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MULTI-SERVICE TACTICS, TECHNIQUES, AND PROCEDURES FOR OPERATIONAL CONTRACT SUPPORT

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MULTI-SERVICE TACTICS, TECHNIQUES, AND PROCEDURES FOR OPERATIONAL CONTRACT SUPPORT

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Preface

This multi-Service publication focuses on tactical and operational level Service component requiring activity functions, and includes limited information on Army, Navy, and Marine Corps component level headquarters' unique operational contract support (OCS) staff organization and capabilities. It also contains an overview of Service-unique theater support, external support, and systems support contracting capabilities.

The principal audience for ATP 4-10/MCRP 3-40B.6/NTTP 4-09.1 is tactical level Army, Navy, and Marine Corps operational force unit commanders and staff (requiring activities) along with their supporting contracting organizations. Service training and education staff will also use this manual to support OCS-related training and leader education.

Commanders, staffs, and subordinates must ensure that their decisions and actions comply with applicable United States, international, and in some cases host-nation laws and regulations. Commanders at all levels will ensure that their Soldiers operate in accordance with the law of armed conflict and the rules of engagement. (See FM 6-27/MCTP 11-10C.)

This publication uses joint terms where applicable. Selected joint and Army terms and definitions appear in the glossary and the text. For definitions shown in the text, the term is italicized, and the number of the proponent publication follows the definition. This publication is not the proponent for any Army terms.

This multi-Service publication applies to the Active Army, Army National Guard, United States Army Reserve, United States Navy, and United States Marine Corps.

The proponent of this multi-Service publication is the United States Army Combined Arms Support Command (CASCOM). The preparing agency is the United States Army Training and Doctrine Command (TRADOC) Proponent Office for Operational Contract Support (TPO-OCS). Send comments and recommendations on DA Form 2028 (*Recommended Changes to Publications and Blank Forms*) to Commander, United States Army Combined Arms Support Command, ATTN: ATCL-OCS (ATP 4-10), 2221 A Avenue, Fort Lee, Virginia 23801; by e-mail to mailto: usarmy.lee.tradoc.list.cascom-g3-5-7-tdid-doc@army.mil; or submit an electronic DA Form 2028.

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Introduction

This multi-Service tactics, techniques, and procedures manual provides operational contract support (OCS) guidance for Army, Navy, and Marine Corps commanders, their non-acquisition officer staff, and their servicing contracting organizations. It serves as the primary reference document for the planning and execution of OCS and associated functions and tasks at the tactical level. It incorporates the latest guidance found in JP 4-10, dated 4 March 2019 and other associated regulatory guidance.

Sustaining large-scale combat operations depends on OCS—the process of planning for and obtaining supplies, services, and construction from commercial sources. While varying in scope and scale, OCS is a critical force multiplier during all types of operations. With a smaller military, less robust Active Component sustainment capability, and greater emphasis on operations, OCS becomes a critical capability in future operations. Therefore, the Services must continue to enhance their capabilities to plan and provide OCS for deployed forces. This publication provides commanders and their staff with the tools necessary to leverage OCS capabilities during all operations.

This manual is intended to assist commanders and their staffs in the areas of effectiveness (combat readiness), efficiency (being good fiscal stewards), and ethics (upholding the public's trust in the United States Government.) Application of the techniques covered in this publication, along with JP 4-10 and associated regulatory guidance, will enable Service components to legally obtain and effectively utilize available commercial support for combatant commander-directed military operations. This publication contains five chapters and seven appendices:

Chapter 1 defines and introduces OCS and other key terms. It discusses key OCS imperatives to minimize risk of contract fraud. It describes the OCS process and ethical and unauthorized commitments, introduces the OCS process, and closes with a brief discussion on contract support ethics.

Chapter 2 discusses joint planning guidance and the integration of OCS planning requirements at the operational and tactical levels.

Chapter 3 describes the requirements development process with a focus on requiring activity and supported unit responsibilities. It also discusses the critical parts of an acquisition-ready requirements package, and the requirements review board process. The chapter concludes by discussing the funding certification process.

Chapter 4 covers contract performance oversight and requiring activity and supported unit responsibilities in contract oversight. There is a brief discussion of situational awareness of how contract support is typically assessed and contracting officer's representative responsibilities and management. In addition, the chapter contains sections on unauthorized commitments, ratifications, and contract closeout actions.

Chapter 5 discusses contractor management planning, linking contractor management responsibilities to the requirements development and contract performance oversight processes. There is a discussion of contractor management challenges, contractor personnel status in relation to legal status information, and deployment and redeployment planning and preparation requirements.

Appendix A discusses OCS activities that pertain to the U.S. Army.

Appendix B discusses OCS activities that pertain to the U.S. Marine Corps.

Appendix C discusses OCS activities that pertain to the U.S. Navy.

Appendix D provides a list of considerations for operational and tactical execution of OCS activities.

Appendix E provides a list of requirements development considerations.

Appendix F discusses special authorities and programs that might help with OCS development.

Appendix G discusses responsibilities and methods of combating trafficking in persons.

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Chapter 1
Introduction to Operational Contract Support

Operational contract support is a key force enabler across the range of military operations. It is a command and staff planning process for achieving contract integration, contracting support, and contractor management. This chapter discusses operational contract support definitions and subordinate functions, imperatives, the support process, and the importance of ethics.

OPERATIONAL CONTRACT SUPPORT DEFINITION AND SUBORDINATE FUNCTIONS

1-1. United States forces saw an exponential growth in their use of operational contract support (OCS) in recent operations. OCS will continue to be a means of support in setting the theater, operating from the joint security area, delivering into the rear corps area, and providing field service representatives for highly technical modern equipment. Force restrictions and other mission-specific factors in future operations may also drive the use of commercial support solutions.

1-2. *Operational contract support* is the process of planning for and obtaining supplies, services, and construction from commercial sources in support of combatant commander-directed operations (JP 4-10). OCS is a multifaceted, cross-functional staff activity executed primarily by the combatant commander (CCDR) and subordinate staff. OCS is utilized by Service components, theater special operations commands, and in some cases, functional components, along with supporting combat support agencies. OCS consists of three complementary functions: contract support integration, contracting support, and contractor management. The focus of this publication is on operational and tactical-level tasks associated with these three OCS functions. Contract support integration and contractor management are performed by the requiring activity, not the supporting contracting organizations. Figure 1-1 on page 2 characterizes OCS functions and tasks covered in detail by this publication. The three OCS functions are described below:

- *Contract support integration* is the planning, coordination, and synchronization of contracted support in military operations (JP 4-10). It is also applicable to exercises, security cooperation, and shaping activities in support of operations and campaign plans. Related tasks include planning, validating, and prioritizing requirements; performing OCS information management; managing mission-critical contracted requirements throughout the contract life cycle from both the requiring and contracting activities; collaborating in cross-functional teams; conducting assessments and reporting; and providing recommendations.
- *Contracting support* is the planning, coordination, and execution of contracting authority to legally bind contractors in support of military operations (JP 4-10). Contracting support tasks include contracting support planning; coordinating common contracting actions; translating requirements into contract terms; and developing, soliciting, executing, administering, and closing out contracts. Contracting support also includes OCS planning advice and assistance, along with coordination/deconfliction, to optimize the procurement of contracting for common in-theater construction, services, and supplies.
- *Contractor management* is the oversight and integration of contractor personnel and associated equipment in support of military operations (JP 4-10). Contractor management tasks include planning contractor management, preparing contractor personnel for deployment, deploying or redeploying contractors, managing contractors, contractor accountability, and sustaining contractors.

1-3. OCS has a decisive role in the way Services train, deploy, and fight. Commanders must fully integrate this capability into routine staff functions. Preparations for exercises and deployments must include the development of cross-functional OCS integration staffs. These staffs require the expertise needed to anticipate, plan, integrate, and manage OCS as part of the daily battle rhythm.

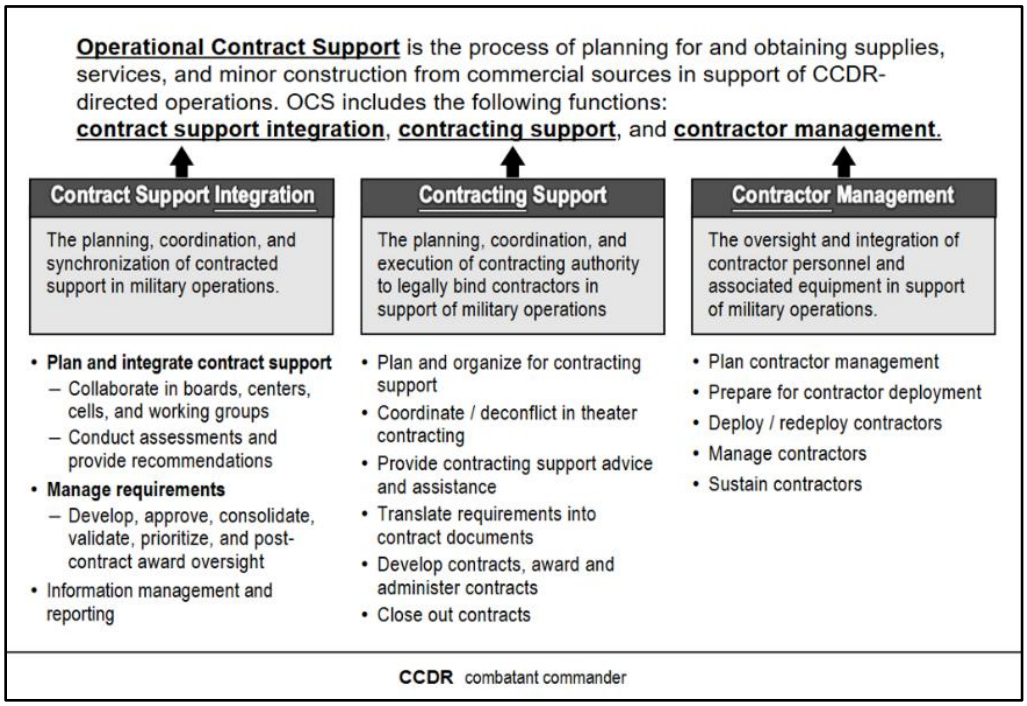


Figure 1-1. Operational contract support description and subordinate functions

KEY TERMS

1-4. Commanders and staffs must have a working knowledge of key OCS-related terms. These terms provide a basic vocabulary for understanding OCS planning, staff integration, and execution of this complex source of support. This list of terms is not all-inclusive, but it reflects common terminology across all Services.

Contract

1-5. A contract is a legally binding agreement for supplies, services, or construction awarded by government contracting officers (KOs). Federal Acquisition Regulation (FAR) 2.101 further defines a contract as a mutually binding legal relationship that obligates the seller to furnish supplies or services (including construction) and the buyer to pay for them.

Privity of Contract

1-6. *Privity of contract* is the legal relationship that exists between two contracting parties (JP 4-10). An example would be the relationship between the prime contractor and the United States Government (USG). Prime contractors have privity with first-tier subcontractors, but the government has no privity with any of the subcontractors at any tier; therefore, the government KO cannot direct the prime's subcontractors. This term is important to Service commanders in that only the prime contractor has direct responsibility to the government. This fact can limit the directive ability of Service commanders, through the cognizant KO, to directly enforce contractor management policies on subcontractors and their employees. However, a flow-down provision for subcontractor compliance with such policies requires prime contractors to enforce those policies on lower-tier subcontractors when they are included in the terms and conditions of a contract. A limited exception to this policy is for emergency force protection and security matters for subcontractor employees with an area of performance in a USG-controlled base or facility.

Contract Administration

1-7. Contract administration is a subset of contracting and includes efforts to ensure supplies, services, and construction are delivered in accordance with the terms, conditions, and standards expressed in the contract.

Contract administration is executed by contracting professionals and designated non-contracting personnel (for example, contracting officer's representatives [CORs], quality assurance representatives [QARs], or property management specialists). These individuals provide contract performance oversight, from contract award to contract closeout.

Contracting Officer

1-8. A *contracting officer* is a Service member or Department of Defense civilian with the legal authority to enter into, administer, modify, and/or terminate contracts (JP 4-10). A KO is appointed in writing with the authority to make related determinations and findings. KOs may bind the Government only to the extent of the authority delegated to them.

Contracting Officer's Representative

1-9. The *contracting officer's representative* is an individual designated in writing by the contracting officer to perform specific technical or administrative functions (JP 4-10). This is an employee, military or civilian, of the U.S. Government, a foreign government, North Atlantic Treaty Organization partner, or a mission partner appointed in writing by a warranted KO. Contractor personnel cannot serve as CORs under any condition. COR responsibilities include monitoring contract performance and performing other duties as specified by their appointment letter. Although a COR may serve in this position as an extra duty depending upon the circumstances, it is a key duty that cannot be ignored without creating risk to the government. The COR is nominated by the requiring activity and appointed by the KO. KOs and CORs currently utilize the Procurement Integrated Enterprise Environment (PIEE) to archive data and supporting documents, access standardized forms, and facilitate submission of contract surveillance reports. The PIEE training and supporting modules are found at the PIEE website.

Requiring Activity

1-10. The *requiring activity* is a military or other designated supported organization that identifies the need for contracted support during military operations (JP 4-10). It is responsible for developing contract support requests and submitting requests through established requirements review and approval processes. The requiring activity is also responsible for ensuring there is adequate post-contract award oversight (in coordination with the requisite contracting activity). In most cases, the acquired service or commodity supports the mission of the requiring activity; hence, these units are responsible for the requirements management. A requiring activity might also be the supported unit.

Supported Unit

1-11. The *supported unit* is the organization that is the recipient, but not necessarily the requestor, of contracted support (JP 4-10). The supported unit might provide post-contract award oversight in support of the requiring activity.

Requirements Management

1-12. *Requirements management* includes all activities necessary to develop and approve contract support requirements, along with the associated post-contract award oversight functions, in support of combatant commander-directed operations (JP 4-10). It is an operational command responsibility, not a contracting activity responsibility. Timely and accurate requirements drive effective and efficient OCS. Requirements management includes all activities necessary to develop and approve an acquisition-ready requirements package, along with associated post-contract award functions. Key subsets of requirements management include requirements development, requirements review and approval, and post-contract award oversight. Additionally, active post-contract award requirements management, oversight, and performance monitoring are directly tied to the FAR, including its Defense and Service supplements-based process, and are essential to ensuring that subordinate joint force commands receive contract support.

Requirements Development

1-13. *Requirements development* is the process of defining specific contract support requirements and capturing these requirements in procurement-ready contract support requirements packages (JP 4-10). Completed packages are submitted through the requirements review and approval process.

Statement of Work

1-14. A statement of work (SOW) is the contract requirement developed by the requiring activity. It describes the actual work to be done by the contractor in terms of specifications or other minimum requirements, quantities, performance dates, time and place of performance of services, and quality requirements.

Performance Work Statement

1-15. A performance work statement (PWS) is a form of SOW emphasizing measurable performance requirements and quality standards utilizing performance-based language to describe the specifications and requirements; it is the preferred method when appropriate. While the terms PWS and SOW are often used interchangeably in colloquial discussions, they are substantively different in concept and practice. For this publication, either term may be used to refer to the primary requirements document without further inference.

Quality Assurance Surveillance Plan

1-16. A quality assurance surveillance plan (QASP) is the document used by the government to guide the assessment of contractor performance in accordance with the terms and conditions of the contract. All services (versus supply) contracts must include a QASP with sufficient systematic quality assurance methods to allow the government to properly validate the effectiveness of the contractor's quality control efforts.

Requirements Review and Approval

1-17. Requirements review and approval is the command process to consolidate, validate, fund, approve, and prioritize acquisition-ready requirements packages prior to submission of these packages to the supporting contracting activity. This process will often involve submission to a formal requirements review board for approval.

Requirements Review Board

1-18. A requirements review board is an operational command level board used to control critical common-user logistics supplies and services within the operational area. The board also serves as a formal mechanism to review, validate, prioritize, and approve selected contract support requirements.

Acquisition-Ready Requirements Package

1-19. An acquisition-ready requirements package is complete, free of significant errors, and allows the contracting activity to begin the procurement process without delay.

Independent Government Estimate

1-20. The independent government estimate (IGE) is a cost estimate developed by the government requiring activity, based on the requirements of the PWS. An IGE is required for every new acquisition that exceeds the simplified acquisition threshold. The purpose of the IGE is to assess the probable cost of services being acquired to support the requiring activity’s budget planning, execution, and requirements funding approval process. The IGE also helps to determine the reasonableness of bidders’ proposed costs and understanding of the work. Prior acquisition history or similar acquisitions should provide the basis for the preparation of an IGE, as well as the data provided by thorough market research.

Contractor

1-21. A contractor is an individual or business, to include authorized subcontractors, that provides products or services for monetary compensation, or other consideration, in accordance with the terms and conditions of a contract.

Prime Contract

1-22. A *prime contract* is a contract or contractual action entered into by the United States Government to obtain supplies, materials, equipment, or services of any kind (JP 4-10). The prime contractor is the organization that has entered the contract with the USG. The USG has privity of contract only with the prime contractor.

Subcontract

1-23. A subcontract is an agreement entered into by a prime contractor, or subcontractor, with another commercial contractor to obtain supplies, services, or construction. Prime contractors are responsible for the actions of their subcontractors. Subcontractors and their employees must be treated the same as the prime contractor when it comes to contractor management planning and actions.

Contractors Authorized to Accompany the Force

1-24. *Contractors authorized to accompany the force* are contractor employees and all tiers of subcontractor employees who are authorized to accompany the force in applicable contingency operations outside of the United States and have afforded such status through the issuance of a letter of authorization (JP 4-10). The letter of authorization (LOA) gives contractors authorized to accompany the force (CAAF) protected legal status in accordance with international conventions. CAAF normally include U.S. citizen expatriates and third-country national (TCN) employees who do not normally reside in the operational area. However, local national (LN) employees may also be given CAAF status on an as-needed basis.

Letter of Authorization

1-25. The *letter of authorization* is a document issued by the procuring contracting officer or designee that authorizes contractor personnel authorized to accompany the force to travel to, from, and within an operational area and outlines authorized government support authorizations within the operational area, as agreed to under the terms and conditions of the contract (JP 4-10). This document is the equivalent of a travel order that authorizes deployment center processing of CAAF travel to and from the area of responsibility. The LOA provides in-theater government furnished support authorizations CAAF will receive during the performance of the contract.

Contractors Not Authorized to Accompany the Force

1-26. Contractors not authorized to accompany the force (non-CAAF) are employees of commercial entities in the operational area, but do not accompany the force (for example, they do not live on base or receive life support from the military). Non-CAAF are usually non-mission-essential personnel such as day laborers, delivery personnel, and cleaning service personnel who neither reside with U.S. forces nor receive authorized government support such as billeting and subsistence. During international armed conflict, non-CAAF contractor employees are not entitled to protection under the Geneva Convention Relative to the Treatment of Prisoners of War but may still be afforded protected status under the Geneva Convention Relative to the Protection of Civilian Persons in Time of War.

Government-Furnished Property, Materiel, Facilities, and Services

1-27. The government may provide property, equipment, facilities, and services (often referred to collectively as government-furnished property [GFP]), for contractor use in the performance of the contract when determined to be in the best interest of the government by the KO. The government maintains proprietary interest in the items, and therefore actions related to issuance, maintenance, disposal, transfer, accountability, and return to stock remain the responsibility of the government. Some government-furnished property,

materiel, facilities, and services can be provided to the contractor prior to deployment into the operational area, while others are issued as theater-provided equipment to the contractor in the operational area.

Contractor-Acquired, Government-Owned Equipment

1-28. Contractor-acquired, government-owned (CAGO) equipment (referred to as contractor-acquired property in FAR Subpart 45) is equipment acquired by the contractor, normally in a cost-reimbursement type contract, for the performance of a contracted service but remains the property of the USG. Like GFP, CAGO accountability and disposition are responsibilities of the government.

Contractor-Owned, Contractor-Operated Equipment

1-29. Contractor-owned, contractor-operated equipment consists of items acquired by and owned by the contractor for use in the performance of the contracted service. Contractor-owned, contractor-operated equipment is normally associated with fixed-price contracts and, unlike GFP and CAGO, the government has no legal authority over this equipment. Additionally, the contractor, not the USG, is responsible for contractor-owned, contractor-operated equipment disposition and any costs associated with the transport of this equipment in, around, and out of the operational area.

Unauthorized Commitment

1-30. An *unauthorized commitment* is an agreement that is not binding solely because the United States Government representative who made it lacked the authority to enter into that agreement on behalf of the United States Government (JP 4-10). It is important that commanders and staff (to include CORs) understand that only warranted KOs are authorized to contractually bind the government. Military or civil service members can be held financially liable for an unauthorized commitment (UAC) depending on the circumstances and conduct of the individual. Commanders and staff should be cognizant of their implied authority and be especially cautious about communicating directly with the contractor without a KO present.

Ratification

1-31. Ratification is the act of approving a UAC. A UAC may be ratified only by an authorized contracting official at a specific regulatory level who has the authority to do so. Ratification is never automatic. Even when ratification is possible, commanders should assess the findings and take corrective administrative action as appropriate against the individuals who caused the UAC.

TYPES OF CONTRACT SUPPORT

1-32. Commanders and planners must understand the different types of contract support that enable military operations. Types of contract support add clarity to the significant differences in contracting authority, source of commercial capabilities, and management processes. Appendixes A through C of this publication provide individual Service theater support, external support, and systems support organizations and capability information.

Theater Support

1-33. A *theater support contract* is a type of contract awarded by contingency contracting officers in the operational area serving under the direct contracting authority of the Service component, United States Special Operations Command, or designated joint head of a contracting activity for the operation (JP 4-10). They are contracts awarded by Service KOs deployed to the operational area. These contracts, usually executed over the simplified acquisition threshold, provide supplies, services, and minor construction from commercial sources within the operational area. Also important from a contractor management perspective are LN employees, since they are routinely a key part of the theater support contractor's workforce.

External Support

1-34. *External support contracts* are contracts awarded by contracting organizations whose contracting authority does not derive directly from the theater support contracting head(s) of a contracting activity or from systems support contracting authorities (JP 4-10). External support service contracts provide a variety

of logistics and other related services and supply support. External support contracts normally include a mix of U.S. citizens, TCNs, and LN contractor employees. Examples of external contract support include—

- Service civil augmentation programs (CAPs).
- Special skills contracts (for example, staff augmentation support and interpreter services).
- Defense Logistics Agency prime vendor contract.
- Reach-back contracting support provided by contracting offices outside the operational area.

Systems Support

1-35. A *Systems support contract* is a prearranged contract awarded by a Military Department and the United States Special Operations Command program management office that provides fielding, technical, and maintenance support for selected military weapon and other systems (JP 4-10). These contracts are funded by directed appropriations and managed through acquisition program executive officers and their program managers. These contracts provide what is commonly known as contractor logistics support through deployed field service representatives. Systems support contract related employees are mostly U.S. citizens who have habitual relationships with a particular unit or serve as members of a fielding or modification team.

Note. Commanders generally have less influence regarding decisions related to the use of systems support contracts when compared to the two other types of contract support. This is because the Service program management offices are the requiring activities for systems contracts.

Unit Simplified Purchases

1-36. Unit simplified purchases are decentralized micro-purchases. The government purchase card is used to streamline payment procedures and reduce the administrative burden associated with purchasing supplies and services. The government purchase card provides "on the spot" purchasing, receiving, and payment authority for individuals other than contracting or purchasing officers. The field ordering officer (FOO) is an individual who has been authorized by the KO in writing to execute micro-purchases by using SF 44 (*Purchase Order-Invoice-Voucher*).

OPERATIONAL CONTRACT SUPPORT IMPERATIVES

1-37. OCS is much more than just contracting execution. OCS is commander's business, and as such must be integrated into all major planning actions. It requires direct and continuous involvement by all requiring activities, both inside and outside of the operational area. The following imperatives apply to all aspects of OCS planning, integration, and management. Understanding these imperatives will optimize OCS and minimize the risks of contract fraud, UACs, and unintended consequences that may negatively affect a commander's mission objectives.

Note. Unit commanders maintain overall responsibility for mission accomplishment and management of services being provided.

