

CLIENT ALERT

Less Risk, More Reward: DoD Proposed Rule on Operational Contract Support Expands Overseas Contracting Opportunities

January 22, 2021

On the heels of a 2019 [Government Accountability Office report](#) that recognized the Department of Defense's (DoD) efforts in reducing risks associated with overseas operational contract support (OCS), DoD issued a [proposed rule](#) updating its OCS policies and procedures. The proposed rule continues DoD's focus on enhancing its ability to effectively oversee, manage, and account for contractors supporting U.S. military operations to reduce the risk of fraud, waste, and abuse. This proposed rule seeks to:

- Broaden the types of overseas operations for which contracted support may be used, to include non-contingency operations, such as humanitarian assistance or peace operations, or overseas military exercises;
- Clarifies contractors' responsibilities for deploying personnel in support of overseas operations, including medical and dental fitness standards;
- Details the services that DoD is authorized to provide contractors; and
- Promotes efficiency and transparency by removing internally-facing information requirements.

If adopted, this proposed rule will broaden the scope of military operations for which contractor support could be deployed. It would also provide clarity and consistency to other OCS procedures to allow contractors to better plan for compliance and the DoD to more effectively oversee contractors' OCS performance. Comments on the proposed rule are due March 8, 2021.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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