

## Contractor Manpower Reporting Exemptions

(Courtesy of the US Cavalry – "CHARGE!")

**REF: Army Regulation 70-13, dated 30 July 2010**

5-1a. All Army organizations acquiring contracted services shall include in newly issued contracts, task orders, and bilaterally modified contracts, the requirement for contractor manpower reporting (CMR) to the secure Web site at <https://cmra.army.mil/>. This shall occur upon award or modification, and annually thereafter for the duration of the contract. Service contracts for **utilities** and **foreign military sales** are excluded from the CMR requirements.

CAVEAT: **Construction** and **civil works** are also excluded from the CMR requirements.

**REF: Codes of Federal Regulation, 32 Chap V § 668.1(c)3**

(3) Covered actions. The contract reporting requirements specified in §668.2 below shall be included in all Army solicitations issued and contract actions awarded (including orders under GSA Schedule contracts and contracts awarded by other agencies that allow direct ordering by the Army), and all bilateral modifications of existing Army contracts, after March 15, 2000, except the followings:

- (i) **Contracts valued at \$100,000 or below.** Indefinite Delivery contracts estimated to exceed \$100,000 in value shall contain the requirement for reporting, for all orders placed in excess of \$25,000. Orders placed against GSA Schedule contracts or contracts awarded by non-Army agencies, shall contain the requirement if the value of the order exceeds \$100,000.
- (ii) **Contracts awarded by an Army contracting office solely as a contracting agent in support of non-Army customer(s) and requirements.** The reporting requirement is limited to contractor labor hour and cost data in support of Army customers and requirements. If the organization receiving the benefit of the services is an Army organization, then the contractor labor hour data is reportable as an Army requirement, even though the appropriations funding all or part of the requirement may be other than Army appropriations.

- (iii) **Contracts for the acquisition of supplies and equipment.** The reporting requirement applies only to services covered by Federal Supply Class or Service codes for "Research and Development," and "Other Services and Construction." However, when non-incident services are discretely included in a contract for supplies and equipment, and can be characterized as "Research and Development," or "Other Services and Construction," contractors shall be required to characterize and report such services under this requirement. (Example: Ongoing facility management or maintenance and quality assurance services separately priced under the contract.)

**REF: SECARM Memorandum, dated 9 January 2005**

"(d) **Exemption(s).** If the contractor is unable to comply with these reporting requirements without creating a whole new cost allocation system or system of records (such as a payroll accounting system), or due to similar insurmountable practical or economic reasons, the contractor may claim an exemption to at least a portion of the reporting requirement by certifying in writing to the Contracting Officer the clear underlying reason(s) for exemption from the specified report data element(s), and further certifying that they do not otherwise have to provide the exempted information, in any form, to the United States Government. The "self-exemption" will apply to all contract actions involving the contractor and will be reviewed and approved by the Deputy Assistant Secretary of the Army (Procurement), in coordination with the Deputy Assistant Secretary of the Army (Force Management and Resources), whose decision is final in this matter."