COMMAND AUTHORITY DOES NOT EQUAL CONTRACTING AUTHORITY

1-38. Command authority is the legal authority of the military commander to organize and employ assigned and attached forces; however, command authority does not include the authority to make binding contracts for the USG. Contractors are only obligated to perform functions specified in the terms and conditions of their contracts.

Note. Only KOs have the authority to obligate government funds and to award or modify a contract. Contractors are legally bound by the terms and conditions of the contract, so the phrase "other duties as assigned" does not apply to contractor personnel.

OPERATIONAL CONTRACT SUPPORT PROCESS IS BASED IN LAW

1-39. Contract support must be administered in accordance with U.S. public law along with the FAR, Defense Federal Acquisition Regulation Supplement (DFARS), and Service-specific FAR supplements. While acquisition regulations can seem restrictive, there are regulations covering emergency procurement authorities available in support of contingency operations that can be used to speed up the procurement process when true emergencies exist. See FAR Part 18 for information on emergency acquisitions.

Note. Commanders should never ask, nor direct, their supporting KOs to circumvent or violate the acquisition regulations, legal statutes, and ethics in accordance with DODD 5500.07. Such action is undue command influence and is similar to directing a subordinate to violate the law of war. The ramifications include monetary fines, punitive discipline, and criminal penalties.

OPERATIONAL CONTRACT SUPPORT IS A MULTIFUNCTIONAL DISCIPLINE

1-40. OCS combines various support and contracting disciplines to achieve effective commercial support to CCDR-directed operations. Commanders and staffs must have a basic understanding of contracting processes and authorities; likewise, supporting KOs should have a basic understanding of support planning and execution to achieve the best commercial support outcomes. While logistics services, construction, and supply purchases make up the bulk of contract support in most operations, contract support can also include significant non-logistics-related support such as linguistics, signal, staff augmentation, and security. OCS is a multifunctional discipline that must focus on expedited processes and flexibilities necessary for procuring services to support expeditionary operations. Furthermore, as discussed in JP 4-10, all primary and most special staff members have significant OCS functions regardless of whether the commercial support received is logistics related or not. Therefore, OCS should never be considered solely a logistics staff function. The OCS process can be an effective means to achieve the desired support only if employed with careful commercial support planning through a coordinated team effort.

OPERATIONAL CONTRACT SUPPORT PROCESS

1-41. OCS requires a coordinated effort from the commander and staff, KO, COR, and contractor, along with legal and resource management as enabling functions. This OCS team collectively synchronizes the OCS process (see figure 1-2) with the military planning process and the contracting process. Requiring activities are much more than just customers. They have an important role to play and are key members of the OCS team.

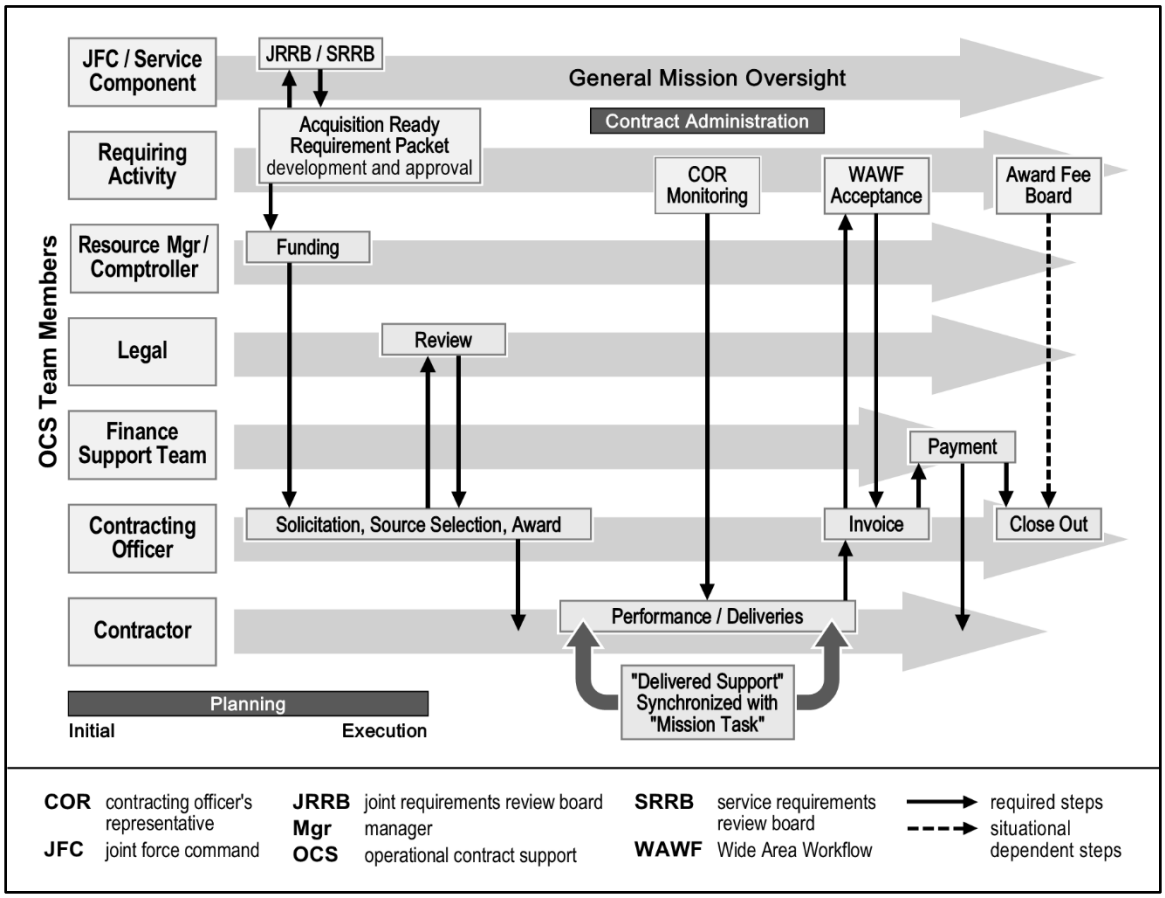


Figure 1-2. The operational contract team and process

ETHICS

1-42. The use of commercial services in support of military operations has been rife with ethical breaches involving various levels of fraud, waste, and abuse for the entire history of the United States. The procurement of supplies and services in support of military operations provides opportunities for unscrupulous individuals to exploit the process for private gain. However, commanders and KOs are collectively responsible to ensure the appropriate command climate and training exists covering procurement integrity, ethics, and conflicts-of-interest to mitigate fraud, waste, and abuse of government resources.

1-43. DODD 5500.07, administered by the Office of General Counsel, requires the Services to provide training and counseling to educate Service members and Department of Defense (DOD) Civilians regarding applicable ethics laws and regulations. All leaders, both operational and acquisition, must ensure training raises individual awareness to enable recognition, reporting, tracking, and follow-up on all reports of acquisition-related misconduct. The following paragraphs provide guidance from the Code of Federal Regulations, almost all of which is directly or indirectly related to OCS actions.

PUBLIC SERVICE IS A PUBLIC TRUST

1-44. U.S. Service members and civilian employees are responsible for placing federal law and ethical principles above private gain. Each Service member and government civilian will respect and adhere to the principles of ethical conduct as well as the standards contained in supplemental agency regulations.

GENERAL PRINCIPLES

1-45. The following OCS-related general principles apply to every government employee, military or civilian:

- Public service is a public trust, requiring employees to place loyalty to the Constitution, the law, and ethical principles above private gain.
- Employees shall not hold financial interests that conflict with the conscientious performance of duties.
- Employees shall not engage in financial transactions using nonpublic government information or allow the improper use of such information to further any private interest.
- An employee shall not solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
- Employees shall properly safeguard contractor proprietary information and avoid engaging, or appearing to engage in, prohibited practices.
- Employees shall not knowingly make UACs or promises of any kind purporting to bind the government.
- Employees shall not use public office for private gain.
- Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.
- Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official government duties and responsibilities.
- Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
- Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those such as Federal, State, or local taxes, that are imposed by law.
- Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or ethical standards. Whether circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.

Chapter 2
Operational and Tactical Level Planning

OCS planning is primarily a responsibility of requiring activities, not contracting organizations. Proficiency in this function can be challenging due to a lack of resident knowledge and skills. Key to success is ensuring OCS planning is recognized as a mission essential task with proper command emphasis and a properly trained staff. This chapter discusses joint planning guidance, Service component and OCS planning, mission analysis, and considerations for relief in place and drawdowns.

JOINT PLANNING GUIDANCE

2-1. Joint operational planning consists of planning activities associated with CCDR-directed military operations and takes place at the combatant command, subordinate joint force command, and Service component levels. Joint planning transforms national strategic objectives into operational planning covering mobilization, deployment, employment, sustainment, redeployment, and demobilization of joint forces. Additionally, joint planning identifies and aligns resources with military actions, providing a framework to identify and mitigate risk. The process of aligning allocated military resources and mitigating risk using other sources of support is a critical step in the development of joint force command and Service component level contracting plans culminating in development of a joint Annex W (OCS) within the operation order (OPORD) as well as integration of contracting matters in other annexes as appropriate. During planning, contracting is not the only source of support that should be considered. Other sources of support include, but are not limited to, lead Service support arrangements, multinational support through acquisition and cross-servicing agreements, and host-nation (HN) support. Once contracting is chosen as the source of commercial support, the subordinate joint force command and Service component level OPORD Annex Ws are used to set the foundation for tactical-level OCS planning actions. For more information on joint (to include Service component level) OCS planning, see JP 4-10 and CJCSM 4301.01.

Note. For the purposes of this manual, the text here and elsewhere will use the term "OCS staff officer" to designate the unit staff member responsible to lead and coordinate OCS planning and integrate matters across the command. See appendixes A through C for details on how the different Service components are organized to perform this function.

INTEGRATING OCS REQUIREMENTS INTO OPERATIONAL PLANNING

2-2. Large-scale combat operations against a peer adversary place tremendous responsibility on U.S. military forces, and OCS must be planned early and integrated into operational plans. OCS played a prominent role in the way Services planned and conducted military operations during Global War on Terrorism operations due to force restriction and budgetary challenges. This trend will continue in support of the full range of military operations, particularly in setting the theater.

2-3. OCS planning at the operational level is an enabling capability that provides coordination and integration of commercial support during peacetime and contingencies. OCS planners assist in the development of course of action (COA) plans that support the CCDR's intent. They inform staff planners about the feasibility of using commercial support to fulfill COA requirements.

2-4. OCS planners coordinate with staff planners (for example, logistics, intelligence, operations, and communications) to determine operational requirements and methods of execution. They address OCS requirements across all warfighting and support functions to include time-phased force and deployment data (TPFDD) development, and joint reception, staging, onward movement, and integration.

2-5. During the Service component's planning process, OCS planners conduct OCS-related intelligence preparation of the operational environment, develop planning documents, provide commanders options to assist in decision-making, and seek to leverage and integrate available commercial support for the

commander's overall plan. See Appendix E for considerations when preparing, staffing, and publishing OCS plans and orders.

INTEGRATING OCS SUPPORT INTO TACTICAL-LEVEL PLANNING

2-6. Before any detailed OCS planning begins, the unit's designated OCS staff prepares by collecting key documents and other related information. Key OCS actions, information, and documents include, but are not limited to—

- Facilitating unit staff member training.
- Service OCS doctrine and policies.
- Unit OCS standard operating procedures.
- Higher-level planning documents must include applicable OPORD or operation plan (OPLAN) Annex Ws and their Appendixes 1, 2, and 3:
  - Appendix 1 (Summary of Contracting Capabilities and Capacities Support Estimate).
  - Appendix 2 (Draft Contractor Management Plan).
  - Appendix 3 (Draft Summary of Contractor Support Estimate).
- Reviewing fragmentary orders (FRAGORDs).
- Key points of contact to include theater support contracting activity and any CAP support personnel.
- Any information on existing contracts currently providing similar support.
- Acquisition-ready requirements package examples.

Note. OCS training courses are available through the Joint Knowledge Online website, the Army Sustainment University, and the Center for Joint and Strategic Logistics.

2-7. Upon receipt of a mission order, the unit's designated OCS staff establish their OCS working group with their supporting theater support contracting organization and CAP representative. The OCS staff then coordinates with other primary and special staff to provide commercial support estimates. Additionally, they provide advice and assistance on other OCS-related matters, such as the security or force protection of contractors and contractor personnel support requirements.

Note. OCS planning is a team activity involving all primary staff, most special staff, and supporting contracting activity personnel.

SERVICE COMPONENTS AND OPERATIONAL CONTRACT SUPPORT PLANNING

2-8. Army, Navy, and Marine Corps component commands are responsible for the planning and oversight of OCS. The Service components use policy, regulations, and headquarters (HQ) guidance to plan for the integration of contractor personnel and associated equipment into operations. Service components participate in joint OCS planning actions and develop Service component plans that address OCS. These plans include establishing Service component OCS integration cells, capturing commercial support requirements, and identifying contract oversight personnel requirements in annexes and appendixes. See appendixes A through C for Service component organizations and capabilities.

MISSION ANALYSIS

2-9. During mission analysis, the OCS staff identifies applicable OCS-related facts, assumptions, tasks, limitations, constraints, and restraints. Table 2-1 on page 14 provides an example of an OCS mission analysis. The OCS staff reviews the initial analysis of the commercial environment provided by the supporting contracting organization to determine available commercial support that could possibly augment capacity or address capability shortfalls. The OCS staff determines pertinent facts related to the commercial environment and integrates these facts with those of other staff for continued planning.

2-10. Next, the OCS staff identifies assumptions for informational gaps in the mission that are critical for planning to continue. Assumptions can be made about the current situation or future COA and are assumed to be true in the absence of facts.

2-11. The OCS staff must know what the specified, implied, and essential tasks are in higher HQ plans. Tasks are clearly defined actions or activities specifically assigned to an individual or organization that must be done. These tasks are described below:

- Specified—Tasks explicitly stated in higher HQ plans, directives, instructions, FRAGORDs, warning orders, alert orders, execute orders, and planning orders.
- Implied—Tasks derived from guidance that must be performed to accomplish a specified task or the mission. Review plans, directives, and instructions two levels up. Review the base order paragraph 3 for commander's objectives and desired effects.
- Essential—A specified or implied task that must be executed to accomplish the mission.

2-12. The OCS staff will also identify OCS-related limitations, constraints, restraints, forces available, and shortfalls:

- Limitations—Actions or other restrictions that limit a commander's freedom of action (for example. rules of engagement, diplomatic agreements, and HN issues).
- Constraints—Requirements placed on a command by a higher command that dictates an action and constitutes a "MUST DO" (for example, use external contracts such as CAP or Worldwide Expeditionary Multiple Award Contract).
- Restraints—Requirements placed on a command by a higher command that prohibits an action and constitutes a "CAN'T DO" (for example, HN prohibits TCN contractors from entering the country).
- Forces Available—Capabilities on hand to execute the mission (for example, existing contracts for Logistics Civil Augmentation Program [LOGCAP] task orders, troop support vehicles, or Navy facilities contract for seaport of debarkation expansion).
- Shortfalls—Known gaps in capability (for example. anticipated commercial support requirements).

2-13. While conducting mission analysis, the OCS staff confirms the feasibility of commercial support with their supporting contracting activity and CAP representatives, and begins a more detailed review of the following documents and information:

- Current Service component and related joint mission-specific OCS policies and guidance including the most current OPORD or OPLAN Annex W, its appendixes 1, 2, and 3, and FRAGORDs.
- Information on command-controlled supplies and services as well as associated dollar thresholds (for example, Service or Joint Requirements Review Board) guidance.
- OCS analysis of the operational environment related information such as current contracting activity support arrangements, locally available commercial support, and existing contracts.
- Force protection and security factors.
- Anticipated duration and level of support (initial, temporary, or semi-permanent; see ATP 3-37.10/MCRP 3-40D.13 for additional information).
- Funds availability to include purpose, time, and amount.
- Government-furnished support.

Table 2-1. Operational contract support mission analysis for staff estimates

Facts	***Limitation (Constraint)***
1.Use the initial analysis of OCS aspects of the operational environment from campaign planning.	C1. Requirement placed on command by higher command that dictates an action.
2. Collect business environment facts specific to the mission.	C2. Restricts freedom of action.
3. List significant OCS business environment facts relevant to this area using political, military, economic, social, infrastructure, and information systems and areas, structures, capabilities. Organizations, people, events constructs. (See JP 4-0 for additional information.)	C.3 “Must Do”
4. Use detailed OCS analysis of the operational environment to select high-level facts for this slide, the logistics mission analysis slide, and other relevant staff mission analysis slides. Look for facts that apply to functional and cross-functional teams.	C4. Maximize use of contract support.
5. Tailor OCS-related business environment facts to the mission.	
Assumptions and Requests for Information	***Limitations (Restraints)***
1. All assumptions made must be proved or disproved.	R1. Requirements placed on command by high command that prohibit action.
2. Assumptions are reworded to become requests for information.	R2. Restricts freedom of action.
3. OCS-related requests for information could be answered by many staff supporting agencies.	R3. For example, host nation will not allow third-country national contractors to enter the country.
4. Use the command request for information process when appropriate.	
5. Some commands are trained to develop assumptions based on each fact.	R4. LOGCAP in neighboring country.
Forces Available	
LOGCAP in neighboring country.	
Defense Logistics Agency Energy contract in area.	
Navy husbanding contract for SPOD.	
Shortfalls	
No contracting teams in area.	
Need a contracting support brigade to support LSCC/LSC for joint area of operations.	
Tasks (Essential Task)	
Specified – OCS-related specified tasks from higher headquarters warning orders, alert orders, execution orders, planning order (two levels up).	.
Maximize use of non-organic logistics support or minimize footprint.	
Implied – OCS implied tasks from higher headquarters warning orders, alert orders, execution orders, planning order (two levels up).	.
How can OCS support the commander’s intent and mission statement?	

Table 2-1. Operational contract support mission analysis for staff estimates (*continued*)

Graphics			
Obtain map from J-3.			
Overlay current and estimated major contract capabilities.			
Plot major locations for contracting forces and business centers.			
C2	command and control	LSC	lead Service for contracting
J-3	operations directorate of a joint staff	LSCC	lead Service for contracting coordination
JP	joint publication	OCS	operational contract support
LOGCAP	Logistics Civil Augmentation Program	SPOD	seaport of debarkation

COURSE OF ACTION DEVELOPMENT

2-14. During COA development, the OCS staff incorporates feasible OCS capabilities into the COAs, providing the commander options and flexibility to accomplish the mission. Commercial support should not become the default for all support requirements, although in some situations it may become the main source of support to fill gaps in logistics and other support capabilities.

COURSE OF ACTION ANALYSIS

2-15. COA analysis provides the opportunity to evaluate each COA regarding commercial support usage and its limitations (for example, required delivery date compared to expected procurement lead time, possible government-furnished support requirements, force protection or security issues, level of technical difficulty, surveillance and the ability to monitor contract delivery or performance [COR requirements]). During COA analysis, the OCS staff ensures COAs comply with OCS policies and OPORD or OPLAN Annex W planning guidance. Some key COA evaluation factors are—

- Identified gaps in military support capabilities.
- Estimated cost and budget constraints.
- Restrictions on inherently governmental functions, personal services contracts, and other local command generated restrictions.
- Procurement lead time to include time to mobilize and execute contract support from commercial sources outside of the operational area.
- Flexibility, quality, and efficiency of planned commercial support.
- Troop manning constraints (“boots on the ground”).
- Security or force protection considerations.
- Oversight requirements and available resources.
- Property accountability and disposal.
- Risk management and continuation of essential contractor services.

Commercial Support Restrictions

2-16. While most support functions can be legally obtained through commercial means, there are some regulatory restrictions on certain functions. It is imperative that the unit’s OCS staff is familiar with these restrictions.

Inherently Governmental Functions

2-17. Current military operations have revealed the necessity for commercial support, not only in the traditional areas of logistics, but in other areas as well. Commanders and their OCS staff must understand there are specific duties, responsibilities, and functions that rest solely with military or federal employees and cannot be performed by the private sector. Inherently governmental functions are those so closely related to the public interest they must be performed by U.S. military members or DOD Civilians. Inherently governmental activities that cannot be contracted normally fall into the following two categories:

- The exercise of sovereign government authority or the establishment of procedures (for example, direction of combat operations or supervision of military or DOD Civilian personnel).

- Processes related to the oversight of monetary transactions or entitlements (for example, contract award).

Note for Army personnel. AR 70-13 promulgates Army guidance and provides Army policy regarding inherently governmental functions.

2-18. All Army-funded service contract actions must be documented on a Request for Services Contract Approval Form and approved prior to initiation of service contracts. The Request for Services Contract Approval form includes a series of worksheets that aid the approving official in determining that the requirement does not include inherently governmental functions, unauthorized personal services, or in case of work closely associated with inherently governmental functions, that special consideration was given to using Federal Government employees. The current version of the Request for Services Contract Approval form and additional Army policy regarding inherently governmental functions is available at the Office of the Assistant Secretary of the Army (Manpower and Reserve Affairs) website. Process this form in accordance with local command guidance.

Personal Services Contracts

2-19. Personal services contracts are contracts that make the contractor personnel appear to be, in effect, government employees. Key indicators of personal services contracts are "relatively continuous supervision and control" of contractor employees by government officials or other conditions that create the appearance of an employer-employee relationship even where none exists. Personal services contracts require special authorities and approvals and normally do not apply at the tactical level.

Note. Consult with your supporting contracting activity and legal staff if there is any doubt as to whether a particular duty, responsibility, or function being considered for commercial support is inherently governmental or of a personal services nature.

Local Command Imposed Restrictions

2-20. Commanders at all levels may place restrictions on OCS actions based on operational specific conditions. For example, there may be restrictions on base access and security information for LN contractor employees for certain services or locations due to force protection, force health protection, or security matters. Such restrictions should be codified in appropriate OPORDs, annexes, appendixes and other related documents.

Conduct Risk Management

2-21. Tactical-level commanders need to consider potential OCS-unique risks in their overall risk management process. While in some operations requiring activities have no real choice but to use commercial contracts to meet their support requirements, a well-conducted deliberate OCS integration of risk management will assist the commander in being prepared to make appropriate risk decisions. The integration of risk management is especially important for any mission-critical contracted service. See ATP 5-19 for details on the risk management process. At the tactical level, the most common OCS-related risks may include the following:

- Inability to accurately define requirements, especially in a rapidly changing operational environment.
- Permissiveness of the operational environment.
- Anticipated operation duration.
- Potentially long procurement lead times.
- Possibility of contract protest.
- Increased operations security (OPSEC) risks in using foreign contractors and non-U.S. contract employees.
- Protection of the contracted workforce and their general ability to provide for their own self-defense.

- Contractor inability or failure to perform.
- Quality of the product or service provided by the contractor, especially when utilizing LN contracts.
- Ability to secure the required government civilian or military resources such as KOs, technical subject matter experts, and CORs to let, manage, and oversee contracted support.
- Ability to secure proper funding (both type and amount of funds).
- In some operations, both the potentially positive and negative operational effects of using commercial versus organic support (for example, stabilizing versus inflating the local economy, providing local employment, potentially funding the enemy through local contracts).

Understanding Procurement Lead Time

2-22. The time it takes to obtain commercial support is always a key OCS planning consideration. A major challenge for OCS planners is to accurately determine when and to what level the commercial support will be required. There is a time lag between the identification of a contract requirement and the delivery of the service or supply. Timelines for contract support can vary from a few hours to many months, although normal timelines are generally measured in multiple weeks (see figure 2-1 on page 18). For example, a supply request where there is an existing blanket purchase agreement in place can be processed in very short order depending on staffing and approval guidelines. A contract for a construction-related project can take months between the initial planning and commencement of work. Factors influencing the time from requirement identification to contract award include—

- Priority of requirement (mission critical emergency, safety-related, routine support).
- Complexity of the contracted requirement (size of force, anticipated duration, number of elements associated to requirement).
- Availability of a current contract, delivery order, or task order with same supply, service or construction with excess capacity.
- Availability of local sources of support (equipment and employees).
- Ability to phase in contract support services.
- Funds availability.
- Requirements package development and approval time to include any requirements review board and contracting review board processing.

