

25.302-3 Applicability.

(a) This section applies to contracts that require performance outside the *United States*-

(1) In an *area of combat operations* as designated by the Secretary of Defense; or

(2) In an area of *other significant military operations* as designated by the Secretary of Defense, and only upon agreement of the Secretary of Defense and the Secretary of State.

(b) These designations can be found at

http://www.acq.osd.mil/dpap/pacc/cc/designated_areas_of_other_significant_military_operations.html
and http://www.acq.osd.mil/dpap/pacc/cc/designated_areas_of_combat_operations.html.

(c) When the applicability requirements of this subsection are met, contractors and subcontractors *must* comply with 32 CFR part 159, whether the contract is for the performance of private security functions as a primary deliverable or the provision of private security functions is ancillary to the stated deliverables.

(d) The requirements of section [25.302](#) *shall* not apply to-

(1) Contracts entered into by elements of the intelligence community in support of intelligence activities; or

(2) Temporary arrangements entered into on a non-DoD contract for the performance of private security functions by individual indigenous personnel not affiliated with a local or expatriate security company. These temporary arrangements *must* still comply with local law.

Parent topic: [25.302 Contractors performing private security functions outside the United States.](#)