



**DEPARTMENT OF VETERANS AFFAIRS
DEPUTY ASSISTANT SECRETARY FOR ACQUISITION AND LOGISTICS
WASHINGTON DC 20420**

IL 001AL-10-14

September 13, 2010 (Replaces IL 001AL-09-10)

OFFICE OF ACQUISITION AND LOGISTICS INFORMATION LETTER

- TO:** Under Secretaries for Health, Benefits, and Memorial Affairs; Assistant Secretary for Management; Director, Office of Construction and Facilities Management; Veterans Integrated Service Network Directors; Directors, VA Medical Center Activities, Outpatient Clinics, Medical and Regional Office Centers, and Regional Offices; Directors, Denver Acquisition and Logistics Center, VA Austin Information Technology Center, Records Management Center, VBA Benefits Delivery Centers, and VA Health Administration Center; Executive Director and Chief Operating Officer, VA National Acquisition Center; Chief Information Officer; VA Health Revenue Center; VA Health Eligibility Center; and, Office of General Counsel
- ATTN:** Heads of Contracting Activities, VA Contracting Officers, Purchase Card Holders, and All Other VA Employees Involved with Acquiring Equipment, Supplies, and Services (Including Construction)
- SUBJ:** Requirements for Veterans' Employment Reporting by Federal Contractors

I. PURPOSE

To provide updated guidance regarding the contracting officers' (CO) responsibilities and requirements for Veterans' Employment Reporting by federal contractors. COs shall continue to verify Federal contractors comply with reporting requirements for eligible contracts prescribed in Federal Acquisition Regulation (FAR) 22.1302(b). This Information Letter (IL) replaces IL 001AL-09-10, Requirements for Veterans' Employment Reporting by Federal Contractors, dated August 7, 2009.

II. BACKGROUND

- A. In an effort to promote employment opportunities for America's Veterans Congress passed the Vietnam Era Veterans' Readjustment Assistance Act of 1972 (VEVRAA), Public Law (P.L.) 93-508.

- B. Title 38 United States Code Section 4212(d) requires Federal contractors to submit annual reports (VETS-100 Report and/or VETS 100A Report) to the Department of Labor's (DOL) Veterans' Employment Reporting database. COs are required to query this database prior to awarding certain contracts (see section III. B).
- C. These reporting requirements apply to contractors and subcontractors who received Federal contracts whose total value exceeds \$25,000 on or before December 1, 2003, and greater than \$100,000 after December 1, 2003.
- D. The FAR is being amended to implement DOL regulations on equal opportunity provisions to include disabled Veterans, other protected Veterans, and Armed Forces Service Medal Veterans.
- E. The Jobs for Veterans Act (JVA), P.L. 107-288, expanded the coverage of Veterans with disabilities; all Veterans discharged or released from active duty due to a service-connected disability are covered under VEVRAA.
- F. The FAR amendment incorporates the revised coverage and definitions for Veterans covered under VEVRAA and includes new reporting requirements established under VEVRAA and the JVA.
- G. This FAR amendment re-titles FAR Subpart 22.13 from "Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans" to "Equal Opportunity for Veterans." FAR 52.222-35 is also renamed "Equal Opportunity for Veterans" and incorporates the new categories and definitions of protected Veterans as established by DOL. FAR 52.222-37 "Employment Reports on Special Disabled Veteran, Veterans of the Vietnam Era, and Other Eligible Veterans," is renamed "Employment Reports on Veterans." The new DOL reporting requirement for using the VETS-100A report is incorporated in that clause.
- H. The FAR will require contractors to use a new Federal Contractor Veterans' Employment Report, VETS-100A, to report the revised categories of Veterans contractors are required to track and report.

III. ACTION

- A. COs shall not award or modify a contract for personal property or non-personal services (including construction) without verifying the contractor filed a current annual VETS-100A Report. The exceptions are contracts or subcontracts that:

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1. Have a total value below \$100,000;
 2. Are waived by the DOL, Director, Office of Federal Contract Compliance Programs; or
 3. Are awarded to state or local governments or foreign organizations where the workers are recruited outside of the United States.
- B. COs should use one of the following options to verify a proposed contractor is current with its submission of the VETS-100 and/or VETS 100A Report, and document the contract file with the query results:
1. Query the DOL's VETS-100 database at:
<http://www.vets100.com/VETS100Search.htm> using the validation code "Vets."
 2. If the contractor is not listed in the database, seek confirmation by contacting the VETS-100 reporting systems via email at: verify@vets100.com.

IV. POINT OF CONTACT

Please direct questions regarding this IL to the Acquisition Policy Division at (202) 461-6812.

/S/

C. Ford Heard III
Acting Associate Deputy Assistant Secretary for
Procurement Policy, Systems and Oversight