Note. A key aspect of procurement lead-time is the ability to accurately define requirements and obtain proper funding. Procurement lead time applies to renewal of contracts as well as new contracts.

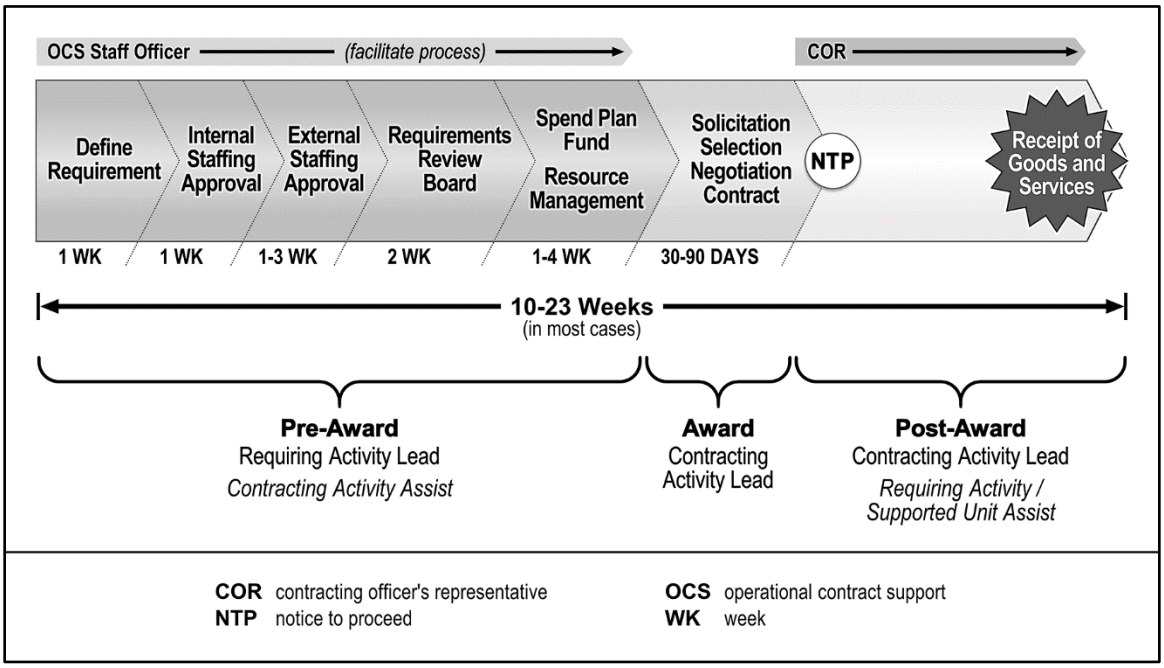


Figure 2-1. Notional contract support procurement timeline

COURSE OF ACTION COMPARISON

2-23. OCS-related actions during COA comparison include—

- The OCS staff officer, supporting contracting activity representative, and CAP personnel (if available) provide OCS expertise in determining COA feasibility, potential risks, and general advantages and disadvantages of each COA.
- In conjunction with the resource manager, OCS staff apply initial requirement funding estimates to support COA comparison.

COURSE OF ACTION APPROVAL

2-24. The OCS staff role in COA approval is to provide advice to the commander on the feasibility of OCS-related tasks or matters identified in the COAs.

ORDERS PRODUCTION

2-25. During orders production, appropriate OCS-related information is incorporated into the OPORD, FRAGORD, annexes, and appendixes by the appropriate staff element. Finalization of the commercial support requirements (which then can be turned into acquisition-ready requirements packages) occurs simultaneously with orders production.

RELIEF IN PLACE CONSIDERATIONS

2-26. Relief in place is the sequence of events where one military unit replaces another within the operational area. A relief in place is a tactical enabling operation where, by the direction of higher authority, all or part of a unit is replaced in an area by an incoming unit. Planning for relief in place begins as soon as a unit is notified it will deploy as a replacement for a currently deployed organization.

2-27. Not all operations have formal relief in place opportunities. Commanders and staff replacing another unit should ensure OCS matters are considered along with other routine operational and logistical matters. Commanders must ensure that there is an OCS-trained staff officer included as part of any pre-deployment site survey. In all relief in place actions, incoming units should collect the following OCS information from the outgoing unit:

- OCS references, to include OPORD or OPLAN Annex W, related FRAGORDs, OCS-related command policies and procedure documents, and funding and resource management information.

- Existing contract information, to include contract service end dates.
- Current and projected COR requirements.
- Local command COR training policies and procedures.
- Any ongoing OCS planning actions, to include any draft contract support requirement packages.
- Any support functions currently provided by military forces that cannot be met by incoming organic support capabilities (possible transition to contract support to ensure there is no break in support).
- Information (names, location, and support relationship) of supporting contracting activity, finance activity, and CAP personnel.
- LN contract worker base access and security information.
- FOO and pay agent (PA)-related files.
- Status of contract deliverables (for example, receipt of goods and services rendered), status of vendor invoicing, and status of vendor payments for all active contracts.

Note. Commanders must ensure OCS is part of their relief in place plan as they prepare to redeploy.

TRANSITION DRAWDOWN AND BASE CLOSURE CONSIDERATIONS

2-28. Requiring activities must be prepared to request modification to supporting contracts as they prepare to depart an operational area. This process requires a detailed plan for the phased reduction of standards of support, especially in threat environments where contractor personnel would be at significant risk without military-provided force protection. The staff must identify all open contracts and determine which ones should continue based on cost-benefit analysis and the base camps' planned transfer or closure date. They must coordinate with supported units to determine which contracted services or support are mission-essential.

2-29. The following list highlights some key considerations for units when planning a base transfer or closure:

- Force protection and security requirements.
- Reduction in standards of support.
- Contractor notification and de-mobilization timelines.
- Temporary transition of mission critical theater support contracts to CAP task order.
- Contractor redeployment and repatriation of TCN workers.
- GFP and CAGO equipment disposition instructions.
- Contractor-owned, contractor-operated equipment disposition and government transportation support requirements.
- Overall contractor provided and required transportation needs.
- Contract closeout plans.
- Base closure, timely payment, and consolidation plans.
- Contract source effectiveness and risk assessment.
- HN environmental requirements.
- Interrelated contracts.
- Contract de-scope and modification timelines.
- Contracts servicing multiple locations.
- Capabilities tied to more than one contract or reliant on other contracted support.

2-30. For more information on base closure, see JP 4-10 and ATP 3-37.10/ MCRP 3-40D.13.

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Chapter 3

Requirements Development and Approval

Requirements development, requirements review, and approval are subsets of requirements management. Requirements development is the process of defining and capturing commercial support requirements in acquisition-ready requirements packages. Requirements review and approval is the command process to consolidate, validate, approve, and prioritize the packages prior to submission to the supporting contracting activity. Requirements management follows the planning process once it is determined that the required supply, service, or minor construction is best sourced via commercial means. This chapter discusses requiring activity and unit responsibilities, acquisition-ready requirements packages, package preparation, and package processing.

REQUIRING ACTIVITY AND SUPPORTED UNIT RESPONSIBILITIES

3-1. Service units routinely perform requirements development and approval tasks in support of military operations. Requirements development and approval functions begin with the decision, based on the results of the support planning process, that a unit's support requirements (supply, service, or minor construction) could be fulfilled by commercial support. Requiring activity requirements management related tasks include—

- Conducting market research to determine—
  - The availability of commercial support within the operational area.
  - The ability of available commercial support to satisfy the determined requirement.
  - Generally accepted market practices and prices for required supplies, services, or minor construction.
- Developing acquisition-ready contract support requirements packages to include the IGE, initial SOW or PWS, any required letters of justification, draft QASP (for service contract), and other supporting documents as needed.
- Obtaining local staff, command, and funding approval of requirements packages.
- Nominating technically qualified and process-trained CORs for service and construction contracts.
- Nominating receiving officials for supply contracts.
- Tracking commercial support requirements packages through the approval process.
- Identifying and including security requirements early, to include information security, personnel security, physical security, acquisition security, industrial security, OPSEC, cybersecurity and anti-terrorism force protection.

Note: Each Service is organized differently when it comes to requiring activity functions, to include considerable variance of the KO's involvement in the requirements development process. Additional information on CORs and receiving officials can be found in Chapter 4 and in the appendixes.

ACQUISITION-READY REQUIREMENTS PACKAGES

3-2. The acquisition-ready requirements package contains all documentation required by unit policy related to the supply, service, or minor construction being requested. At a minimum, these packages should include a funding document, a justification for the requirement, PWS (for a service contract) or item description (for a supply request), IGE, and draft QASP (for a service contract). Other documents may be required in accordance with local policies and procedures.

PACKAGE PREPARATION IMPERATIVES

3-3. Service members are accustomed to mission-type orders; however, contracted requirements must be written with greater specificity. Good contracts start with good requirements, therefore, be specific by providing details such as what, where, how much, what quality, and the duration of the requirement. Provide diagrams or drawings when appropriate. Include specific conditions such as security procedures, living conditions for CAAF, CAAF authorizations, government-furnished support, and environmental restrictions. Do not include details on who should provide this support unless you have a good reason to request a specific contractor and are prepared to develop a limited-source justification with strong supporting rationale.

3-4. Whenever possible, use a PWS versus a SOW for service contracts. A PWS tells the contractor what service you require, when and where you need it, and to what standard it must be performed; this allows the contractor to execute the service in the most efficient manner possible.

3-5. In circumstances where it is essential that the contractor perform the service in a specific manner, the SOW should contain specific task guidance rather than performance-based language. In some cases, this guidance may come in the form of directing performance in accordance with a specified technical or procedural manual.

3-6. Best practices include the following:

- Ensure a functional staff subject matter expert develops, or at least verifies, all technical matters within the PWS or SOW and draft QASP.
- Involve the potential COR to assist in requirements development whenever feasible.
- Request example requirements packages or templates from your supporting contracting organization, but ensure the details are properly modified to match your actual requirement.

Note. Contractor employee personnel should not develop requirements. A contractor cannot bid on requirements it helped develop. In certain circumstances, contractors may be utilized to assist in requirements development actions, but only when the appropriate non-disclosure and non-competition agreements are in effect.

3-7. Figure 3-1 graphically depicts the basic contents included in an acquisition-ready requirements package.

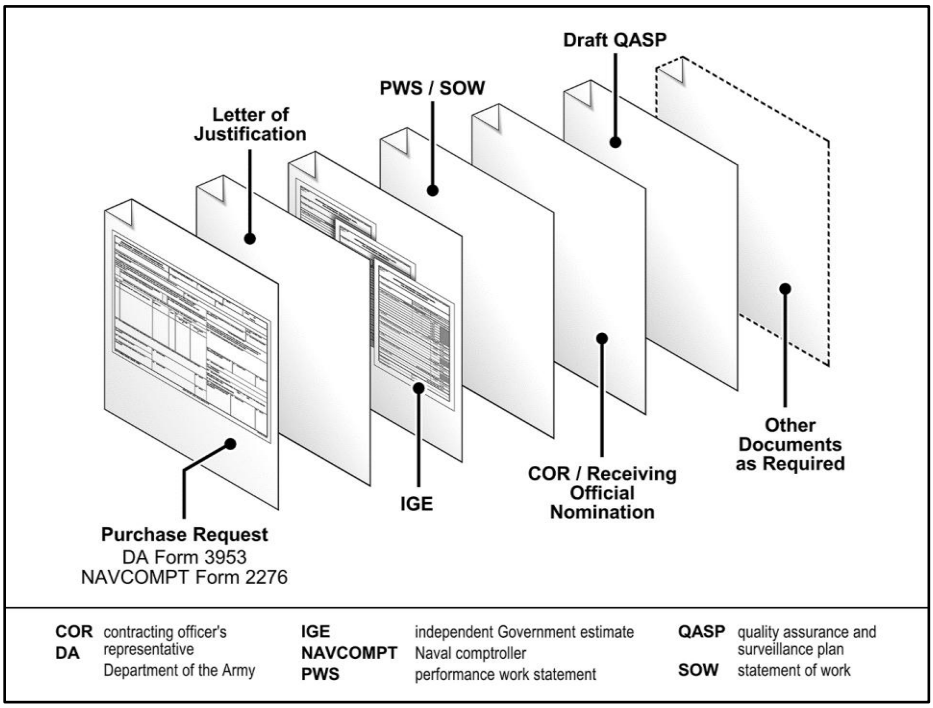


Figure 3-1. Basic acquisition-ready requirements package content

PURCHASE REQUEST AND FUNDING DOCUMENTS

3-8. Requiring activities are responsible for coordinating funding. A Service-specific purchase request, such as DA Form 3953 (*Purchase Request and Commitment*); DD Form 1149 (*Requisition and Invoice/Shipping Document*); or Universal Purchase Request (Defense Agencies Initiative) for the U.S. Marine Corps must accompany the requirements package to ensure commitment of funds and compliance with the Anti-Deficiency Act.

Note. Refer to local command policies for specific contract funding documentation requirements and funding approval procedures.

REQUIREMENTS LETTER OF JUSTIFICATION

3-9. All requirement packages reaching requirements review board level thresholds require a justification letter in addition to an approved funding document. Other requirements packages might require a justification letter based on local command policy and the nature of the requirement. Potential contents of the justification might include, but are not limited to—

- Rationale for the requirement.
- Operational need.
- Impacts if not funded.
- Results of market research.
- Why contracting is the best solution to meet the requirement.
- Address any special concerns, such as force protection and security.

INDEPENDENT GOVERNMENT ESTIMATE

3-10. Many requirements packages require an IGE. The IGE is a cost estimate developed by the requiring activity based on the PWS. The document is signed by a USG official (military or civilian) from the requiring activity and is used by the commander for budget planning. The unit resource manager uses the IGE as a funding estimate tool. It also assists the supporting activity in making fair and reasonable price determinations.

Note. IGE development is the responsibility of the requiring activity. Do not confuse an estimate or quote from a contractor as an IGE.

3-11. Sources of IGE information include—

- Market research.
- Existing IGEs for similar supplies, services, or construction (can often be provided by the requiring activity resource manager or the supporting contracting organization).
- Personal knowledge.
- General Services Administration schedule pricing guidelines.
- Published local labor rates.

3-12. Elements of an IGE include—

- Title – Describes the project or item being purchased (supplies, services or construction) to include assumptions used, source of information, and requiring unit point of contact.
- Labor costs – Lists labor by individual task and category, rollup task costs, and lists option years or option tasks separately.
- Burden on labor costs – the percentage of costs for direct labor associated with employee benefits.
- Other direct costs – an estimate of the type and quantity of material, equipment, and travel necessary for the contractor to perform the service.
- Indirect costs (overhead) – costs that are not directly associated with any single project or contract but are incurred in the performance of some or all of the company's projects or contracts (examples include transportations costs, utilities, and facilities costs).
- General and administrative costs – these rates should be applied for all non-labor costs. The supporting contracting office can usually supply standard general and administrative rates.

- Profit or Fee – dollar amount over and above any allowable costs paid to a contractor for performance.

Note. For additional information on cost estimates, see AR 70-13 and the Defense Contingency COR Handbook Version 2 located at the Office of the Assistant Secretary of Defense for Acquisition website.

SUPPLY ITEM DESCRIPTION, SERVICE PERFORMANCE WORK STATEMENT, OR CONSTRUCTION STATEMENT OF WORK

3-13. There are three major categories of acquisitions: supplies, services, and construction.

3-14. A supply contract is for a specific commodity. Supply contract requirement packages must provide sufficient detail to ensure the product received meets the government's performance and capability needs. Details should answer the following—

- What color does the item need to be?
- What does the item need to do and what are the performance requirements?
- Dimensions/weight requirements?
- What type of materials should the item be made with (metal, plastic, wood)?
- Special features?

3-15. A service contract is a contract that directly engages the time and effort of a contractor whose primary purpose is to perform an identifiable task rather than to furnish an end item of supply. Each service contract requirements package requires a PWS, which is a SOW for performance-based acquisitions that describes the desired results in clear, specific, and objective terms with measurable outcomes.

3-16. A construction contract is for the construction, alteration, or repair of buildings, structures, or other real property for which a SOW is used to describe the technical requirements.

Note. Do not assume anything when developing your item description, PWS, or SOW. Be specific by including diagrams, technical specifications, and references to technical manuals as applicable. Additional PWS development guidance can be found in the DOD Guidebook for Performance Based Services Acquisition (PBSA) in the Department of Defense located at the Defense Acquisition University website.

CONTRACTING-OFFICER'S REPRESENTATIVE OR RECEIVING OFFICIAL NOMINATION LETTERS

3-17. Per contract law, DOD policy and Service policy, the requiring activity must nominate trained and subject-matter-qualified military or government civilian CORs for each service support request, unless a KO determines an exemption is applicable. Likewise, requiring activities must identify receiving officials by name for any supply request. The PIEE, which contains the Joint Appointment Module and the Surveillance and Performance Monitoring Module, is the DOD-mandated system for nominations, appointments, terminations, and training certifications. Additional information on COR and receiving officials can be found in Chapter 4.

Note. Commanders and OCS staff must ensure they are aware of, and comply with, any existing Service-directed COR or theater-specific pre-deployment training requirements. Deficiencies in COR capability to include access to worksites and lack of subject matter expertise are a command problem, not just a contracting problem. These issues must be elevated to higher level command for resolution.

OTHER SUPPORTING DOCUMENTATION

3-18. Federal, DOD, and Service regulations, local command policies, or the special nature of the requested supply, service, or construction might require additional documentation submission to process. Some examples of additional supporting documents that might be required include, but are not limited to—

- Justification and approval letter for limiting full and open competition.
- Technical or other special approval documents.
- Other documents required by local policy.
- U.S. Army Contract Requirements Package Antiterrorism and Operations Security Review Cover Sheet (Army-only requirement for most service contract requests) can be found at the Army Office of the Provost Marshal General Antiterrorism Enterprise Portal (requires common access card login).
- Request for Services Contract Approval Form (Army-only requirement for most service contract requests) can be found at the Assistant Secretary of the Army for Manpower and Reserve Affairs website.
- Acquisition Strategy.
- Government Property Addendum.

3-19. Many of these supporting documents require specific guidance to properly develop. Close coordination with your supporting contracting organization and appropriate subject matter expert are important for successful completion and approval of supporting documentation, and ultimately the requirements package content.

ACQUISITION-READY REQUIREMENTS PACKAGE PROCESSING

3-20. All requirements packages for commercial support will be processed in accordance with command policy and procedures. These packages will also be submitted to the appropriate review board as required.

Note. Requiring activities will not separate requirements into multiple similar purchases to avoid purchase card limits, requirements approval thresholds, competition requirements, or any other acquisition policy or procedure. This practice, commonly known as split purchasing, is prohibited by Title 10 United States Code (USC) 3201 and 3204, the FAR, and DOD policy.

COMMAND STAFFING, APPROVAL, AND LEAD TIME

3-21. Once an acquisition-ready requirements package is completed, the designated action officer reviews the package to ensure it is complete in accordance with all Service and local command guidance. The package should then be reviewed by the appropriate staff, approved by the commander or designated representative, and submitted to higher HQ. Some packages, depending on cost thresholds and nature of the service or supplies requested, might require submission to a Service or joint force commander (JFC) requirements review board or other functional board for final approval and prioritization. Depending on local command policies and procedures, requirements package staffing and approval can take a considerable amount of time. The requirements package staffing and approval timelines must be considered when estimating the overall time it takes to plan and execute commercial support. See Chapter 2 for more details on procurement lead time.

TRACKING ACQUISITION-READY REQUIREMENTS PACKAGES

3-22. One of the most important functions of the unit's OCS or other designated staff is to monitor and track acquisition-ready requirements packages. These packages may be processed through an informal local approval process or a formal requirements review board process. Tracking these requirements is an essential task to ensure they are not needlessly delayed or forgotten.

Note. Ensure you track the progress of your requirements package through final command and funding approval. Requirements packages have been known to be delayed or lost in this process.

REQUIREMENTS REVIEW BOARD

3-23. The role of a requirements review board is to approve and prioritize designated high-value or high visibility requirements and determine the proper source of support for these requirements. Service-component-command-level OPORD Annex W and its appendixes 1 and 3 and local command policies should dictate requirements needing board approval and the specifics of the process. Requiring activities should submit accurate acquisition-ready requirements packages to the requirements review board and monitor the status through the process. When the package is approved, it is submitted to the designated contracting organization to be placed under contract. Many common or low-cost supply and service requirements will not be required to go through a formal requirements review board approval process. The supported unit or the requiring activity must be prepared to defend its requirements through the process. JP 4-10 provides more details on the requirements review board process.

Note. Ensuring that an acquisition-ready requirements package is prepared correctly is the best way to speed up the contract support process. The goal should be to have the package gain approval the first time it is reviewed. The acquisition-ready requirements package does not go to the contracting office until it is approved, funded, and accepted by the contracting office.

Chapter 4
Contract Performance Oversight

Contract performance oversight includes significant requiring activity and supported unit tasks in support of the contract administration process, which is led by the supporting contracting activity. This chapter discusses requiring activity and supported unit responsibilities, UACs, ratification, and contract close out actions.

REQUIRING ACTIVITY AND SUPPORTED UNIT RESPONSIBILITIES

4-1. Requiring activities must closely monitor contract performance and assist the KO in the contract administration process. This is accomplished through the nomination and tracking of qualified CORs (for service and construction contracts) and receiving officials (for supply contracts). Additionally, in major contract actions such as a CAP task order, there might be numerous supported units and multiple services requiring COR oversight support. In these situations, the supported unit is not the actual requiring activity but still has designated COR or receiving official duties as outlined in the tactical-level OPORD Annex W or other higher-level command directives or orders. Major requiring activity and supported unit tasks in support of the contract administration process include—

- Training CORs (in accordance with DODI 5000.72) to properly monitor contractor personnel and performance.
- Providing receiving officials for all supply contracts.
- Tracking individual contract support actions to include COR status.
- Participating in, or providing input to, award fee boards and contractor performance assessments.
- Creating and maintaining a fiduciary account of GFP, in conjunction with the supporting contracting organization performing the property administration responsibilities.

Note. The primary goal of contract performance oversight is to ensure the government gets what it is paying for when it comes to commercial support. This goal cannot be met without significant requiring activity and supported unit involvement.

4-2. As covered in the planning chapter, all service contracts require an appointed military or government civilian COR provided by the requiring activity or supported unit. Likewise, each supply contract requires a designated receiving official. Large OCS support structures such as the Service CAPs might require multiple CORs, receiving officials, and property administration support.

SITUATIONAL AWARENESS

4-3. Requiring activities frequently lack the ability to leverage the full potential of OCS because they have insufficient understanding of its complexity. The application of OCS requires knowledge of planning and managing contracted support, contractor management, and the integration of contracted support into daily operations. To enable requiring activities, skilled OCS planning professionals must be a mainstay of all future operations.

CONTRACTING OFFICER'S REPRESENTATIVE MANAGEMENT

4-4. All requiring activities and designated supported units must have an active COR management program. Effective COR management is a collaborative process between the supporting contracting activity, the requiring activity, and the supported unit. All CORs must meet mandatory training requirements and have requisite expertise to review technical matters within a service contract PWS's performance requirements summary and the QASP. Commanders must ensure CORs are allowed sufficient time and access to the contractor area of performance to properly execute their quality surveillance tasks. Requiring activities must also actively track and monitor COR performance to include quality and timeliness of their reports and technical competence. Requiring activities and designated supported units must conduct analysis, develop

possible solutions, brief chains of command, and bring contract concerns to their higher-level command as soon as they are identified.

Note. Additional information on COR functions can be found in the Defense Contingency COR Handbook Version 2 at the Office of the Assistant Secretary of Defense for Acquisition website, as well as DODI 5000.72.

RECEIVING OFFICIAL DESIGNATIONS

4-5. Requiring activities are generally required by Service policy to provide a Service member or DOD civilian to act as a receiving official for the delivery of contracted supplies. The receiving official has the responsibility to inspect the item at the point of delivery and may reject the item if it does not meet the contract specifications, terms, and conditions. If the item is rejected, the receiving official must immediately notify the KO. After acceptance, the receiving official must certify receipt of supplies for payment in PIEE or complete a Service-specific inspection and receiving statement as required.

