations

The Assistant Administrator, Bureau for Management (AA/M) is responsible for contracting data collection and report creation.

- a. **Applicability:** This mandatory reference applies to all contracts either with primary performance in overseas locations that are DoD-designated contingency operations or contracts that are knowingly and likely to be exposed to risk due to, or arising out of, contingency operations that involve combat operations (for example, contracts with a primary place of performance outside of a designated contingency operation but which involve border or cross-border operations within the designated contingency operation).
- b. Section 844 of the FY 2013 NDAA requires that USAID issue guidance regarding data collection on contract support for contingency operations outside the United States that involve combat operations. The required guidance is contained within this section.
- c. USAID will collect and, when required, report on the following eight data elements for contracts using the systems identified:
 1. The total number of contracts entered into. This information is collected through the reporting functionality of USAID's contract writing system, the Global Acquisition and Assistance System (GLAAS).
 2. The total number of contracts that are active. This information is collected through the reporting functionality of GLAAS.
 3. The total value of contracts entered into. This information is collected through the reporting functionality of GLAAS.
 4. The total value of active contracts. This information is collected through the reporting functionality of GLAAS.

5. An identification of the extent to which the contracts were entered into using competitive procedures. This information is collected through the reporting functionality of GLAAS.
6. The total number of contractor personnel working under contracts entered into as of the end of each calendar quarter during the one-year period ending on such date. The required information is based on the aggregate number of contractor personnel recorded in the Synchronized Pre-deployment and Operational Tracker (SPOT) system.
7. The total number of contractor personnel performing security functions under contracts entered into as of the end of each calendar quarter during the one-year period ending on such date. The required information is based on the aggregate number of contractor personnel recorded in the SPOT system as performing security functions.
8. The total number of contractor personnel killed or wounded under any USAID contracts. USAID currently uses the Office of Workers' Compensation Programs (OWCP) Defense Base Act Summary to report data for contractor personnel who were killed or wounded while working on qualifying contracts.

With respect to data elements 6 and 7, the NDAA requires aggregate data, not the collection of personally identifiable information. However, the information will be collected and maintained at an individual level as required by Federal Acquisition Regulation (FAR) Subpart 25.3 for contracts performed outside of the United States (see [FAR 25.301-4](#) and [FAR 52.225-19\(g\)](#)).

- d. The Bureau for Management, Office of Management Policy, Budget and Performance (M/MPBP) ensures that USAID is collecting contract data regarding the eight data elements. It is the Contracting Officer's (CO's) responsibility to include appropriate SPOT-related clauses in solicitations and contracts.

References

- a. [ADS 201, Program Cycle Operational Policy](#)
- b. [ADS 300, Agency Acquisition and Assistance \(A&A\) Planning](#)
- c. [Federal Acquisition Regulation \(FAR\)](#)
- d. [National Defense Authorization Act for Fiscal Year 2013, Public Law 112-239](#)

Definitions

contingency operation

Defined in [10 USC 101\(a\)\(13\)](#), as a military operation that—

- a.** is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force; or
- b.** results in the call or order to, or retention on, active duty of members of the uniformed services under section 688, 12301(a), 12302, 12304, 12304a, 12305, or 12406 of this title, chapter 15 of this title, section 712 of title 14, or any other provision of law during a war or during a national emergency declared by the President or Congress.

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