4-6. Current operations require detailed contract support monitoring and management by the requiring activity and supported unit. In addition to tracking requirements through the requirements review and approval process, the Service functional area staff should track and monitor their contracts through performance, delivery, and closeout. Each Service has its own system of record for contract tracking, but at a minimum the following data should be tracked using standard computer spreadsheet software:

- Unit established tracking or requisition number.
- Date package submitted to commander or requirements review board.
- Date package approved by commander or requirements review board.
- Package processing time.
- Contract number.
- Contracting activity and KO contact information (unit information, name/rank, location/time zone, phone number, email).
- Prime contractor name.
- Service or item description.
- Contract cost/price, budgeted and committed dollars.
- Period of performance (start and end dates) or date of delivery.
- Place(s) of performance or delivery.
- COR(s) or receiving official's name, unit, and rotation/redeployment date.
- Estimated date for review/renewal.
- Remarks.

ASSESSING CONTRACT SUPPORT

4-7. Assessing the effectiveness and efficiency (as well as cost) of commercial support is a collaborative effort between the requiring activity, supported unit, and the supporting contracting organization. COR and receiving official reports are key to this process. Commanders and their staff must ensure all reports (COR and receiving official) are provided to the KO and the appropriate unit staff. Mission critical contract actions must be assessed and briefed as required by the designated unit staff officer at the unit's daily battlefield updates or similar battle tracking processes. Identified contractor performance problems must be worked in a collaborative manner between the COR and the supporting KO, with appropriate unit functional staff involvement for any major issues.

Note. The supported unit staff is responsible for assessing and briefing mission critical contract support actions at unit battlefield updates. Ensure all issues related to contractor performance are worked through the appropriate KO. Do not address problems directly with the prime or subcontractor management.

INFORMAL UNIT ASSESSMENT

4-8. The OCS staff coordinates informal assessments involving the collection and review of COR reports, COR interviews, and collaborates with supporting KOs to judge overall effectiveness and efficiency of the service being provided. Functional staff subject matter expertise is critical when assessing technical elements of the support. Any major deficiencies identified must be worked through the supporting contracting activity.

FORMAL ASSESSMENTS

4-9. There are two types of contractor performance formal assessments provided by the requiring activities. These types are briefly covered below. Requiring activities should consult their KO for specific details on how they might contribute to the formal assessments.

Performance Evaluation Board

4-10. Performance evaluation boards can be used as a formal mechanism to provide performance feedback. Performance evaluation boards are used to identify contractor strengths, areas for improvement, and areas that require additional emphasis. Requiring activities directly participate in this process through their appointed CORs. Performance evaluation boards are conducted in accordance with Service procedures, and normally include the following general roles and responsibilities:

- QARs prepare, schedule, and conduct quality technical evaluations in accordance with documented audits and findings (traceable to PWS or SOW requirements). They also brief the performance evaluation boards as required.
- Unit CORs provide schedules and quality technical evaluation summaries based on documented audits and inspections. They present their findings to both the unit chain of command and through the QAR to the KO. CORs brief the performance evaluation board as required.

Note. Unit CORs should submit performance evaluation board comments to both the on-site QAR and the unit chain of command.

- Military or government civilian property administrators provide evaluations of contractor property control systems (different for each Service).
- Contractors provide written self-assessments of accomplishments in accordance with contract requirements and present a summary of accomplishments at the performance evaluation board.

Award Fee Board

4-11. An award fee provides a pool of dollars that can be earned based upon the government's evaluation of the contractor's performance in various performance areas during established time periods. The intent of an award-fee arrangement is to incentivize a contractor to improve performance based upon the government's assessment of the contractor's performance as measured against established metrics. The appointed award fee determining official considers the results of the award fee board before making the final award fee determination. The determination is then provided to the KO for award to the contractor.

Note. Positive or negative performance should be documented during the period of performance. It is the most effective award fee board input. This input is less effective when presented only at the time of an award fee determination.

UNAUTHORIZED COMMITMENTS AND RATIFICATION

4-12. Only warranted KOs have the authority to legally obligate the USG for the purchase of supplies, construction, or services with federal funds. There are limited exceptions and special authorizations such as FOOs, which are covered in appendix F. All personnel are responsible for ensuring their dealings with contractors are conducted in such a manner as to avoid the impression they obligate the government in any manner whatsoever. The COR cannot obligate the government. The ordering and acceptance of supplies and services without benefit of a legal contract constitutes an improper act. The government is not obligated for the items ordered, but the individual who made the UAC might be judged personally liable.

EXAMPLES OF UNAUTHORIZED COMMITMENTS

4-13. A unit properly contracted for the purchase of air conditioners for tents in the life support area. When the vendor delivered the correct quantity and type of air conditioners, the unit supply officer directed the vendor to deliver the same quantity and type air conditioners to another unit on the base and told the vendor to put the bill on the same contract. A few days later, the vendor delivered the additional air conditioners as directed by the unit supply officer. Because a UAC occurred, even if the second unit did not accept these air conditioners, the government will surely be billed for all delivery-related costs incurred by the contractor.

4-14. A commander was informed that a mission-essential service contract was expiring and there would be a break in service while the unit staff submitted a request for extension of the contract. The unit commander, in haste to fix the problem, told the local contractor manager to continue to perform the service while the staff worked with the supporting contracting activity to renew the contract. A UAC occurred when the commander and contractor manager agreed to extend the service beyond the current period of performance. Any costs incurred by the contractor related to the service beyond the current period of performance will likely be billed to the government, regardless of whether the contract is extended or not.

4-15. A base camp engineer officer told a contractor to correct electrical problems on a particular facility that was not part of the contractor's current support services scope of work. A UAC occurred when the contractor agreed to perform the repairs as directed by the base camp engineer, and any actions the contractor took related to the repairs following the agreement could be billed to the government as costs incurred.

AVOIDING UNAUTHORIZED COMMITMENTS

4-16. To avoid UACs, all military and DOD Civilian personnel (especially CORs) must avoid the following actions:

- Making any commitment or promise relating to contract award or any representation that might be construed as such.
- Issuing instructions to the contractor to start, change, or stop work.
- Encouraging the contractor by words, actions, or inaction to undertake new work or extend existing work beyond the stated contract period.
- Accepting products or services not required by the contract.

4-17. UACs place the government in an undesirable position and can create bad will with the service provider. This may also impact interaction with the local population if the contract is with an HN company, particularly in a contingency environment. UACs are illegal, and the person committing such an act may have to pay for the commitment.

RATIFICATION

4-18. UACs require a ratification process, and successful ratification is never guaranteed. Only the appropriate contracting authority may ratify a UAC when the following conditions are met:

- Supplies or services have been provided to the government and accepted, or the government otherwise has obtained or will obtain a benefit resulting from performance of the UAC.
- The ratifying official has the authority to make a contractual commitment.
- The resulting contract action would otherwise have been proper if made by an appropriate KO.
- The KO reviewing the UAC determines the price to be fair and reasonable.
- The KO recommends payment, and legal counsel concurs in the recommendation, unless agency procedures expressly do not require such concurrence.
- Funds are available and were available at the time the UAC was made.
- The ratification is in accordance with any other limitations prescribed under agency procedures.

4-19. If the UAC is not ratified, the government may not take responsibility for the act and the contractor may hold the individual who committed the act personally and financially liable.

4-20. Ratification procedures vary based on the command and situation, but normally a ratification package includes the following:

- A report on the circumstances surrounding the UAC.
- A statement from the command on corrective actions taken to prevent a recurrence of the event.

- A description of disciplinary action taken or an explanation of why no action was taken against the individual responsible for the UAC.

Note. A commander, staff member, COR, or any other government official who is not a warranted KO must not direct the contractor, whether explicitly or implicitly, to take any action that would change the contract or obligate the government in any way. Individuals who commit UACs may be held financially liable for such legal infractions. However, fear of committing a UAC should never prevent you from stopping a contractor from performing an unsafe act that poses a threat to personnel or equipment. Make the correction to stop the unsafe act and immediately notify the COR or KO.

CONTRACT CLOSEOUT ACTIONS

4-21. When the contractor has satisfactorily completed contract performance and final payment has been made, the contract file should be closed out as soon as possible. The following steps should be taken:

- The requiring activity or supported unit staff validates the requirement to ensure the contracted service is no longer needed.
- The contractor submits a final invoice in PIEE (or manually if these procedures are acceptable to the servicing finance office and the KO in accordance with theater policy). The COR completes the receiving report and DD Form 250 (*Material Inspection and Receiving Report*) either manually or in PIEE to authorize finance to pay the vendor.
- The COR ensures that all contractor-owned equipment is removed upon expiration of the contract and that all GFP is returned (including contractor-acquired government-owned property that is accounted for in a government system of record).
- The COR ensures the COR file is complete and notifies the KO.
- Any funds not expended are removed or de-obligated from the contract by the KO.
- The KO then closes the contract.

Note. For U.S. Marine Corps personnel, the contracting activity and unit-level standard operating procedures provide Marine Corps guidance regarding invoice and payment procedures for operational requirements.

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Chapter 5

Contractor Management

Contractor management is the oversight and integration of contractor personnel and associated equipment providing support to military operations. It is DOD policy to formally include OCS in the operational planning process, and one of these key planning considerations is the integration of contractor personnel and equipment into military operations. Key to successful execution of contractor management actions is tying them directly to the requirements management and contract performance oversight processes. This chapter provides detailed guidance on integrating contractor personnel and their equipment into military operations at the tactical level. This chapter discusses contractor management including responsibilities, management planning, management requirements, risks and challenges, deployment and redeployment, and in-theater contract management.

RESPONSIBILITY

5-1. Contractor management is a shared responsibility between the requiring activity and the supporting contracting organization. By its very nature, contractor management-related planning responsibilities cross all primary and special staff functional lanes (see table 5-1). Also of significant importance are the contracting activity's responsibilities to include contractor management aspects within the contract. Contracting organizations, working with supported unit OCS planners, provide advice and assistance in developing contracting management plans and procedures.

Table 5-1. Requiring activity staff contractor management responsibilities

Staff	*Major Responsibilities*
Personnel	CAAF, non-CAAF, U.S. citizen, and TCN personnel accountability reporting; morale and welfare activities; coordinate fiscal resources
Intelligence	Threat assessment and vendor vetting/screening
Operations	Deployment; force protection and security; base assessment; armed private security; rules on use of force
Logistics	Government-furnished support requirements
Plans	Integration of overall planning effort
Surgeon	Medical support in accordance with contract
Staff Judge Advocate	Legal jurisdiction advice and support
OCS Staff	Ensure contractor management factors are captured in the requirements development process; convene contractor management working groups; plan and integrate contractor management matters into overall operation.
Security	Identify all security requirements to include information security, personnel security, physical security, acquisition security, industrial security, operations security, cybersecurity and anti-terrorism force protection. Ensure security requirements are included in applicable contract(s) and integrated with operations team(s).
CAAF contractors authorized to accompany the force **OCS** Operational contract support **TCN** third-country national	

Note. The contractor management principles and techniques discussed in this chapter are generally only applicable to operations conducted outside the U.S. There are no formal contractor management policies for domestic operations.

CONTRACTOR MANAGEMENT PLANNING

5-2. Contract personnel and associated equipment are integrated by the unit command and operating base in accordance with the OPLAN, OPORD, and HQ-established guidance and policy. The JFC and Service HQ levels establish contractor management policies and procedures in accordance with DODI 3020.41 and other related Service policy such as AR 715-9. OCS staffs should have a copy of the higher-level contractor management appendixes to the OPORD Annex W. Each primary and special staff should be familiar with OCS guidance related to their functional area (for example, the personnel staff should have a copy of OCS guidance and follow contractor personnel reporting policy and procedures). When contractor management planning areas of concern cover multiple staff lanes, the requiring activity OCS staff should consider establishing a contractor management working group to ensure these challenges are addressed and integrated across all appropriate primary and special staff lines.

CONTRACTOR MANAGEMENT REQUIREMENTS

5-3. Requiring activities incorporate contractor management considerations into the requirements management process to include GFP, force protection, and security matters (especially important if the contract will be with a LN firm using LN labor). In turn, the supporting contracting activity, in conjunction with the requiring activity, is responsible for incorporating contractor management policy and procedural requirements into the contract. Unit CORs are the link to the KO (or administrative contracting officer), QAR, and property administrator (if appointed), for the oversight of contract performance to include contractor management policy and procedure compliance. For prearranged commercial support, the KO will use standard deployment clauses from the FAR, DFARS, and Service-specific supplement to ensure contractors are informed and prepared to execute their contract in a contingency or non-contingency expeditionary environment. While generic in nature, these clauses ensure contractors are informed of and required to comply with basic deployment preparation and operation-specific management requirements. For contracts awarded for a specific operation, operation-specific contract clauses should be included in the PWS or SOW and other terms and conditions of the contract. Also of significant importance, the QASP should include contractor-management-related compliance measurement checks in areas such as personnel accountability, GFP management, force protection, and security measures.

Note. DFARS Subpart 225.3 and associated PGI 225.3 provide standardized contract terms and conditions clauses related to deployment preparation, government-furnished support, contractor personnel arming, anti-terrorism and security, and combating trafficking in persons (CTIP).

CONTRACTOR MANAGEMENT RISKS AND CHALLENGES

5-4. Commercial support can provide cost-effective surge capability and skills not organic to the unit (such as translators). Consider second and third order effects such as local population employment and economic stimulation when using commercial support. Integrating contractor personnel and their equipment into military operations can be a significant challenge. Contractor challenges involve additional mission risk when compared to using organic support capabilities. These include potential loss of flexibility, additional force protection, and security-related requirements. Additionally, as opposed to military members, commanders have limited authority to keep contractor personnel on the job; this is a fact often not understood by operational commanders and their staff.

5-5. The following are common contractor management risks:

- Potential contractor non-performance related to force protection and security issues (risk to mission).
- Increased force protection requirements to protect contractor personnel.
- Increased security risk to the force when utilizing TCN and LN contractors for on-base services.

- CAAF, non-CAAF, U.S. citizen, and TCN personnel accountability.
- Mismanagement of government-furnished equipment.
- Poor performance requiring replacement of contractor.
- Mismanagement of scoping for security requirements (for example, classification and protections based on criticality of technology/information/mission being executed, clearances required, facility/physical security).

5-6. The following are common contractor management challenges:

- General lack of knowledge on how to integrate contractor personnel into military operations.
- Limited legal authority over contractor personnel.
- Restrictions on arming contractors and use of private security firms to protect U.S. forces, facilities, and supplies.
- Different procedures and automated systems used to establish and maintain contractor personnel accountability.
- Enforcing contractor management policies and procedures through multiple tiers of subcontractors.
- GFP inventory and transfer, billeting of new company personnel, new common access cards, new LOAs.

LOCAL NATIONAL EMPLOYEE FACTORS

5-7. Force protection, base security (information security, industrial security, personnel security, acquisition security, and cybersecurity), and OPSEC issues are paramount when the contracted service is being performed by LN employees, and they can be exacerbated when these employees work for LN firms. Deliberate and careful decisions must be made on what services will be provided by LN firms or LN employees along with locations where these employees will be allowed to work.

CAAF FACTORS

5-8. Personnel accountability, government-furnished support, CTIP, OPSEC (especially for TCN employees) and other CAAF-related challenges need to be considered early in the planning process. Additionally, the requiring activity must consider living and operating conditions for some CAAF functions. The reality is that in many operations, CAAF will be required to live and work under field conditions, often in a hostile environment, and sometimes in harsh weather conditions. Field conditions are quite different from normal civilian life and are characterized by austere and often physically demanding conditions. Requiring activities must coordinate closely with the supporting KOs to ensure appropriate performance environment clauses are included in the contract for all CAAF who are expected to perform their duties in field conditions. Requiring activities are responsible for ensuring this information is provided in their requirements package. If the requiring activity is at all unsure about these conditions, it should consult with the supported unit to identify the details of the operational environment. Specific field conditions (if applicable) that should be addressed in a contract PWS or SOW include—

- Limited showers and laundry service.
- Field sanitation (lack of fixed or portable latrines).
- Combat rations for extended periods of time.
- Sleeping in a tent or outdoors.
- Exposure to excessive heat, cold, and other weather extremes.
- Ability to hike a certain distance each day while carrying a certain weight in a backpack and wearing military protective equipment.
- Being subject to enemy action to include chemical, biological, radiological, and nuclear (CBRN) hazards, explosive hazards, and direct fire.
- Personal protection weapon-related matters.
- Conformance to local security and base protection policy.

Note. If CAAF are going to be required to live and perform under field conditions, the requiring activity must address the specifics of the expected operational environment in their requirements package. Do not assume all CAAF can easily adapt to field conditions—they are not Service members, and some might not have military experience.

CONTRACTOR PERSONNEL CAAF STATUS

5-9. Contractor personnel in support of the U.S. military outside of the U.S. are considered either CAAF or non-CAAF depending on their nationality, place of performance, where they live, and the nature of the service being provided. In general, most LN employees will be considered non-CAAF while most TCN and U.S. citizen employees will be afforded CAAF status, but there may be exceptions to this informal rule of thumb. In any case, establishing CAAF or non-CAAF status is very important as it affects many things from personnel accountability to legal jurisdiction to government-furnished support arrangements.

5-10. KOs, in direct coordination with the requiring activity, determine contingency and non-contingency expeditionary contractor employee CAAF or non-CAAF status up front in the contracting process. For many employees, determining their status is relatively simple; for others, it is not. For example, if the contractor employee is a U.S. citizen or TCN who will be working in the vicinity of U.S. forces (working on base), residing with the force (living in military barracks on a U.S. facility), and being supported by the force (eating in military-run dining facilities), they must be afforded CAAF status in accordance with DOD policy. They should be issued an LOA that outlines specific government support authorizations. In some cases, CAAF status may also be afforded to an LN contract worker who is performing services on a military installation and who is required by the contract to live on base for security reasons. The key to properly establishing CAAF or non-CAAF status is for KOs and requiring activities to be familiar with contractor management policy guidance. Requiring activities should identify the recommended status of service contract employees in the requirements package. For example, if the requirement is for the contractor employee to deploy with or live with the supported unit, the requirements package should recommend that the employee be designated CAAF in the contract.

DEPLOYMENT AND REDEPLOYMENT PLANNING AND PREPARATION

5-11. The global nature of the systems and external support contractor base dictates contractors may deploy their employees and associated equipment from anywhere in the world. Even U.S.-based contractors often have employees originating from locations outside the continental United States. Many contractors, especially subcontractors, will hire TCN CAAF employees and deploy them directly from their point of hire. Proper deployment of CAAF and equipment requires early planning, establishment of clear and concise theater entrance requirements, and the incorporation of standard deployment-related clauses in appropriate contracts.

THEATER ENTRANCE REQUIREMENTS INFORMATION

5-12. The CCDR determines specific deployment and theater admission requirements for contractor personnel. Theater-specific entrance requirements may include, but are not limited to, security and background checks, medical preparation, administrative preparation, general training and equipping guidance, and theater business clearance. Theater-specific entrance requirements and contractor management information can be found at the Office of the Assistant Secretary of Defense for Acquisition website under Contingency Contracting Policy and International Operations. Also refer to DFARS 225.370, DFARS 225.371, and DFARS 252.225-7040 (the CAAF clause).

Note. Know how to access and be familiar with your Service's CAAF deployment preparation provisions.

5-13. The following is a synopsis of the key theater administrative and entrance requirements that can and will impact the Service component and subordinate commands. The Service component staff should work closely with subordinate staff, special operations units, and other organizations as required to ensure they understand, promulgate, and enforce these theater entrance requirements.

PERSONNEL ACCOUNTABILITY

5-14. Establishing and maintaining contractor personnel accountability is extremely important. This process includes identifying, capturing, and recording the personal identification information and assigned location of individual contractor employees by using a designated database, which is currently the Synchronized

Predeployment and Operational Tracker-Enterprise System (SPOT-ES). Without such information, it is impossible to properly integrate CAAF into military operations, especially when it comes to determining and resourcing government support requirements such as facilities, life support, force protection, and Army Health System support in hostile or austere operational environments. Contractor personnel accountability information can also be aggregated and used to provide commanders contractor personnel visibility. Contractor visibility includes information on the location, movement, status, and identity of contractor personnel.

5-15. SPOT-ES is a web-based application allowing authorized users to view, input, and manage contractor employee pre-deployment, accountability, and location data. SPOT-ES access procedures and training information can be found online at the Synchronized Pre-deployment Operational Tracker Enterprise Suite.

5-16. Requiring activities are responsible for CAAF and non-CAAF activity, all U.S. citizens and TCNs, and other categories as directed in DODI 3020.41. SPOT-ES is the DOD-designated enterprise system to manage and maintain by-name accountability of CAAF and other designated contractor personnel in the operational area. Contractor employee in-theater arrival date and the duty station arrival date will be entered in SPOT-ES not later than one day after their entry in theater or arrival at their primary duty station.

5-17. Executing contractor personnel accountability is a shared responsibility between the KO, the requiring activity or supported unit CORs, the operational command personnel staff, and the prime contractor. This process works only when all responsible parties perform their related duties. The following are contractor personnel accountability responsibilities:

- KO – Ensure proper clauses are in the contract and ensure contractor personnel accountability checks are included in the QASP.
- COR – Perform contractor personnel accountability checks per the QASP.
- Personnel staff – Include CAAF, non-CAAF, U.S. citizen, and TCN personnel information in personnel accountability reports.
- Prime contractor – Enter and update SPOT-ES data for all accountable prime contractor employees as stipulated in the contract. Ensure all accountable subcontractor employees are captured in SPOT-ES and this data is updated as stipulated in the contract.

5-18. Selected CAAF employees will be issued a common access card to gain access to military information system networks. These cards should include the appropriate CAAF Geneva Convention code, and the expiration date should correspond to the end date of the contract period of performance. Common access card issuance is a Service responsibility and should be accomplished prior to deployment because, in general, only replacement cards will be issued in the operational area.

Letters of Authorization

5-19. Generally, LOAs will not exceed one year and are renewed each year during a funded period of performance. DOD policy requires SPOT-ES-generated LOAs issued by a warranted KO for CAAF to process through a deployment center and to travel within an operational area. LOAs contain specific dates to cover the funded period of performance for the deployment and are issued to contractor employees prior to arrival in the operational area. The LOA identifies additional authorizations and government-furnished support CAAF are entitled to under the contract. The KO and the appointed COR (generally representing the requiring activity) must validate LOA authorizations prior to preparation of the final solicitation package. Changes in contract dates or entitlements should result in updated LOAs being issued to contractor employees. Policy requires that each CAAF employee have a copy of their LOA in their possession at all times.

Note. DOD policy requires SPOT-ES-generated LOAs for all deploying CAAF personnel. LOAs should be issued for the actual deployment dates. They should not be open-ended covering the entire contract period of performance (for example five years).

Security Screening, Biometrics Identification Card, and Base Access

5-20. Identify vendor risks, review vendor threat reports, and prohibit contracting with adversaries using all available sources of information and intelligence (for example, classified national intelligence, security, and

law enforcement information, and unclassified business intelligence) (refer to DODD 3000.16). Contractor personnel and the contractor company may require security clearances and facility clearances based on the support and work being performed in accordance with DODI 5220.31, DODI 5200.48, DODI 5200.02, and DODM 5200.01 Volume 3.

Medical and Dental Preparation

5-21. CAAF medical and dental preparation includes deployment health briefings, medical surveillance screening, medical evaluation, DNA specimen collection, determining prescription needs, and immunizations. Specific medical-related theater entrance requirements, such as HIV screening requirements, are established by the operational command's staff surgeon. This medical-related theater guidance normally covers specific immunization requirements. Restrictions are applicable to certain TCN or LN personnel for specific mission functions (for example, food service workers). Contractors are responsible for all medical preparation except for military-specific immunizations.

Protective Clothing and Equipment

5-22. Contractors are responsible for ensuring their employees are outfitted with appropriate occupational-specific protective clothing and equipment necessary to safely carry out their contract requirements. Military protective equipment may be issued to CAAF as GFP or by their company when required by theater entrance policy and so specified in the contract. Military protective clothing is issued per Service policies and established procedures.

Uniforms

5-23. Contractor personnel will not be issued U.S. Service uniforms or other uniform items. However, the JFC or designated subordinate can authorize certain contractors to wear standard Service uniforms on an operational need basis. In these cases, the uniform should be clearly distinguishable by distinctive patches, arm bands, nametags, and headgear. Contractors authorized to wear distinctive military uniforms are required by policy to always carry written authorization for the wearing of military uniforms on their person.

Other Actions

5-24. There are important contractor management actions that must take place before CAAF are deployed to the operational area. These tasks include—

- Issuance of identification tags.
- DNA samples.
- Acquiring Defense Base Act coverage.
- Acquiring a current passport and visa (if required).
- Complying with company-specific new hire policies and procedures.
- Obtaining Service-specific online sponsorship to receive access to government computer systems.

5-25. It is important to note that some of these tasks are solely the responsibility of the contractor, while some are shared contractor and military tasks. Additional theater entrance preparation and certification task responsibilities are covered below.

Routine Training Requirements

5-26. The Service components, subordinate commanders, and contracting authorities are responsible for ensuring required common training and any operational-specific training is identified in contractual requirements prior to deployment of CAAF into the operational area. Required CAAF training and the validation process must be closely coordinated between the KO, the prime contractor, and the requiring activity. Key contractor personnel training requirements normally include, but are not limited to—

- Legal status familiarization. This training is mandated by the DFARS to ensure all CAAF understand their legal status in accordance with international law. This DFARS clause requirement includes training on the prevention of human trafficking, as well as familiarization training on contractor management.

- U.S. laws, HN laws, and status-of-forces agreements (SOFAs) to which contractor personnel may be subject.
- Government-furnished support familiarization. This training is intended to inform CAAF of what authorized government-furnished support (for example, mail and medical) is available to them while accompanying U.S. forces.
- Law of War training related to the handling of detainees is required by DOD policy for all CAAF contractor personnel who might encounter detainees.
- Survival, evasion, resistance, and escape training is required for CAAF per DODI O-3002.05. Specific levels of this training should be identified by the requiring activity in accordance with this policy and the contracted service being requested (for example, contractor personnel conducting search and rescue services may require a higher level of this training). This requirement then should be documented in the acquisition-ready requirements package.
- Medical threat awareness training related to local health risks and medical-related policies and procedures is required for all CAAF employees. Requiring activities should refer to the supported Service staff surgeon to determine specific mission requirements and, as appropriate, include these requirements in the contract support requirements package.
- Security training for the protection of information, technology, personnel, cybersecurity, and operations based on requirements.
- DOD's Sexual Assault Prevention and Response Program applies to all U.S. citizen CAAF. U.S. citizen CAAF have the same rights and obligations related to this program as do Service members and DOD civilians.

Note. See DODD 6495.01 for detailed Sexual assault prevention and response training policy guidance.

Operational-Specific Requirements

5-27. Operational-specific training requirements include mission-specific force protection, security, and hazard awareness as directed by the CCDR or Service component. Service component OCS planners and other applicable staff members (for example, operations and personnel staff) should be aware of these requirements. Operational-specific training requirements are posted at the Office of the Assistant Secretary of Defense for Acquisition website.

CONTRACTOR PERSONNEL CERTIFICATION

5-28. In accordance with DODI 3020.41, CAAF must be certified as prepared for deployment via one of the following methodologies:

- Certified with their habitually supported unit.
- Certified as non-unit-related personnel through a continental United States replacement center (CRC).
- Certified through a Service-approved deployment self-certification process.

5-29. In all cases, the KO, working in conjunction with the requiring activity or supported unit COR, must ensure CAAF being deployed into an operational area are properly certified and fully integrated into the Service's deployment plan.

Note. Contractor pre-deployment verification is often a significant problem for TCN CAAF, especially subcontractor employees. Close coordination between the KO, the requiring activity, and the prime contractor is imperative to ensure TCN CAAF are properly prepared to deploy, especially in the areas of medical screening and required training (for example, legal status familiarization and medical threat awareness training).

Process and Deploy with the Supported Unit

5-30. This is the preferred method of deployment for CAAF who have a habitual relationship with a specific unit (normally systems support contractors). This group deployment process involves certification and

deployment of CAAF in a coordinated fashion between the supported unit, KO, and the contractor. Once certified, these CAAF employees normally deploy with their habitually supported unit.

Process and Deploy Non-Unit-Related Personnel

5-31. CAAF who deploy as individuals or as part of a small group that do not have a habitual support arrangement with any particular unit are considered non-unit-related personnel. Each Service is responsible to ensure non-unit-related personnel CAAF are properly prepared and certified through a CRC or similar Service-directed process. Normally, certified non-unit-related personnel immediately deploy unless otherwise directed by the terms and conditions of their contract.

Self-Certification and Deployment

5-32. Per DODI 3020.41, self-certification and deployment applies to contractors authorized by the government to conduct their own certification or deployment process. AR 715-9 is the Army policy authorizing a contractor to perform these functions, and approval for such authority is usually restricted to major contractors such as LOGCAP performance contractors. Per Army and DOD policy, self-certification of CAAF is required to meet or exceed the CRC standards. In some cases, selected contractors may also be authorized to arrange their own strategic transportation if it is properly integrated into the Defense Transportation System and approved by the requiring activity and supporting KO.

Pre-Deployment Task Responsibilities

5-33. Pre-deployment tasks are a shared responsibility between the contractor and the government. Some tasks are specified by policy to be a contractor responsibility (medical screening, for example) while other tasks are generally a military responsibility (allowing habitually supported CAAF to attend selected unit pre-deployment training such as cultural awareness and issuing ID cards). Table 5-2 provides a synopsis of current policy and operational experience related to this subject.

Table 5-2. Responsibilities for contractor pre-deployment preparation

Contractor Responsibilities	*Shared Responsibilities*	*Government Responsibilities*
Entering and updating SPOT-ES data.	Certifying pre-deployment tasks are complete.	Verifying and approving LOAs.
Medical screening and preparation (less military specific immunizations).	Common pre-deployment-related training.	Issuance of government ID cards.
Dental screening.	Theater specific military-related training.	Issuance of government-furnished equipment items.
Issuance of workplace safety equipment.	Issuance of military protective equipment.	Military specific immunizations.
Ensuring employees have a current passport and visa (if required).	ID tag issuance.	Computer/IT system access permissions.
Legal support (wills and power of attorney).		Entering CAAF personnel and equipment into the TPFDD list or request for forces process.

CAAF	contractors authorized to accompany the force
ID	identification
IT	information technology
LOA	letter of authorization
SPOT-ES	Synchronized Pre-deployment Operational Tracker - Enterprise System
TPFDD	time-phased force and deployment data

General Redeployment Considerations

5-34. The KO, the supported unit, and the contractor share the responsibility for CAAF redeployment. Normally, CAAF are redeployed to the original unit deployment location, CRC, or contractor-operated deployment site where they were originally processed for deployment. Key redeployment actions include, but are not limited to, updating SPOT-ES, recovery of government-issued badges and ID cards, recovery and disposition of all GFP, and withdrawal of security clearances (as applicable).

Medical Redeployment Requirements

5-35. CAAF are required by DOD policy to complete a post-deployment health assessment and obtain a post-deployment health debriefing. Any recommended medical referrals that come out of this process are the contractor's responsibility.

IN-THEATER CONTRACTOR MANAGEMENT

5-36. In-theater contractor management includes actions by operational commanders, requiring activities and supported units (via appointed CORs and Service functional staff), KOs, and contractors to ensure the proper integration of CAAF and their equipment into day-to-day deployed operations. In-theater contractor management also includes force protection, security support, and base access actions related to non-CAAF whose area of performance is on a military facility.

Reception and Onward Movement

5-37. Positive in-theater contractor management begins with the integration of CAAF into the in-theater reception and onward movement process. This process includes establishing initial in-theater accountability and ensuring that CAAF and their equipment are quickly and safely moved from the port of debarkation to their area of performance.

Reception

5-38. All CAAF should be processed in and out of the operational area through a formal joint or Service reception center or designated reception center process. The reception center personnel will verify non-unit-related personnel CAAF are included in the SPOT-ES database and have met all theater entrance requirements. Units with habitually supporting CAAF and contractors with self-deployment authorization are responsible to ensure associated CAAF meet all theater entrance requirements and are properly captured in SPOT-ES. Contractor personnel who do not meet established theater entrance requirements may be sent back to their point of origin or placed in a holding area until these requirements are met.

Onward Movement

5-39. Once the reception center verifies the non-unit-related personnel CAAF are included in the SPOT-ES database and all theater entrance requirements are met, they should be issued any required operational specific identification documents and badges and instructed on onward movement transportation procedures. Arrangement of intratheater transportation of CAAF will include the appropriate force protection and security measures commensurate with force protection and security measures taken for DOD Civilians.

Command Authority in General

5-40. Commanders at all levels must understand they do not have the same command authority over contractor personnel as over military members. Commanders do have the authority to direct CAAF and non-CAAF working on base in matters of force protection and security (for example, temporarily cease work during base attacks and route alterations) if these actions do not require contractor personnel to perform inherently governmental functions or to perform tasks outside the terms and conditions of their contract.

Discipline and Legal Jurisdiction

5-41. Discipline of CAAF is a shared responsibility between the contractor and the government. Minor CAAF discipline infractions will be handled through their contractor supervisors and managed by established government contracting management channels (for example, KO, administrative KO, and COR) in

accordance with the terms and conditions of their contract. However, serious CAAF discipline infractions should be addressed by military and Department of Justice channels. If Service commanders determine disciplinary actions may be necessary for CAAF, they should first coordinate their actions with their supporting judge advocate, local military police or criminal investigation agency, and the supporting contracting activity. This coordination is necessary because of the potential impact on contract performance, cost, and government liability. Actual legal jurisdiction and commander's legal authority over contractor personnel varies depending on contractor personnel nationality, CAAF or non-CAAF designation, operational-specific policies, and the type and severity of the alleged discipline infraction. Normally, LN contract employees are subject to local laws while U.S. citizens and TCN CAAF may or may not be subject to local laws depending on provisions, if any, documented in an existing SOFA or other security agreement. All CAAF, however, are subject to various U.S. Federal laws.

Note. It is imperative that Service commanders at all levels are aware of the specific command guidance for handling contractor discipline issues. In all cases of alleged major misconduct or criminal activity of contractor personnel, consult your supporting judge advocate, as well as supporting military police or criminal investigation activity, and government contract management team (for example, the supporting contracting office and the COR).

Local Nation Law

5-42. All non-CAAF are subject to local law. CAAF are also subject to local laws unless specifically exempted by SOFAs, other security agreements, and in cases where there is no functioning or recognized HN.

Status-of-Forces Agreements and Security Agreements

5-43. SOFAs and security agreements are international agreements between two or more governments that address various privileges, immunities, and responsibilities, and enumerate the rights and responsibilities of individual members of a deployed force. These SOFAs and security agreements may or may not define CAAF legal status (the circumstances of HN criminal and civil jurisdiction, for example).

U.S. Federal Law

5-44. In the absence of any HN jurisdiction or the exercise of it, U.S. federal law will apply to CAAF misconduct. The following sections provide a synopsis of current applicable statutes.

Uniform Code of Military Justice

5-45. In accordance with Title 10 USC, the Uniform Code of Military Justice includes jurisdiction over persons serving with or accompanying the Armed Forces of the U.S. in both times of declared war and during foreign contingencies designated as areas of combat operations. In accordance with DODI 5525.11, jurisdiction over CAAF is only in effect when codified in a status of forces or other similar security agreement. In addition, Uniform Code of Military Justice authority over CAAF (when in effect) is normally restricted to the highest levels of command authority and only applies for civilian equivalent felony-level infractions. Non-judicial punishment and military-specific offenses (disrespect to a senior officer and desertion, for example) do not apply to CAAF. Always check with your Service component Staff Judge Advocate if you have any questions on Uniform Code of Military Justice authority over CAAF.

Military Extraterritorial Jurisdiction Act

5-46. The Military Extraterritorial Jurisdiction Act of 2000 permits Federal prosecution of civilians who, while employed by or accompanying the Armed Forces in foreign operations, commit certain major crimes. Generally, the crimes covered are any Federal-level criminal offense punishable by imprisonment for more than one year. DODI 5525.11 applies to any DOD contractor or subcontractor (at any tier), or their employees, provided they are not a foreign national or a legal resident of the HN performing duties outside the U.S. boundaries. DODI 5525.11 does not apply to non-DOD contractor employees unless their employment relates to supporting the mission of DOD. This law authorizes DOD law enforcement personnel

to arrest suspected offenders in accordance with applicable international agreements and specifies procedures for the removal of accused individuals to the U.S. It also authorizes pretrial detention and the appointment of counsel for accused individuals. Like the War Crimes Act, actual prosecutions under the Military Extraterritorial Jurisdiction Act are the responsibility of federal civilian authorities.

War Crimes Act

5-47. Depending on the offense committed, U.S. national CAAF may be prosecuted for war crimes under the War Crimes Act of 1996. This act defines a war crime as any grave breach of the 1949 Geneva Conventions (such as willful killing or torture) or any violation of Common Article 3 of the Geneva Conventions. Penalties include fines, imprisonment, or the death penalty if death results to the victim. Prosecutions under the War Crimes Act are the responsibility of federal civilian authorities.

USA PATRIOT Act

5-48. In October 2001, the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001 was passed by Congress and signed into law. Congress enacted the USA PATRIOT Act in response to the September 11, 2001 terrorist attacks. One of its provisions allows the U.S. to apprehend and prosecute U.S. citizens and foreign nationals who commit crimes on overseas U.S. bases and facilities. Like the War Crimes Act and Military Extraterritorial Jurisdiction Act, prosecutions under the USA PATRIOT Act are the responsibility of federal civilian authorities.

Federal Anti-Torture Statute

5-49. Contractor personnel can be prosecuted under Title 18 USC Part 1, Chapter 113C, 2340A. A person found guilty under the act can be incarcerated for up to 20 years or receive the death penalty if the torture results in the victim's death. Like the other federal laws, actual prosecutions under this statute are the responsibility of federal civilian authorities.

Federal Espionage Act

5-50. Originally approved in 1917, this Title 18 USC, Chapter 37 statute allows for U.S. Department of Justice prosecution of contractor personnel for infractions related to gathering, losing, or transmitting classified DOD information.

Other Disciplinary Options

5-51. Military commanders have the authority to address minor contractor personnel disciplinary issues or misconduct through revocation or suspension of clearances, restriction from installations or facilities, or revocation of privileges. Defense acquisition policy allows KOs to direct the contractor, at its own expense, to remove and replace any contractor personnel who jeopardize or interfere with mission accomplishment or who fail to comply with or violate applicable requirements of the contract. The process of removing contractor employees is dependent upon the established local command policies and the extent to which those policies are incorporated in the terms and conditions of the contract. When confronted with disciplinary problems involving contractors and contractor employees, commanders should seek the assistance of their legal staff, supporting judge advocate, the KO responsible for the contract, and the appointed COR. This allows for a thorough review of the situation and a recommendation for a COA based on the terms and conditions of the contract, applicable international agreements, and HN or U.S. law.

FORCE PROTECTION AND SECURITY

5-52. Force protection and security of CAAF and their equipment is a shared responsibility between the contractor and the government. In a permissive environment, there may be no specific military command generated contractor force protection or security requirements. However, in hostile environments, contractor-related force protection and security requirements can be a challenge and may require significant mission-specific contractor-personnel-related policies and procedures. All contractor personnel (both CAAF and non-CAAF) whose area of performance is in the vicinity of U.S. forces will be required by the terms and conditions of their contract to comply with applicable area or base commander force protection policies and procedures. In hostile environments, CAAF should receive security and force protection support

commensurate with the level of security provided to DOD Civilians. Non-CAAF employees whose area of performance is on a military facility or in close contact with U.S. Forces will receive security support incidental to their work location.

Location Restrictions

5-53. CAAF can be expected to perform virtually anywhere in the operational area, subject to the terms of their contract and the operational commander's threat assessment. Based on the commander's threat assessment, the JFC, Service component, and subordinate area commanders may place specific restrictions on locations and timing of contract support. However, care must be taken to coordinate these restrictions with the requiring unit, the civil and contract law judge advocate, and the supporting KOs to ensure these restrictions do not significantly interfere with the contractor's ability to meet contractual performance requirements.

Determining Specific Force Protection and Security Measures

5-54. Service component and subordinate commanders must plan for the protection of contractor personnel in the overall force protection and security plan in any operation where the contractor cannot obtain effective security services, such services are unavailable at a reasonable cost, or threat conditions necessitate security through military means in accordance with established joint doctrine and DOD policy. Military-provided force protection is the preferred option for operations where an on-going or anticipated Level II or Level III threat as defined in JP 3-10 exists. In these higher threat operations, it is normally in the best interest of the government to provide military force protection to CAAF. The operational commander, within specific parameters, can plan and coordinate the use of armed private security contracts to protect other contractor personnel. In all cases, operational-specific force protection and security conditions, procedures, and control measures should be identified by the requiring activity as part of the requirements package.

Establishing Force Protection and Security Requirements in the Contract

5-55. The KO will include the level of government-furnished protection, as well as contractor employee requirements to follow commander guidance relative to force protection and security measures. This stipulation will be in the contract based on force protection and security requirements identified in the requirements package and the SPOT-ES LOA for CAAF. In some cases, government-furnished force protection contract terms may be included in non-CAAF-related contracts if the area of performance of the contract is on a military installation. Requiring activities must ensure the supported unit or other designated organization is prepared to meet the government obligations set forth in these contracts. Additionally, contractor employees must meet the force protection and security stipulations of their contract. Changes to this level of government force protection must be coordinated with the KO as soon as possible, preferably prior to the actual implementation of these changes in a contract modification. Security requirements for information, technology, personnel, industrial, and operations should be included, where applicable, within the contract (security clearances, classification management, OPSEC).

Base Access

5-56. The commander is responsible for the security of all Service-run bases and related facilities within the operational area. The lack of a fully functional DOD-wide standard security badge issuance policy for contractor personnel requires the Service and subordinate commanders to develop local policies and procedures to vet and badge CAAF and non-CAAF employees who require routine access to military facilities. Not having these policies and procedures in place can severely reduce the effectiveness, timeliness, flexibility, and efficiency of commercial support. This can be an especially significant issue when changes to operations require a quick surge of contracted support from one base to another.

Individual Movement Protection

5-57. Another key contractor management challenge is the protection of contractor personnel during individual or small group movements within the operational area. CAAF should be provided protection during transit within the operational area commensurate with protection provided for DOD Civilians. It is important for the Service and subordinate commanders to properly balance force protection requirements

with the need for contractor personnel to have ready access to their place of performance. Overly restrictive movement requirements can hinder the responsiveness of commercial support, especially for systems support contractors who are providing support on an area or general support basis. Overly lenient movement restrictions might also have a negative effect on commercial support if contractor personnel become casualties due to the lack of, or improper enforcement of, movement-related force protection and security measures. In operations where there is more than a Level I threat, CAAF should be included in routine military movements, or special arrangements will have to made by the supported commander and the area commander responsible for local force protection matters.

Convoy Protection

5-58. The subordinate JFC, joint force land component, or designated land component commander should establish, publish, and implement operational-specific contractor-related convoy force protection standards and procedures. Depending on the current or anticipated threat level, contractor-operated vehicles may be required to move under the designated movement control authority and be integrated into military convoys (often referred to as a mixed "green" and "white" convoy). In some operations, contractor operated vehicles may be directed to transit the operational area in convoys made up exclusively of contractor personnel (often referred to as an all "white" convoy), possibly protected by armed private security contractors. In lower threat levels, some contract vehicle movement (especially HN contracted trucks) may be excluded from these convoy protection requirements. For more information on integrating contractor personnel into convoy operations, see ATP 4-01.45/MCRP 3-40F.7/NTTP 4-01.5.

Note. Restrictions in contractor movement may have a negative effect on the contractor's ability to meet contractual performance requirements. Commanders responsible for force protection, security, and movement control policies and procedures must consult with the appropriate requiring activity and KO if there are indications that local movement or security restrictions could impact the contractor's ability to perform the mission, or if such measures might create additional cost for the government.

Issuance of Personal Defense Weapons

5-59. The JFC or Service component commander may authorize CAAF to carry a government-issued or approved individual weapon for personal protection. Variables such as the nature of the operation, the type of conflict, any applicable status agreement related to the presence of U.S. forces, and the nature of the activity being protected require case-by-case determinations. In accordance with DOD policy, the CCDR can delegate this authority down to a designated general officer within the deployed joint force. See DODI 3020.41 and AR 715-9 (for Army personnel) for more information on arming individual CAAF personnel for self-protection.

Use of Private Security Services

5-60. A defense contractor may be authorized to provide armed private security contractor services if consistent with applicable U.S., HN, and international law, relevant SOFAs and security agreements, and JFC policy for the protection of deployed U.S. forces, facilities, and supplies. These services are restricted to purely security-related (versus offensive) functions that are generally only permissible overseas (see DFARS 237.102-70). The decision to use private security contractor services should balance the requirement with current U.S. military capability and capabilities provided by the HN. All things being equal, U.S. military force protection support is preferred. The use of contracted support might be unavoidable, especially in situations where U.S. military capabilities are insufficient, and HN have limited ability to support because assets are focused on national priorities (for example, protecting critical industries/infrastructure during civil unrest). The Service component commander should, however, use caution when contemplating the use of private security contractor services to protect U.S. Forces and facilities in any operation where there is a current or expected Level II or III threat. In general, threat levels above Level I require significant force protection measures (for example, crew served weapons, combined arms response, and indirect fire) that may be legally considered an inherently governmental (military) function.

5-61. Whether a particular use of contract security to protect military assets is permissible is dependent on the facts and requires detailed legal analysis. Variables such as the level and nature of the threat, the type of conflict, applicable HN laws, and the nature of the activity being protected require case-by-case determinations. The use of force by contingency contractor personnel is often strictly limited by laws and not protected by SOFA provisions. Contractor personnel providing security services who exceed the limits imposed by applicable law may be subject to prosecution. Additionally, there can be significant civil-military-related risks when utilizing private security services in military operations. For example, the local populace may not distinguish between a private security guard and a U.S. military member when it comes to use of force or improper actions. Incidents involving private security guards can have potentially negative impacts on the operation, especially since the commander has significantly less direct control over contractors when compared to U.S. military members.

5-62. When DOD-directed armed private security services are utilized in contingency operations to protect Service or HN facilities, supplies, construction, or forces, the KO is responsible to ensure the contract contains contract language and clauses informing the contractor of any known or potentially hazardous situations. This includes general stipulations limiting support to non-offensive operations and government responsibilities to provide back-up security support. The commander must ensure operational-specific private security services coordination procedures and control measures. This includes developing, promulgating, and enforcing appropriate rules for the use of force within the operational area. Additionally, requiring activities must ensure specific conditions, procedures, and control measures are addressed in the requirements package. DODI 1100.22 and DODI 3020.50 provide detailed regulatory guidance on the use of private security services in contingency operations.

Other Government-Provided Support

5-63. In accordance with Service policy, contractors are required to provide their own logistical support in contingency operations except when this is not practical. Since most military operations are conducted in austere or non-permissive environments, CAAF support will often be provided through military means or via a contract directed by the government. In all cases, the KO, based on requiring activity input, will detail the government support to be provided in the terms and conditions of the solicitation (and subsequently the contract) after determining availability of such support from the designated authorities or requiring activity. All CAAF government support authorizations are required to be documented in a SPOT-ES-generated LOA.

Base Operating Support and Facilities

5-64. In permissive and non-austere operations, contractors should arrange for their own lodging, subsistence, and facilities support; however, in hostile and austere environments this may not be practical or desirable. The circumstances under which the Service provides this support would be those in which the contractor has no commercial infrastructure from which to draw or when the cost for a contractor to furnish the support is not economical.

5-65. Situations when the Service would provide support using organic support capabilities or arrange this support via contract means include—

- When contractor-arranged base operating support would impede the government's efforts to provide force protection.
- When contractor efforts would generate competition with the military or adversely influence prices.

5-66. The commander, pursuant to approved DOD, Service, and JFC policies and directives, retains the authority to determine where CAAF reside and what government support will be provided. If the location is changed after a contract is awarded, this must be communicated to the KO to modify the contract to direct changes to the contractor performance as soon as possible because of potential cost ramifications. CAAF must generally be provided the same standard of support provided to DOD Civilians of similar responsibility level.

5-67. In some operations or phases of operations, selected CAAF might be required to temporarily live in field conditions. The requiring activity or directed supported unit in these situations is responsible to ensure adequate tentage, field feeding support, and similar support is available for these personnel.

5-68. Subsistence may be provided to contractors when local dining sources are either unavailable or deemed unsuitable for health, force protection, or security-related reasons. For those CAAF living in field conditions, the food provided might be pre-packaged rations with very little opportunity for choice; consequently, special diets might not be accommodated. In some sustained operations, it might be desirable to have a separate, contractor-operated dining facility to provide ethnic-based subsistence that might be both less expensive and more appealing to TCN employees. Most military pre-packaged rations are not intended as a steady diet for long periods of time. Decisions on the concept of food operations should consider the long-term contractor workforce and not be solely based on the rotation schedule of the military force.

5-69. Although it is natural to expect reimbursement from contractors for the cost of lodging and subsistence, the cost for such support would normally be included in the overall cost of the contract. Therefore, when possible, subsistence support should be done on a non-reimbursable basis, eliminating the unnecessary administrative burden of reimbursement. However, Service component and subordinate command planners must include the cost of supporting contractors in the overall cost of the operation to ensure adequate funding is provided. Remember, in cost-type contracts, contractors usually add fees and overhead to incurred costs when they seek reimbursement.

Note. The CCDR in joint operations may designate a lead Service as the base operating support integrator for a selected country, particular joint operations area (JOA), or major base (or bases) within a JOA. As the base operating support integrator, the designated Service is responsible to provide common base support functions as specified in the CCDR's directive. This support includes all military and designated civilians residing or temporarily passing through the designated country, base, or area. Additionally, this support may be provided via organic or contracted support, or a combination of both, as directed by the lead Service.

Government-Furnished Property, Materiel, Facilities, and Services

5-70. GFP includes not only property, but also equipment, materiel, and facilities, all of which should be clearly identified in the terms and conditions of the contract. GFP may be provided to the contractor to achieve certain advantages such as reducing costs, reducing duplication of supply chains, reducing transportation burdens, and limiting the overall logistical footprint within an area of operations. Virtually all classes of supply can be furnished, and while not all are property book items, contractor accountability and oversight of that property is still required. Common government-furnished equipment items may include test equipment, Service member protective items (helmets and ballistic vests), or even military specification class VII items. Government-furnished materiel can include such things as fuel support and class IX for government-furnished equipment. Government-furnished facilities might include access to military-controlled buildings and parking areas.

5-71. In some contract support arrangements (LOGCAP, for example) a contractor may be provided a DOD activity address code to permit ordering various classes of supply to support sustainment operations in theater. This can be beneficial in that ordered materiel is generally not subject to fee or overhead costs, can simplify supply chain management, and supports interoperability; however, government oversight is critical to prevent abuse.

Note. Commanders, along with their subordinate support units, must be cognizant of GFP matters in supporting contracts. Without such awareness, contractors might obtain government-furnished equipment, materiel, and facilities they are not authorized to receive. When in doubt, contact the supporting contracting activity to determine the specific GFP-related terms and conditions of the contract in question.

Personnel Recovery

5-72. The DOD personnel recovery program is the aggregation of military, civil, and political efforts to recover captured, detained, evading, isolated, or missing personnel from uncertain or hostile environments and denied areas. Personnel recovery may occur through military action, action by non-governmental organizations, other USG-approved action and diplomatic initiatives, or through any combination of these

options. In accordance with DOD and Service policy, CAAF must be included in the personnel recovery program. Operational-specific CAAF personnel recovery requirements should be identified as early as possible to ensure the specific personnel recovery training and administrative requirements are addressed in the contract.

Medical and Dental Support

5-73. During contingency operations in austere or non-permissive environments, CAAF will most likely be unable to access adequate medical and dental support from local sources. Therefore, DODI 3020.41 states that all CAAF will have emergency medical and dental care if injured while supporting contingency operations. Additionally, non-CAAF employees who are injured while in the vicinity of U.S. forces will also normally receive emergency medical and dental care. Generally, the DOD will only provide resuscitative care, stabilization, and hospitalization at Role 3 medical treatment facilities in emergencies where loss of life, limb, or eyesight could occur. DODI 3020.41 also states that contractors are generally responsible for providing their own logistical support. Any required ongoing health care or medications must be available or accessible to the contractor, independent of the Military Health System. However, in austere, uncertain, and hostile environments, CAAF may receive government-furnished support commensurate with the operational situation in accordance with the terms and conditions of their contract to ensure continuation of essential contractor services. Methods for government reimbursement by contractors for medical care provided should be addressed in the OPORD Annex W, Appendix 2 (Contractor Management Plan) or Annex Q (Medical Services). See DODI 3020.41 for additional information.

Postal

5-74. The nationality of the contractor employee usually determines postal support. U.S. citizen CAAF may be authorized to use the Military Postal Service if there is no U.S. postal service available and if Military Postal Service use is not precluded by the terms of any international or HN agreement. CAAF employees are normally provided postal support through the existing HN system or through arrangements made by the contractor. In some operations, TCN personnel may be authorized limited access to the Military Postal Service for the purpose of mailing paychecks to their home country. TCN personnel may also rely on mail to resupply critical medications (a connection to medical support above), and HN mail may be unreliable or even constitute an exploitable force protection gap.

Mortuary Affairs

5-75. The joint mortuary affairs program is a broadly based military program providing the necessary care and disposition of deceased personnel, including personal effects, across the range of military operations. This program includes search, recovery, tentative identification, care, and evacuation or temporary interment, disinterment, and re-interment of deceased personnel, to include all CAAF within the operational area. Non-CAAF personnel who die in the vicinity of U.S. forces may also be covered by this program as determined by local command policy. The specific nature and extent of mortuary affairs support is determined during the planning process. It is communicated to military forces and contractors through governing plans and orders, local command policy guidance, and contractual documents.

Post or Base Exchange Privileges

5-76. When deployed, CAAF are generally eligible to use Army and Air Force Exchange Service, Navy Exchange, or Marine Corps Exchange facilities for health and comfort items in operations where CAAF do not have access to local commercial sources for these items. This privilege is dependent upon the overall operational situation, SOFAs, and individual terms and conditions in the contract. Post or base exchange privileges must be annotated on the LOA.

Morale, Welfare, and Recreation

5-77. The availability of morale, welfare, and recreation (MWR) programs in the operational area vary with the deployment location. MWR activities available may include self-directed recreation (for example, issuance of sports equipment), entertainment in conjunction with the United Service Organization and the Armed Forces Professional Entertainment Office, military clubs, unit lounges, and some types of rest centers.

CAAF may be authorized to use MWR support on a space-available basis when contractor MWR sources are not available or practical.

ENSURING FAIR LABOR PROCESSES

5-78. The uncontrolled use of labor brokers to avoid CAAF deployment and quality of life standards has been identified as a recurring problem in recent operations. Serious cases of these practices in the past have reached the level of CTIP policy violations. The following list contains examples of prohibited CAAF-related labor practices seen in recent operations:

- Paying excessive labor broker fees.
- Confiscating passports or other travel documents.
- Providing housing that does not meet local command standards.
- Transportation without adequate force protection.
- Denying reasonable access to transportation out of the operational area when requested.

5-79. Any one of the actions listed above, and much more serious infractions such as sex trafficking, can be a violation of international law, U.S. law, Presidential Directives, DOD policies, and military alliance policies and must not be tolerated by joint and Service component commanders.

COMBATING TRAFFICKING IN PERSONS INCIDENTS

5-80. CTIP is a serious and global problem in which traffickers use force, fraud, or coercion to compel a person to provide labor, services, or commercial sex. Some members of the U.S. Armed Forces, DOD Civilians, and DOD-associated contractors and subcontractors have knowingly or unknowingly participated in activities that directly or indirectly contributed to trafficking in persons. Some examples from recent military operations include—

- In 2016, military criminal investigators substantiated allegations that a DOD contractor violated the FAR CTIP clause. As described in a March 2017 memorandum from the U.S. Army Judge Advocate General Senior Defense Official, the contractor, which operated food services for U.S. and coalition personnel on Camp Arifjan, Camp Buehring, and Ali Al Salem Air Base, failed to pay its employees the legally required minimum monthly salary after having required them to pay an exorbitant recruitment fee, creating a "state of enslaved bondage" for its employees.
- In 2012, TCNs working on an installation in Afghanistan reported that they and others were being beaten by their employer, a DOD subcontractor. During interviews, other TCN employees confirmed threats of serious harm and physical restraint used against them by the subcontractor. Investigators also discovered unacceptable living conditions such as unsanitary water, cockroaches, large holes in roofs, and found four individuals locked in rooms.

Note. Commanders and leaders at all levels must be on the lookout for CAAF-related unfair labor practices and possible CTIP violations.

5-81. Appendix G contains additional information on CTIP.

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Appendix A

Army Organizations and Capabilities

Years of counterinsurgency operations have created a reliance upon commercial services and support to move, house, and sustain Army formations. This reliance continues in large-scale combat operations as the Army Service component commands will depend heavily on non-organic support from the HN and commercial sources to open ports, establish initial staging bases, and execute the reception, staging, and onward movement of combat forces. As the operation develops, most organic sustainment capabilities will deploy forward to support the corps, division, and brigade HQ engaged in direct combat, leaving an enormous joint security area dependent on contractors to operate the theater distribution network and provide security and base life support. The Army's current allocation of Active Component and Reserve Component forces (known as the AC/RC mix) is also a contributing factor of the need for commercial support. According to FM 3-0, the Army Reserve provides about 80 percent of the Army's sustainment units and over 50 percent of the maneuver support units. The scale and tempo of large-scale combat operations and the constraints of existing Army force structure will require commanders to depend heavily on contracted capabilities to fight and win the next war. This chapter provides a general overview of the Army's OCS and related functions and capabilities.

REQUIRING ACTIVITY ROLES AND RESPONSIBLITIES

A-1. A requiring activity is a military or other designated support organization responsible for developing acquisition-ready requirements packages and submitting them through the established requirements review and approval process. A requiring activity's process begins with an identification of a commercial support requirement and concludes with contract closeout. The requiring activity has an important role in translating timely and accurate requirements into PWS and SOW language. The requiring activity is also responsible, in conjunction with the requisite contracting activity, for ensuring there is adequate post-contract award oversight. CORs are required to be nominated for service and construction contracts (see DODI 5000.72).

A-2. Functional area experts within the requiring activities are responsible for developing a clear description of the requirement, in conjunction with the advice and assistance of OCS-trained personnel. A clear description of the requirement lets the KOs know what, where, how much, what quality, and how long the requirement is needed. A requiring activity uses a PWS for service contracts to tell the contractor what service the commander requires, when it's needed, and to what measurable standard it must be performed. Rather than telling the contractor how to perform, providing clear objectives with measurable standards allows the contractor to execute the service in the most efficient manner. Examples of services needed during long deployment include laundry, shower service, food service, sanitation, transportation, maintenance, construction, and security.

A-3. Figure A-1 on page 52 depicts the organization and staff relationships to support OCS functions, such as developing contract support requirements, preparing a PWS, acquisition-ready requirements packages, and COR management. Positions that perform those functions are functional area experts and may have the additional skill identifier of OCS staff officer (3C). The roles and responsibilities listed below are not all inclusive and the commander must use judgment in application.

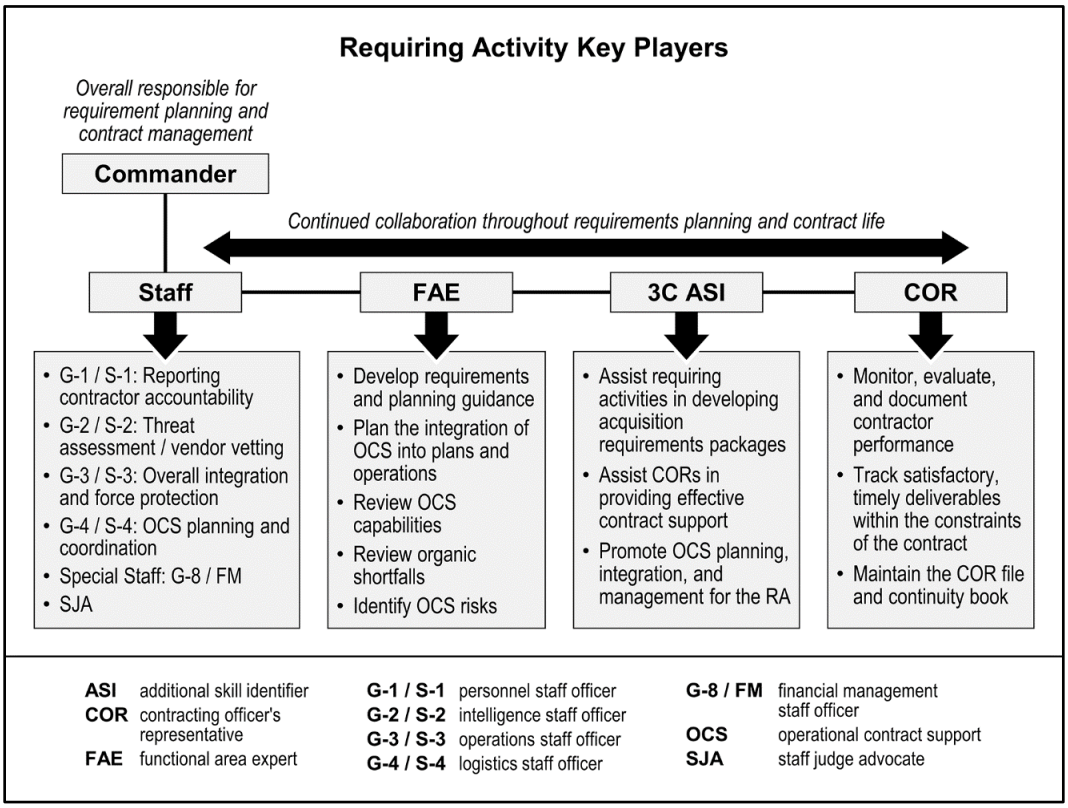


Figure A-1. Requiring activity key players

COMMANDER

A-4. The commander directs the staff to conduct OCS planning and ensures that the OPORD or OPLAN Annex W (OCS) and associated appendixes are developed.

A-5. The commander will—

- Lead contract support planning and management.
- Ensure the staff is trained and organized to carry out required OCS-related tasks.
- Nominate CORs and ensure they meet mandatory training requirements for certification.
- Lead and participate in requirements review boards.

Note. Depending on the level of command, see CJCSM 4301.01 or FM 6-0 for more details on planning.

STAFF

A-6. The G-1/S-1 is the principal staff officer for all matters concerning human resources support (military, civilian) and CAAF. Specific responsibilities of the G-1/S-1 include manning, personnel services, personnel support, and HQ management. The G-1/S-1 prepares a portion of Annex F (Sustainment) to the OPORD or OPLAN. The G-1/S-1 will—

- Ensure CAAF employees follow theater entrance requirements.
- Provide liaison to and coordinate for CAAF accountability and visibility systems to capture CAAF employee accountability in SPOT-ES.
- Monitor Army CAAF casualties with the contractor.

- Issue guidance for in-theater CAAF personnel services such as MWR, identification cards, and postal.
- Serve as the functional area expert for current and future personnel readiness and programs related to CAAF.

A-7. The G-2/S-2 is the principal staff officer responsible for the oversight of information, intelligence, personnel, and industrial security, and is the Army's principal foreign disclosure authority. This officer gathers and analyzes information on enemy, terrain, weather, and civil considerations for the commander. The G-2/S-2 is responsible for the preparation of Annex B (Intelligence) and assists the G-3/S-3 in the preparation of Annex L (Information Collection). The G-2/S-2 will—

- Establish policy on the vetting of vendors, linguists, and interrogators.
- Participate in OCS coordination and planning meetings.
- Serve as the functional area expert for security, threat assessment, and contract linguists.

A-8. The G-3/S-3 is the principal staff officer responsible for all matters concerning training, operations and plans, and force development. In addition to coordinating the activities of the movement and maneuver warfighting function, the operations officer is the primary staff officer for support requirement validation and prioritization, integrating and synchronizing the whole operation for the commander. The G-3/S-3 ensures warfighting function integration and synchronization across the planning horizons in current and future operations. The G-3/S-3 will—

- Review organic shortfalls and develop requirements and planning guidance.
- Be the focal point for organization, integration, decision-making, and prioritization for OCS issues.
- Incorporate OCS considerations into concept plans and OPLANs.
- Chair and advise the requirements review board.
- Coordinate with supporting contracting support brigades (CSBs) and contracting battalions.
- Determine base access procedures.
- Coordinate personnel recovery actions.
- Plan for the use of private security contractors to include rules for the use of force.
- Coordinate contractor arming (for self-defense) policy.
- Serve as functional area expert for training policy for CAAF employees.
- Assist the G-4/S-4 in determining CBRN defense requirements needing contract support such as water and decontaminants.
- The support operations officer will coordinate OCS requirements with internal and external staff agencies.

A-9. The G-4/S-4 is the principal staff officer for sustainment plans and operations, supply, maintenance, transportation, services, and OCS. The G-4/S-4 helps the commander and staff maintain logistics visibility. The G-4/S-4 will—

- Lead Annex W (OCS) development.
- Manage disposition and accountability of GFP and contractor-acquired property.
- Maintain contract synchronization and operational performance reports.
- Coordinate CAAF movement.
- In coordination with the support operations officer, serve as functional area expert on acquisition and cross-serving agreements.
- Establish the OCS integration cells.

A-10. In theater, the G-8 is the principal staff officer responsible for all resource management functions in support of the commander's priorities, as well as funding for assigned forces. The G-8 coordinates, synchronizes, and funds validated requirements by identifying the appropriate source of funds. The G-8's primary responsibilities are providing advice and guidance concerning funding decisions and ensuring that adequate funding sources are available for the commander, the staff, and subordinate units.

A-11. The G-8 maintains a close relationship with CSBs, legal units, and finance units due to their critical role in OCS. The G-8 coordinates with contracting support to ensure legality, prompt payment, and reconciliation of contract payments to identify unused funds. It is critical to maintain fiscal stewardship and utilize internal control measures to avoid any illegal use of funds and authorities.

A-12. The G-8 functions include—

- Identifying sources of funds, receiving funding, and distributing and controlling funds to subordinate units.
- Tracking costs and obligations.
- Providing accounting support.
- Establishing and implementing financial internal controls.
- Contributing to annexes, running estimates, orders, and the concept of support.

TACTICAL LEVEL

A-13. Tactical-level Army OCS planning and integration focuses on requirements management and supporting contract execution. The Army has codified various doctrine, organizational, and training solutions to prepare Army tactical-level staff to perform this function. Of note, the Army has developed a 3C OCS skill identifier (officer)/additional skill identifier (non-acquisition noncommissioned officer) awarded through successful completion of the OCS Course offered by the Army Sustainment University.

Functional Area Expert

A-14. Functional area experts are personnel with operational experience or education in a particular occupational specialty. They understand military operations and are able to conduct research and analysis of the OCS operational environment for commanders in support of mission planning and execution. The functional area experts will—

- In accordance with the OCS staff officer (3C), develop PWS and QASP.
- Identify risk associated with using OCS capability to support a functional mission.
- Identify shortfalls in functional area requirements that commercial support could fill.

3C Additional Skill Identifier Trained Personnel

A-15. The Army Sustainment University trained OCS officer (3C) has the responsibility to educate the commander and staff on requirements management. The trained 3C does not have the authority to make a binding contract for the USG. The 3C will—

- Assist the unit functional area expert in preparing the acquisition-ready requirements package.
- Synchronize the commander's requirements management process.
- Promote OCS planning and integration.
- Assist in MDMP with the requiring activity related to requirement package management for the unit.

Contracting Officer's Representative

A-16. The COR is a key player for requiring activities. Commanders must ensure they have an active COR management program. The COR is nominated by the commander and appointed by the KO, after review of the nomination and certifications. Next, the KO authorizes the COR in writing to perform specific technical or administrative functions (see DODI 5000.72). The requiring activity must monitor contract performance and assist the KO in the contract administration process, through the nomination and aggressive tracking of qualified CORs (for service contracts) and receiving officials (for supply contracts). CORs will—

- Be appointed after nomination for service and construction contracts.
- Be appointed by the KO (see table A-1 for the COR appointment process).
- Provide oversight and surveillance of contractor performance.
- Document contractor performance on a monthly basis (COR report).
- Have access to the Wide Area Workflow module in the PIEE system to perform their duties, including filing reports and validating invoices.
- Report any deficiencies in contractor performance, or non-compliance with contract terms and conditions to the KO and commander.

Table A-1. The contracting officer's representative appointment process

Procurement Integrated Enterprise Environment System
1. Joint Appointment Module.
2. Contracting officer's representative self-nominates.
3. Commander recommends contracting officer's representative.
4. Contracting officer approves contracting officer's representative.
5. Contracting officer's representative letter is granted.

OPERATIONAL CONTRACT SUPPORT FLOW

A-17. The Army's OCS requirements flow through multiple echelons from the tactical through the operational level as described in figure A-2.

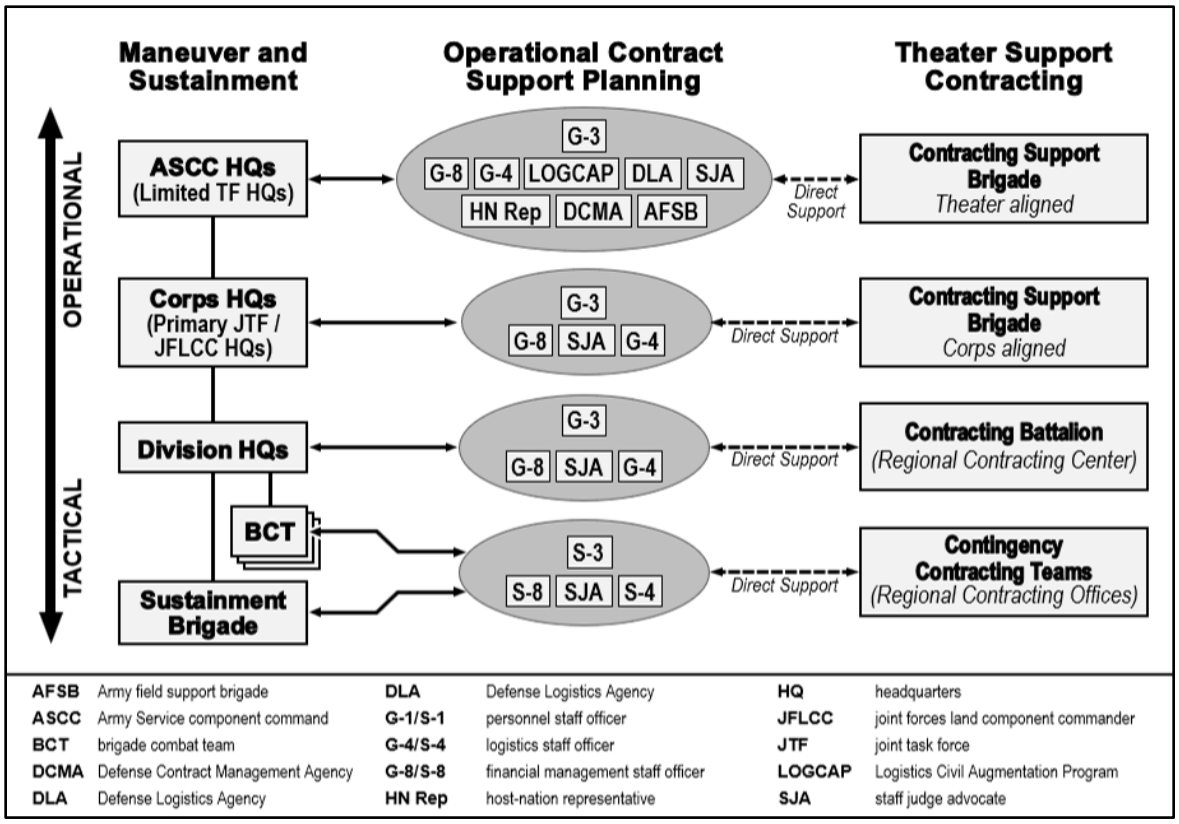


Figure A-2. Army operational contract support flow operational to tactical level

OPERATIONAL AND THEATER LEVELS

A-18. The theater Army, field army, theater sustainment command (TSC), expeditionary sustainment command (ESC) and, when operating as a joint task force, corps and division HQs are all critically important units when it comes to higher-level OCS planning and execution. While other higher-level Army units such as United States Army Materiel Command (USAMC) provide mission-essential OCS functions, these higher-level Army units are responsible to lead the overall Army, and in some cases subordinate joint force commands in the OCS effort as described below.

THEATER AND FIELD ARMIES

A-19. The theater and field army HQs lead the Army OCS planning and integration effort (see ATP 4-92 and ATP 4-93). These units are responsible for developing the Army component OPORD Annex W in accordance

with the combatant command Annex W and other command guidance. Because OCS impacts multiple staff sections and lines of effort, commanders may establish bureaus, boards, centers, cells, and working groups to plan, synchronize, and integrate desired effects. The theater Army (and when constituted, the field army) should use an OCS cell to fulfill OCS planning and management. At a minimum, the OCS cell should have a logistic plans or operations field grade officer along with direct support advice and assistance from the supporting contracting element and the Army field support brigade (AFSB) LOGCAP forward planner. Part-time OCS cell members should likewise be identified in all primary staff sections as well as the supporting staff judge advocate office. These same primary and special staff members should be prepared to support requirements review boards and various OCS working groups as required.

A-20. Army TSCs and ESCs play a key role in the planning and execution of OCS operational actions. As the senior requiring activity for sustainment-related OCS, these units provide expertise to OCS planning activities. TSCs and ESCs provide guidance on developing acquisition-ready requirements packages for what are commonly called theater-wide support requirements.

Note. Commanders are encouraged to send staff members to the Joint Operational Contract Support Planning and Execution Course (JOPEC).

CORPS OR DIVISIONS HEADQUARTERS

A-21. Corps and division commanders and staff may find themselves in operations with significant OCS equity challenges. To mitigate this gap, Army maneuver HQs must provide their staff with requirements management training. The lack of training presents a critical challenge when the corps or division is operating as a joint task force. Corps and divisions should establish an OCS cell and run associated OCS boards and working groups when required.

UNITED STATES ARMY MATERIEL COMMAND UNITS

A-22. The DA G-4 is the proponent for LOGCAP, and USAMC is the Army's LOGCAP lead agent. USAMC supports effective execution and oversight of commercial support. The Army directs the consolidation of most theater support contracting capabilities under USAMC. A general overview of USAMC units and functions, along with other OCS organizational-related initiatives, is provided below.

UNITED STATES ARMY CONTRACTING COMMAND

A-23. The United States Army Contracting Command (ACC) is a major subordinate command within USAMC. It provides external, systems, and theater support contracting, execution, coordination, and administration through its subordinate Mission and Installation Contracting Command contracting centers and CSBs. (See ATP 4-71 for more information.)

Contracting Support Brigade

A-24. CSBs are table of organization and equipment commands assigned to United States Army Contracting Command. The CSB executes theater support contracts, coordinates and executes contract administration services for external support contracts, and coordinates system support contracting in coordination with the AFSB. The CSB commander is the Army's primary theater strategic and operational-level contracting planner and OCS advisor.

A-25. Contracting battalions are generally aligned to theater Army, field army, and corps HQs. CSBs provide key OCS capabilities such as contracting support, supported unit planning assistance, and contracting oversight. The CSB and its subordinate commands may deploy to any operational area to support the Army force commander as directed. When deployed, the CSB commander is the Army Senior Contracting Official and can exercise command and control over multiple contracting battalions within the area of operations. The CSB commander may also serve as the lead Service for contracting (LSC) or lead Service for contracting coordination (LSCC) senior contracting official in the JOA to accomplish joint contracting support missions as directed by the CCDR. (See ATP 4-71 for additional information.)

Contracting Battalion

A-26. Contracting battalions are table of organization and equipment subordinate commands to CSBs. The contracting battalion HQ focus is on providing oversight of the contracting effort. Contracting battalions are primarily aligned to divisions, TSCs, ESCs, and U.S. Army Special Operations Command in a direct support role. In major sustained operations, a contracting battalion can be combined with other Service contracting elements to form a regional contracting center. The contracting battalion's subordinate units consists of two organic contracting detachments. The detachment's primary mission is to develop, solicit, award, manage, and close out theater support contacts and supported unit specific contracts.

UNITED STATES ARMY SUSTAINMENT COMMAND

A-27. United States Army Sustainment Command integrates and synchronizes the delivery of USAMC materiel enterprise capabilities at echelon from the strategic to the tactical level. It delivers materiel readiness, force generation, power projection, and sets the conditions for future readiness at home station. Its forward-stationed capabilities provide command and control to USAMC assets in theater to shape the logistics environment and help set the theater to accelerate force reception. Deployable logistics support elements provide the ability to rapidly integrate the theater delivery of USAMC capabilities at echelon in support of warfighter priorities.

Army Field Support Brigade

A-28. AFSBs are subordinate Army sustainment commands designed to provide general USAMC support, synchronizing and coordinating national-level support to deployed Army forces. AFSBs are regionally aligned to a designated area of responsibility or other designated support area and serve as United States Army Sustainment Command's bridge between the generating force and the operating force. The AFSB's OCS focus is on LOGCAP and the synchronization and coordination of sustainment maintenance support, often executed via contracted means. The AFSBs also assist in coordination of Army systems contract efforts in deployed operations. For more information regarding the AFSB, see ATP 4-98.

Army Field Support Battalion

A-29. Army field support battalion mission sets vary from supporting strategic to tactical elements. Certain Army field support battalions are responsible for the physical management of Army pre-positioned stocks (both onshore and afloat), operational project stocks, and Army War Reserves.

LOGISTICS CIVIL AUGMENTATION PROGRAM

A-30. LOGCAP is a performance-based program that provides broad, contracted sustainment support to joint operations, mission partners, and other federal agencies. It addresses Army Service component command regional and country planning requirements where a military capability is not readily available and supports setting the theater and theater sustainment. Pre-awarded task orders are regionally aligned for rapid response to emerging events. Planning elements are embedded within the AFSB to coordinate OPORD or OPLAN Annex W development. They integrate and synchronize LOGCAP capabilities into OPLANs and concept plans, with focus on OCS-related analysis of the operating environment. For further information on LOGCAP, see AR 700-137 and ATP 4-10.1.

LOGCAP Forward Planners

A-31. LOGCAP forward planners can be Army Civilian LOGCAP planners or LOGCAP Support Brigade Soldiers. They assist the supported theater and field Army with planning for LOGCAP support in any CCDR-directed operation and integrate LOGCAP into operational joint and Army-component-level training. The LOGCAP forward planner is the link between the LOGCAP Program Office and the Army component HQs or other requiring activity. These LOGCAP forward planners coordinate all actions with the aligned AFSB.

Team LOGCAP Forward

A-32. Team LOGCAP Forward is an ad hoc, deployable USAMC element responsible to provide centralized in-theater LOGCAP management structure and to ensure effective and efficient execution of LOGCAP

requirements within the operational area. Team LOGCAP Forward is organized, deployed, and managed under the auspices and direction of USAMC's LOGCAP Executive Director. Team LOGCAP Forward is usually formed and deployed in support of a major exercise or contingency where LOGCAP support is planned or being executed. The specific size and composition of a deployed Team LOGCAP Forward is determined by mission variables. However, they normally include a deputy program director who takes technical direction from the LOGCAP executive director, LOGCAP PMO Director of Operations, and LOGCAP support officers from the U.S. Army Reserve LOGCAP Support Brigade.

Note. There are no fixed rules of allocation for LOGCAP support officers. LOGCAP support officers are provided to selected units (normally sustainment brigade, ESC, TSC, division, or corps HQs on a mission-specific basis.

OTHER ARMY ORGANIZATIONS

A-33. The following Army organizations are external to USAMC; however, they routinely have significant OCS responsibilities. A summary of their OCS functions and capabilities follows.

UNITED STATES ARMY CORPS OF ENGINEERS

A-34. The United States Army Corps of Engineers is an engineering agent responsible for military construction planning and execution in various designated nations across the globe. Joint and Army commanders leverage the U.S. Army Corps of Engineers to provide technical engineering assistance for design and award of construction contracts to civilian companies in support of military operations in their designated support countries. They also have deployable civilian KOs who provide in-theater contracting support utilizing U.S. Army Corps of Engineers contracting authority. Naval Facility Engineering Command provides similar support in selected countries outside of U.S. Army Corps of Engineers designated support areas. Specific information on the responsibilities of DOD construction agents is contained in DODD 4270.05.

UNITED STATES ARMY SPECIAL OPERATIONS COMMAND

A-35. The United States Army Special Operations Command (USASOC) Deputy Chief of Staff, Acquisition and Contracting, provides special operations forces (SOF) contracted procurement capacity to USASOC units during force generation (FM 3-18).

A-36. USASOC receives SOF-peculiar contract support primarily through the Special Operations Forces Acquisition, Technology, and Logistics directorate. Specifically, the Program Executive Office - Special Operations Forces manages the acquisition, development, and sustainment of SOF-specific equipment and services.

A-37. Non-SOF-peculiar contract support is provided by the supporting CSB or CCDR-directed LSC support. United States Army Special Operations Command units work closely with the appropriate theater special operations command, the supporting CSB, the supporting theater Army G-4, and the aligned 528th Sustainment Brigade (Special Operations) (Airborne) Army SOF liaison element to determine mission-specific OCS requirements. Specific support arrangements are determined by operational factors.

THE UNITED STATES ARMY HEALTH CONTRACTING ACTIVITY

A-38. The United States Army Health Contracting Activity (USAHCA) is a subordinate unit of the United States Army Medical Command and supports Army readiness through responsive, accountable, and flexible medical contracting support and business solutions. United States Army Medical Command has been designated as the Army category manager for medical equipment accessories, supplies, and healthcare services by the Army Federal Acquisition Regulation Supplement. By this authority, USAHCA leverages strategic vehicles to support medical treatment facility health care as well as Army readiness and operational requirements. USAHCA supports deployable medical formations and operational contracting missions across the range of military operations through reach-back support. USAHCA supports Army readiness mission requirements through the Health Readiness Contracting Office and the Medical Readiness Contracting Offices which are aligned to the Medical Readiness Commands.

Appendix B

Marine Corps Organizations and Capabilities

The Marine Corps has a small OCS capability currently staffed by uniformed personnel filling OCS advisor billets. OCS advisors are tasked to facilitate the planning, synchronization, and management of commercial support across the spectrum of Marine air-ground task force operations.

THEATER AND SERVICE COMPONENT COMMAND

B-1. The Marine Corps has OCS staff positions at the Service component command level within a joint force referred to as Marine Forces Commands. Each of these commands has an OCS advisor to provide general guidance to staff on how to plan and manage commercial support. In this capacity, OCS advisors assist in determining specific contract support requirements and are the liaison for coordinating contingency contracting support from other Services or outside agencies in the operational area. OCS advisors also review and provide recommendations for the requirement for requests of Marine Corps Contingency Contracting Force (CCF) support to deployed Marine Corps organizations.

Note. The Marine air-ground task force (MAGTF) is the Marine Corps' principal organization for all missions. MAGTFs are task-organized Marine Corps organizations that range from Marine expeditionary force (MEF), an Army corps sized unit, down to a Marine expeditionary unit, which is somewhat equivalent to an Army battalion task force, but with some capabilities unique to the Marine Corps.

B-2. The Marine Corps integrates the OCS function within each of its Marine Corps Component Commands (Fleet Marine Forces) aligned to the CCDR and each of the three MEF command elements. During steady-state operations, OCS advisors report to the G-4 assistant chief of staff to fill planning/advisory roles. The billets are designated for Marine Corps officers (MOS 3006) at the pay grade of O-4 and/or enlisted Marines (MOS 3044) at the pay grade of E-8. These commands are not designated as a head of a contracting activity; therefore, Marines serving in these roles do not have contracting authority. Figure B-1 depicts the structure.

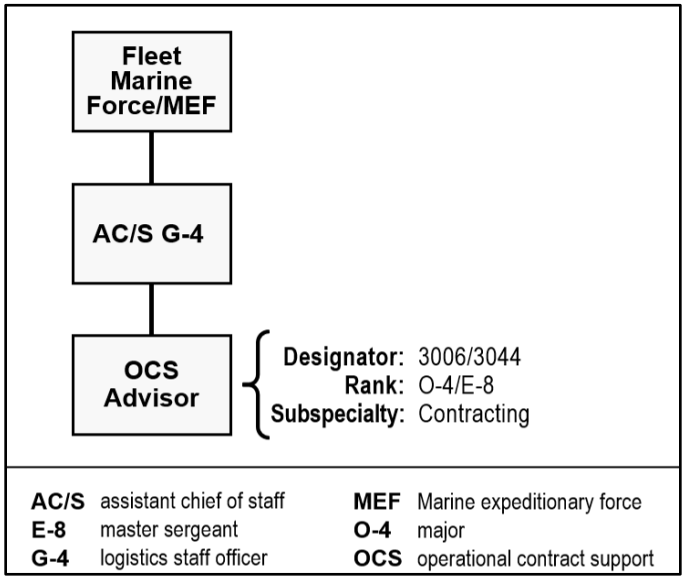


Figure B-1. Operational contract support cell structure

B-3. The primary OCS responsibilities and tasks at the Marine Corps Component Command include—

- Plan and integrate commercial support into Marine Corps operations to include developing appropriate OPORD Annex D (Logistics) and Annex W (Operational Contract Support) inputs.
- Coordinate contracting support with appropriate sources such as U.S. Marine Corps contracting, executive agent, lead services contracting activities.
- Develop and recommend policies relating to management of contractors in support of CCDR-directed operations (for example, COR functions).
- Coordinate with logistics representatives' contractor support and HN support requirements.
- Research the available commercial market to support adaptive operations in the operational environment.
- Assist the command leaders in determining the feasibility of support from non-organic requirements.
- Manage OCS data and metrics to provide situational awareness to the command.

OPERATIONAL AND TACTICAL LEVEL

B-4. Each MEF has OCS advisors within the G-4 staff. The OCS advisors are non-warranted and cannot obligate government funds. MEF OCS advisors assist the command in planning, coordination, and synchronization of contracting support with MAGTF and smaller deploying unit mission requirements. MEF OCS advisors provide the following support:

- Assist in determining contingency contracting support requirements for deploying MAGTFs.
- Serve as liaisons responsible for coordinating contingency contracting support to assigned missions.
- Coordinate OCS matters with the OCS staff.
- Coordinate training for deploying MAGTFs and deployable units on contracting and contract support requirements.
- Facilitate MAGTF contract requirements determination, validation, and prioritization processes.
- Develop policies and procedures that integrate contracting support with the MAGTF staff planning process.

COORDINATING SUPPORT IN JOINT OPERATIONS

B-5. In joint environments where the contracting support is provided by another Service or joint contracting command per CCDR's directives, a deploying MEF or Marine expeditionary brigade sized MAGTF will establish an OCS integration cell to plan and coordinate contract support. A MAGTF OCS integration cell is generally staffed with an OCS advisor and several logistics personnel and operates as part of the G-4 staff. The integration cell staff performs the following functions:

- Provide OCS-related advice and assistance to the MAGTF commander and staff.
- Conduct OCS planning.
- Develop aspects of the operational environment.
- Act as the Secretariat to the requirements review board to facilitate requirements development, prioritization, and validation processes to include execution or participation in any additional requirements review boards.
- Provide liaison to the lead Service, joint contracting command, or Service CAP organization as appropriate.

THEATER SUPPORT CONTRACTING

B-6. The Marine Corps meets its theater support contracting requirements by task organizing from its CCF made up of officer and enlisted contracting professionals. The primary focus of the CCF is to support Marine Corps MAGTF operations and provide small unit deployment contracting support. CCF personnel are task organized from the Marine Corps operational forces and garrison support contracting offices as required for theater-specific mission assignment or tasking.

B-7. The Marine Corps maintains an organic CCF capability within each MEF. Each MEF has an expeditionary contracting platoon within its assigned Marine logistics group. The Marine logistics group employs its organic contracting support element to support the MAGTF or smaller deploying units as

required. The mission of the expeditionary contracting platoon is to develop, train, and sustain the appropriate mix of CCF Marines to provide expeditionary contracting support and maintain the technical proficiencies required for employment as a MAGTF capability. The CCF consists of uniformed personnel that can rapidly deploy and provide theater support contracting services to any size MAGTF or deploying unit during exercises, contingency, foreign humanitarian assistance, and foreign disaster relief operations.

B-8. Each MEF's OCS section develops a contracting support plan as part of the overall logistics support plan. The contracting support plan includes the number of contracting personnel required to deploy. The Marine Corps' CCF has the capacity to expand to provide contracting personnel to support in proportion to the size of the MAGTF conducting operations. The Marine Corps does not deploy civilian contracting personnel in support of its operational mission.

Note. Marine Corps KOs are not warranted to contract for major construction.

B-9. In some large-scale, long-term joint operations, a deployed MAGTF may be supported by a joint theater support contracting command. In these situations, the supporting command may be tasked to augment the joint theater support contracting command's manning document.

B-10. The Marine Corps maintains CCF capabilities in support of SOF assigned to Marine Forces Special Operations Command. The CCF Marines assigned to Marine Forces Special Operations Command are warranted through the United States Special Operations Command.

B-11. The Marine Corps maintains CCF Marines in the supporting establishment to augment civilian contracting support within bases and installations. This practice also allows CCF Marines to train and increase their contracting proficiency. Organization of CCF support is dependent upon the size of the base or installation along with operational mission requirements for the supported units on location.

B-12. The Marine Corps Systems Command is one of the Department of the Navy systems commands and the Commandant of the Marine Corps' agent for acquisition and sustainment of Marine Corps specific systems requirements. These systems requirements include Marine Corps unique CBRN defense materials and equipment; training systems and equipment associated with Marine Corps unique requirements; amphibious raid; and ground reconnaissance systems and equipment. The Marine Corps Systems Command is responsible to develop and support Marine Corps unique ammunition and weapons, to include procurement, surveillance, and maintenance of associated ordnance items.

CIVIL AUGMENTATION PROGRAM

B-13. The Marine Corps does not have its own civilian augmentation program, nor is it reliant on CAP support when conducting standard Marine Corps doctrinal missions fewer than 60 days in length. In cases where a deployed MAGTF requires CAP support, it is leveraged through one of the other Service CAPs (for example, Naval Supply Systems Command [NAVSUP]'s Worldwide Expeditionary Multiple Award Contract or the Army's LOGCAP). Initial planning and coordination of CAP support is accomplished through the OCS advisors at the level of the MEF, or Marine Corps Service component command within a joint force.

B-14. In the planning process, acquisition and cross-servicing agreements provide commanders with a flexible tool to obtain or provide logistics support, supplies, and services. These are international agreements entered into under Title 10 USC, Chapter 138, Part IV, Subchapter A authority that authorizes the acquisition and reciprocal provision of logistics support, supplies, and services. An acquisition and cross-servicing agreement is not intended to be the primary means for obtaining logistics support, supplies, and services, and it does not replace national responsibilities for planning and acquiring logistics requirements.

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Appendix C

Navy Organizations and Capabilities

The operational logistics required to support a globally dispersed naval force presents complex challenges. Sustainment for warships, aircraft, and expeditionary detachments of differing mission and size must be planned, orchestrated, synchronized, and integrated all over the world. This appendix describes the Naval OCS organizational structure, the commands involved in acquisition, and Naval contracting programs.

NAVAL OPERATIONAL CONTRACT SUPPORT CAPABILITIES

C-1. Contractors provide an adaptable mix of unique skill sets, flexibility, and local knowledge in support of joint and naval operations that a strictly naval force cannot provide for all scenarios. From logistical support and intelligence analysis to private security services, emergent repair, maintenance, construction, and operational support tasks, the efforts of contractors are not only integral to the success of Navy component commands (NCCs), but they are also integral to the success of Navy missions and operating forces around the globe. The Navy has very limited OCS capabilities, and as such are based on two principles—

- The Navy does not maintain a dedicated CCF. Instead, deployable KOs and civilians, assigned to field contracting and systems acquisition commands performing contracting functions, are deployed as contingency KOs as operations dictate.
- The Navy leverages a logistics network that provides global logistics support to maritime and expeditionary forces operating worldwide to create a scalable and multilevel response to a real-world situation.

OPERATIONAL CONTRACT SUPPORT ORGANIZATIONAL STRUCTURE

C-2. The Navy integrates its OCS function within the Maritime Operations Center/Sustainment and Service cell in each of its numbered fleets. During steady-state operations, the OCS position is typically filled with one supply corps officer (designator 3100) at the rank of 0-3/0-4 or civilian GS-1102 series at the grade of GS-13/14 both with an operational logistics planning subspecialty. During crisis operations, Navy reservists (designator 3105) with an operational logistics subspecialty will provide augmentation to increase capacity and capability. Figure C-1 depicts an example of an OCS cell.

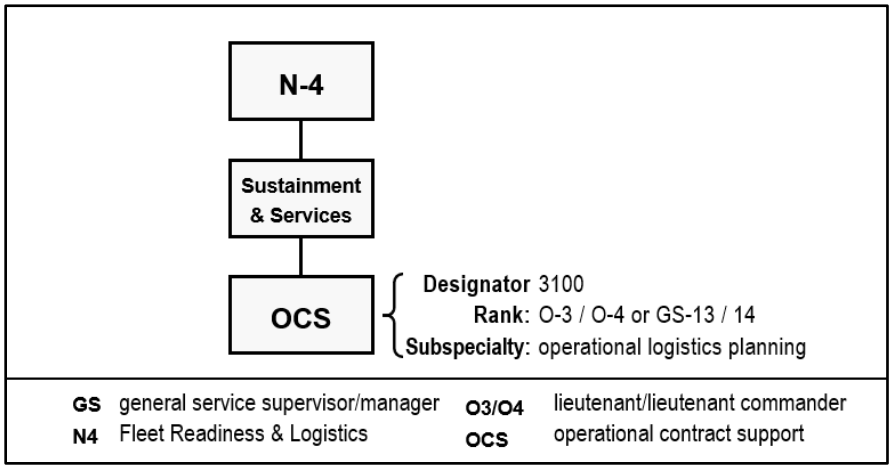


Figure C-1. Operational contract support cell

C-3. Primary OCS responsibilities and tasks at the fleet include—

- Develop and recommend policies relating to management of contractors in support of CCDR-directed operations.

- Integrate commercial support to operations into plans, concepts of operations, and the OPORD Annex W within Navy and joint operational planning teams.
- Identify commercial support options to support naval operations.
- Assist the command leaders in the prioritization and validation of contracted requirements.
- Develop and document OCS metrics and data to provide situational awareness to the command.
- Research the operational environment from a commercial support perspective.
- Manage an effective COR oversight program.

C-4. Naval Component Commands, through the Maritime Operations Center, assess, validate, and consolidate requirements submitted by subordinate requiring activities. Validated requirements are submitted to the appropriate head of contracting activity, usually to subordinate contracting activities (for example, Fleet Logistics Centers and Facilities Engineering Commands).

ASSISTANT SECRETARY OF THE NAVY FOR RESEARCH, DEVELOPMENT, AND ACQUISITION

C-5. The Assistant Secretary of the Navy for Research, Development, and Acquisition is the Department of the Navy's acquisition executive and senior procurement executive. The Department of the Navy's acquisition executive has authority, responsibility, and accountability for all acquisition functions and programs through program executive officers and/or program manager offices or systems command commanders. The Navy systems command commanders act for and exercise the authority of the Department of the Navy's acquisition executive to directly supervise management of assigned programs, to maintain oversight of cost, schedule, performance, and report directly to the Assistant Secretary of the Navy (Research, Development and Acquisition) for all matters pertaining to research, development, and acquisition. Common responsibilities for these commanders include serving as head of contracting activity for both assigned programs and project manager programs and overseeing in-service support of weapon and informational/technical systems. Navy systems support contracts can therefore be awarded by any of the system commands for the specific types of systems under their responsibility.

DEPUTY CHIEF OF NAVAL OPERATIONS FOR INSTALLATIONS AND LOGISTICS

C-6. The Deputy Chief of Naval Operations for Fleet Readiness and Logistics is responsible for advocating Navy logistics plans, policies, and concepts and exercising staff supervision over joint and Navy logistics matters. As the advocate for operational logistics capabilities, this individual has responsibility for Navy's OCS policy and integration under the Director of Logistics. The Director of Logistics will—

- Provide a single, Service-level policy voice for all Navy OCS matters to organizations internal and external to the U.S. Navy.
- Represent Navy OCS capabilities and requirements necessary to support and inform force development.
- Provide subject matter expertise and oversight of Navy OCS doctrine development.

NAVY COMPONENT COMMANDS

C-7. The NCCs, through their Deputy Chief of Naval Operations for Fleet Readiness and Logistics, conduct OCS functions as prescribed in OPNAVINST 3020.12. In addition, the commander is responsible for the following—

- Integrate OCS into theater campaign plans, OPLANs, naval doctrine, and analysis of strategy and future force structure. When properly planned, OCS can provide enhanced operational flexibility and rapid increases in support force capabilities.
- Develop and refine NCC supporting plans in OPORD Annex W (OCS) and the Contract Support Synchronization Matrix.
- Drive combat support requirements planning, determination, and development for deployed forces. Requirements determination is normally a tactical level requiring activity function; however, it can and should be planned and orchestrated at the operational level by fleet staff in collaboration with

type commanders, hardware system commands, and supporting activities that fulfill their responsibilities with commercial support.
- Capture and document anticipated contracted combat support requirements in planning across personnel, equipment, supply, training, ordnance, network system, and installations in acquisition-ready requirements packages.
- Facilitate improved requirements definition, acquisition strategies, sourcing solutions, contract surveillance, and total ownership cost approaches, which in turn accelerates the appropriate use, application, and agility of contract support during contingencies.
- Develop, assess, and maintain contract support planning factors, and where appropriate, update existing contractor unit type codes with type unit characteristics data for use by planning staff for level 3 and level 4 plans (those plans that require TPFDD), and for use by requirements generators and the analytic community.
- Direct, coordinate, and integrate for theater support contracting and other common external support contract actions for limited scope and short duration contingency operations in a geographic location (normally a country, region, or JOA) when designated by a CCDR as the LSCC. In this organizational option, the Services retain command and control and contracting authority over their deployed theater support contracting organizations.
- Direct and oversee a limited-scope LSC for theater support contracting actions for specified common commodities and services in a geographic location (normally a JOA or major expeditionary base) designated by a CCDR.
- Establish OCS integration cells to coordinate and integrate OCS actions across all primary and special staff for a designated contingency operational area, designated by the CCDR as the JFC.
- Issue guidance in operational plans and orders for a process to rapidly conduct contract coordination and reach-back support.
- Integrate OCS training and exercises.
- Ensure maritime operations center OCS leads and logistics planners attend JOPEC.
- Provide requirements for all OCS contracts supporting fleet operations.
- Establish an enduring OCS programmatic capability at the Fleet (2nd Echelon) and at all subordinate and supporting commands.
- Maintain universal joint task lists and Navy mission-essential tasks for OCS and enter in the Defense Readiness Reporting System.

COMMANDER, NAVAL SUPPLY SYSTEMS COMMAND AND COMMANDER, NAVAL FACILITIES ENGINEERING COMMAND

C-8. Commander, NAVSUP and Commander, Naval Facilities Engineering Systems Command (NAVFAC) provide a regional structure to support contracting operations consistent with assigned responsibilities in the Navy Marine Corps Acquisition Regulations Supplement. In addition, they are responsible for the following—

- Collaborate with fleet staff, type commanders, and supporting activities that fulfill their combat support responsibilities through contracted solutions to plan, capture, document and develop external support contract and theater support contract requirements in acquisition-ready support packages for forward deployed supply, services, and construction capabilities.
- Ensure deployable external support contracted capabilities are coordinated with TPFDD development where appropriate.
- Coordinate theater support contracting and other common external support contract actions for a limited scope and short duration LSCC for a contingency operation in a geographic location (normally a country, region, or JOA) directed by an NCC. In this organizational option, the Services retain command and control and contracting authority over their deployed theater support contracting organizations.
- Execute a limited scope and short duration LSC for theater support contracting actions for specified common commodities and services in a geographic location (normally a JOA or expeditionary base) directed by an NCC; apply DFARS 217.502 and FAR Part 17.502 when needed.
- Develop guidance and a process for NCCs to rapidly conduct reach-back support for contract coordination.

- Ensure OCS leads and logistics planners attend JOPEC or other available OCS training.
- Coordinate support via the applicable NCC and the Office of Deputy Assistant Secretary of the Navy for Procurement for the Defense Contract Management Agency to deploy administrative KOs and perform contract administration, quality assurance, property administration, or other combat support functions as may be directed by the Secretary of Defense.
- Participate in NCC exercises to refine OCS procedures, improve integration, and develop individual skills.

HARDWARE SYSTEMS COMMANDS, HEAD OF CONTRACTING ACTIVITY AND SERVICE ACQUISITION PROGRAM OFFICES

C-9. The Hardware Systems Commands, Head of Contracting, and Service Acquisition Program Offices have the following responsibilities:

- Collaborate with fleet staff, NCCs, type commanders, and supporting activities to ensure readiness of systems support contracts.
- Base contracts, options, and contract line items must be crafted to anticipate, prepare, deploy, employ, and redeploy commercial capabilities to provide technical support, maintenance, and repair.
- Ensure contracted deployable systems support is coordinated with TPFDD development where appropriate.

NAVY CONTRACTING

C-10. The Navy leverages a logistics network infrastructure, which does not include organized contingency contracting units, to sustain maritime and expeditionary forces operating worldwide. Navy KOs assigned to field contracting and systems acquisitions commands perform theater support contracting functions in support of deployed Navy forces operating afloat and ashore as delegated by their head of contracting activity authority. The fleet logistics task force commander is responsible at the tactical level within the Navy Service component to resupply maritime forces. NAVSUP is the head of contracting activity for the fleet, the Navy Installations Command regional commanders and their subordinate activities for services and supplies, and for all Navy activities outside the chain of command of other Navy heads of contracting activities (for example, Naval Facilities Engineering Command, Naval Sea Systems Command, and Military Sealift Command). NAVFAC is the head of contracting activity for construction or base operating support services. NAVSUP contracting support is delivered through delegation of contracting authority to operational units and through the NAVSUP fleet logistics centers' contracting offices.

NAVY GLOBAL CONTRACT AUGMENTATION PROGRAMS

C-11. The Navy, through NAVFAC, maintains two worldwide CAP contracts: The Global Contingency Construction Multiple Award Contract (GCCMAC) and Global Contingency Services Multiple Award Contract (GCSMAC). The GCCMAC is focused on construction, while the GCSMAC is focused on facilities support. The following paragraphs describe both in detail.

GLOBAL CONTINGENCY CONSTRUCTION MULTIPLE AWARD CONTRACT

C-12. The GCCMAC is a competitively solicited multiple award indefinite-delivery/indefinite-quantity type contract with provisions for the placement of either cost-plus award fee or firm fixed price task orders.

C-13. This acquisition vehicle provides pre-qualified sources to provide up to a maximum of $800 million of construction over five years. The contract provides construction, design/build construction, and related engineering services in response to natural disasters, humanitarian assistance missions, conflicts, or projects with similar characteristics. This includes occasional projects to ensure readiness to perform during emergencies and military exercises. GCCMAC is also an acquisition tool that NAVFAC utilizes to support roles for authorized DOD construction agents as outlined in DODD 4270.05.

C-14. The GCCMAC, under the control of the NAVFAC, provides the joint force and USG departments or agencies (when authorized) an immediate civilian construction response capability. The scope includes the capability to provide general mobilization services for personnel, equipment, and material in support of naval construction forces mobilization and similar mobilization efforts, and to set up and operate material liaison

offices at a deployed site in support of naval construction force operations. Work is predominately construction. However, services incidental to the construction may also be included.

GLOBAL CONTINGENCY SERVICES MULTIPLE AWARD CONTRACT

C-15. GCSMAC is a competitively solicited multiple award, indefinite-delivery/indefinite-quantity type contract with provisions for the placement of either cost-plus award fee or firm fixed price orders. This performance-based contract is designed to respond to natural disasters, humanitarian efforts, contingencies, or other requirements such as nonperformance by an incumbent contractor or instances where there is an unanticipated lapse in service.

C-16. The GCSMAC program is designed to quickly provide short-term facilities support services with incidental construction at various locations (including remote locations) throughout the world. The GCSMAC acquisition vehicle provides six prequalified commercial sources to provide up to a maximum of $900 million of facilities support services over five years.

NAVY FLEET HUSBANDING CONTRACTS

C-17. The Navy maintains a worldwide network of contracts to support U.S. Navy ship visits in foreign ports. These contracts provide worldwide coverage based on geographic regions, which include countries and individual ports. These contracts are maintained by NAVSUP's fleet logistics centers that are strategically aligned and located to support Navy operational units, joint maritime component commands, and Navy supporting commands. Many of these contracts contain provisions to provide basic service and materiel support for small-scale military operations or humanitarian assistance/disaster relief missions in emergent situations. However, they are not intended as a primary source of support for major, long-term contingency operations.

WORLDWIDE EXPEDITIONARY MULTIPLE AWARD CONTRACT

C-18. NAVSUP's Worldwide Expeditionary Multiple Award Contract is a geographically region-based indefinite delivery, indefinite quantity multiple award contract supporting the Navy's worldwide expeditionary requirements. It is a responsive tool for use in humanitarian assistance/disaster relief support, contingency support, exercise support, lodging support, logistics support, and ashore support in locations without established Department of Navy contracting offices and/or contracting vehicles.

NAVAL SEA SYSTEMS COMMAND

C-19. Naval Sea System Command provides contingency towing, salvage, harbor clearance, and ocean engineering support services. Naval Sea Systems Command contracts support worldwide contingency operations for the Navy.

MILITARY SEALIFT COMMAND

C-20. Military Sealift Command provides worldwide Phase O and contingency ship and barge charters to support afloat and ashore operations for all Services.

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Appendix D

Operational and Tactical Planning Execution Considerations

The following operational and tactical level list is intended to provide the Service component requiring activity commanders and staff, along with their supporting contracting activity (Marine MEF contracting staff or Army CSB) and OCS organization staff (Army LOGCAP forward planner, for example), a detailed set of issues that should be addressed in any OCS planning action.

CONTRACT SUPPORT INTEGRATION PLANNING QUESTIONS

D-1. This list is not intended to be exhaustive. It is designed to serve as a basic guide when preparing, staffing, and publishing OCS plans and when executing the operational and tactical level contract support oversight requirements. Depending on the scale and type of the operation, some items may not apply.

D-2. Ask the following questions to assist in planning for support integration:

- Is your OCS staff properly trained (for example, the Army OCS Course and JOPEC)?
- Are the supporting contracting organizations and supporting related organizations integrated into the OCS planning process? Are they integrated into OPORD or OPLAN Annex W, Appendix 1 and 3? Do they understand their role in the overall OCS planning effort?
- Are the unit's primary and special staff members aware of their roles in OCS planning? Do you have pre-identified points of contact in each staff section?
- Does your OCS integration or coordination staff need temporary staff augmentation?
- Do you have higher-level command logistics and OCS plans, policies, and procedural references on hand?
- Have you completed an analysis of the higher-level command's plans, policies, and procedural references?
- Do these documents contain guidance on lead Service for common-user logistics, base operating support functions, LSC, LSCC, or joint contracting command guidance? If so, ensure you do a separate analysis on how this guidance may affect your planning.
- Are any other joint, HN support, or multinational support capabilities available? If so, are necessary legally binding agreements and other documents in place and can they meet performance requirements for U.S. forces?
- What force protection support is required to support contractor operations?
- Will the business climate in the operational environment adequately support local contracting?
- What agreements (such as SOFA) exist and what are the business clearance requirements?
- Will GFP be made available, and how will property be managed (theater property book)?
- Are funds available (including military construction and procurement when needed) and sufficient to meet contracted sustainment if needed?
- Is the LOGCAP forward planner engaged in the process (whether planning for LOGCAP engagement or not)?
- Will contractors work and or reside within the military footprint, and has adequate space and support been anticipated for contractor operations?
- What is the mission, level of forces deploying, location, and duration of the operation?
- Do subordinate unit staffs have OCS functional and SPOT-ES trained members?
- Are there adequate CORs identified and trained to assist in managing contractor performance?
- Is there adequate COR or other technical expertise available, especially in facilities-related support? If not, what is the risk mitigation plan?
- Based on the analysis of organic and other support capabilities, what support gaps may need to be filled by contracted sources?
- Are buy LN first programs in place? Should there be?

- Are any restrictions on the use of CAP or other external support contracts in place?
- Are anticipated CAAF support requirements incorporated in the logistic requirements estimate?
- Have mission-essential commercial support requirements been identified?
- Have plans been developed to replace CAAF who are performing mission-essential contractor services in contingency operations or to otherwise mitigate the loss of services? This task includes assessing alternative sources (military, DOD Civilian, LN, or other contractors) or identification of actions that will mitigate the loss of such support.
- Does the mission-essential contract clearly obligate contractors to continue essential contractor services during a contingency operation even in the event of hostile acts?
- What support arrangements are in place for theater support contracting?
- Is there any directed OCS play in unit mission rehearsal exercises?

CONTRACTOR MANAGEMENT QUESTIONS

D-3. The following questions aid the focus on contractor management:

- Do you have local command's guidance on contractor management? Are the various staff sections properly familiar with their functions when it comes to contractor management (for example, personnel staff familiar with SPOT-ES contractor accountability reports; operations staff prepared to coordinate force protection and security issues)?
- Are CAAF and other contractor personnel, GFP, and CAP support requirements properly planned in conjunction with the requiring activity, KO, and the unit(s) required to provide this support?
- Has non-reimbursable cost of supporting contractors been captured in the overall cost of the operation so that adequate funding is provided?
- Have specific CAAF theater entrance requirements been established? Are they integrated into Annex W, Appendix 2? At a minimum do they include—
  - ID, security card issuance policy.
  - Government-furnished support policy and procedures – Is there a base operating support integrator designated per joint force command order or directive?
  - LOA generation and approval.
  - Medical and dental qualification standards, immunizations, and screening procedures.
  - Military protective clothing and equipment directives.
  - Uniform policy.
  - Training verification.
- Have you verified CAAF deployment preparation requirements with command guidance such as the Army's Personnel Policy Guidance Army Mobilization and Deployment Reference found on the Deputy Chief of Staff, Army G-1 website?
- Does the specific operational environment contain potential for needed CBRN defense protective equipment?
- Are CAAF employee statuses and authorized government-furnished support authorizations identified up front in the requirements development process?
- Have CAAF completed theater-specific training requirements (selected training may also be required for non-CAAF employees whose area of performance is on a U.S. base or in the immediate vicinity of U.S. forces) to include—
  - Specific force protection and security.
  - Legal status, criminal jurisdiction authority, prevention of human trafficking authority.
  - Detainee handling (required for CAAF who will be in contact with detainees).
  - Hazard awareness (for example, health threats and unexploded ordnance).
  - Local commander's authority.
  - Wear and use of protective gear (if issued).
  - Survival, evasion, resistance, and escape training, especially for CAAF who operate in a "high risk of capture" environment.
  - Prevention of sexual harassment, reporting of sexual assault, and human trafficking.
- Are CAAF being deployed into an operational area properly certified and fully integrated into the unit's deployment plan in accordance with one of the contractor personnel certification and deployment methodologies?

  - Process and deploy with the supported unit.
  - Process and deploy as non-unit-related personnel.
  - Self-certification and deployment.
- Are CAAF and their equipment being properly integrated into the TPFDD list process?
- Are there established procedures for redeploying CAAF to include—
  - Updating SPOT-ES.
  - Recovering government-issued badges and ID cards.
  - Recovering GFP or CAP equipment.
  - Follow-on medical screening.
  - Required debriefings.
  - Withdrawing security clearances (as applicable).

IN-THEATER CONTRACTOR PERSONNEL MANAGEMENT AND GOVERNMENT-FURNISHED SUPPORT QUESTIONS

D-4. Ask the following questions:

- Are Service commanders and members of their legal staff aware of the legal status regarding contractors in wartime or contingency operations?
- Are specific contractor personnel discipline policies in place? Do these policies include specific procedures to deal with both minor and major discipline cases?
- Are there workable CAAF accountability and SPOT-ES policies in place?
- Are all CAAF required to be processed in and out of the operational area through an Army or joint reception center or other personnel centers and processes designated by the JFC or Service?
- Has the contractor been issued any required operational-specific identification or base access documents prior to onward movement?
- Have onward movement transportation responsibilities been identified for CAAF and their equipment to the point of performance?
- Have intra-theater transportation responsibilities been identified for CAAF whose area of performance is on multiple bases?
- Which transportation services contracts require integration into the military movement control system? CAP? Any theater support contracts?
- Have government-provided contractor support requirements been identified, forwarded, and coordinated with the unit or location providing the support?
- Have contractor requirements for living space been identified and made available?
- Have contractor requirements for workspace and power requirements been identified and coordinated?
- Is CAAF government-furnished support being executed in accordance with JFC and Service policies?
- Are CAAF generally provided with the same standards of support and living arrangements applied to DOD Civilian personnel of similar grade and responsibility level?
- Do contracts specify subsistence support provided to contractors is done on a non-reimbursable basis or annotated on an LOA? If not, have reimbursement procedures been established?
- Have steps been taken to ensure TCN CAAF are fairly treated and not being taken advantage of in CTIP schemes?
- Are CAAF properly integrated into the personnel recovery program?
- Are the deployed medical treatment facilities prepared to provide emergency medical care to CAAF and non-CAAF employees injured in the performance of their contract duties while in the immediate vicinity of U.S. forces or on a U.S. base?
- Are there plans to provide primary and routine medical care to CAAF as outlined by contractual requirements and as the mission dictates? If not, do the terms of the contract provide for transportation of ill CAAF out of the operational area in a timely manner? Have reimbursement procedures for care received and transportation been established?
- If transfer of GFP or CAP equipment is anticipated, have the Service component command or Service HQs staff properly coordinated disposition instructions with the appropriate Department of

State, DOD, and affected component organization to ensure the instructions are clearly understood and provided in a timely manner?
- If applicable, are the following support arrangements in place?
  - Postal.
  - Mortuary affairs.
  - Post exchange/base exchange access.
  - MWR.

FORCE PROTECTION AND SECURITY QUESTIONS

D-5. Compile the following data:
- Has the Service component command, base command, or designated area command developed, promulgated and enforced operational-specific procedures and responsibilities to coordinate force protection support with military security and, when appropriate, contracted security?
- Are all CAAF and non-CAAF requiring base access incorporated in the overall force protection and security plan?
- Are standardized security badge issuance policies in place across the operational area?
- Has the requiring activity included operational-specific force protection-related information into the requirements package?
- Has the KO included operational-specific, force-protection-related information into the contract?
- Does the contract specify that all contingency contractor personnel whose area of performance is in the vicinity of U.S. forces are required to comply with applicable CCDR and Service commander force protection policies and procedures?
- Are all CAAF provided protection during transit within the operational area commensurate to protection provided to DOD Civilians?
- Have contractor convoy force protection standards and procedures been established and enforced?
- Are individual contractor personnel arming policies in place and enforced?
- Do contractor personnel authorized to carry weapons for personal protection meet applicable U.S., HN, and international law; relevant SOFAs or other international agreements; DOD policy; and or Service-established guidance?
- Are private security services provided by contractors in accordance with applicable U.S., HN, international law, and relevant SOFAs?
- Have all Service-related contractor personnel authorized to be armed been fully briefed on the U.S. and HN laws, SOFAs, and JFC policies regarding the rules for the use of force?
- Does the contract contain provisions informing the contractor of any known or potentially hazardous situations? Are there any general stipulations limiting contractor support to non-offensive operations or government responsibilities to provide back-up security support?
- Are non-military (Department of State or local government, for example) armed contractors operating in the operational area? If so, are the Services and subordinate commands aware of and enforcing JFC and other government agency private security service coordination policies and procedures?
- Are there workable and reliable information sharing and communication mechanisms in place to coordinate operations of all private security service contractors?
- Do the Services have a requirement to provide back-up security support requirements to Department of State or other organizations?
- Are subordinate area or base commanders properly informed of and prepared to execute these back-up security requirements?
- Have the subordinate area and base commanders conducted proper coordination with these private security service contractors and rehearsed back-up security actions?
- Will the work or services being performed require access to or delivery of controlled unclassified information or classified information?
- Will a security clearance be required?
- Will a facility security clearance for the contractor be required?
- Will training need to be provided on the protection of information, technology, capabilities and/or operations for the purposes of national security?

- Will the work or services being performed require access to or delivery of controlled unclassified information or classified information? Will a security clearance be required? Will a facility security clearance from the contractor be required? Will training need to be provided on the protection of information, technology, capabilities and/or operations for the purposes of national security?

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Appendix E

Requirements Development Considerations

This appendix is intended to provide Service component unit OCS staff with a list to guide them in the development of the most critical and challenging parts of the acquisition-ready requirements package.

E-1. These lists are not intended to be exhaustive but are intended to provide basic considerations for development of the PWS, IGE, QASP, and COR nomination.

E-2. Ask the following questions:

- Do you have any OCS-trained personnel on staff? If not, can you acquire this training through a formal course such as the Army's OCS Course?
- Do you have current local command requirements development guidance? If not, do not proceed until you collect this guidance.
- Do you know where to go for requirements development advice and assistance (for example, your supporting theater support contracting element, other organizations such as LOGCAP forward, or OCS integration or coordination cells)?
- Are you aware of procurement lead times (the administrative time required to process a requirements package, prepare the solicitation, advertise the acquisition, receive and analyze bids or offers, obtain necessary approvals, and issue a contractual document) for various types of procurements to allow adequate time for requirements planning and development?
- If you are relatively sure which contracting activity will be servicing your request, did you initiate advance acquisition planning for the acquisition plan or strategy (when required) with this activity? Planning for a requirement is the single most important element in receiving accurate, efficient, and timely contracting support. When possible, KOs should be involved at the first sign of an upcoming requirement.
- Does the requirement require validation before it can be submitted to contracting personnel for contracting planning, solicitation, and contract award action? Sometimes these are not contracting-directed or contracting-owned processes. Examples include Service requirements review boards or joint requirements review boards. If so, do you understand the thresholds and minimum documentation requirements that would require your packet to go through the requirement review board?

E-3. Obtain the following market research information:

- How and where to purchase a service or supply (local or General Services Administration).
- Procurement history or previous contract awards.
- Prices and performance results for previous contracts.
- Past or present government contractors.
- Assessment of the commercial sector; are required products/services available?
- Applicable documents, specifications, manuals, and regulations governing the requirements in the PWS.
- Competitive sources that meet the government's need at a low cost.
- Current status of technology.
- Request for information from vendor.
- Can the contractor provide all the items at once or as partial shipments?
- Shipping cost and time, manufacturing time, and lead time.

E-4. Consider the following to create a PWS:

- Do you have a good sample PWS available? If not, try to find one through an adjacent or higher OCS cell, an adjacent or higher requiring activity, or finally via your supporting contracting activity.
- Do you have personnel with the requisite technical expertise who can assist with writing the technical portions of the PWS?

- Did you conduct market research to identify commercial support availability, capabilities, standard industry practices, and performance parameters?
- Does the team writing the PWS understand the requirement, how the acquisition will meet the requirement, the criticality of the need, and the desired results of the procurement?
- If you are using a previous PWS as an example, did you remember to change dates, times, locations, and other requiring activity-specific information so as not to confuse the supporting contracting activity or potential bidders?
- Regardless of format, does the PWS contain at least the following general information?
  - General information to include scope of work and general operating conditions.
  - Definitions of all special terms, phrases, and acronyms used in the PWS.
  - GFP and services that will be provided to the contractor.
  - Items the contractor is required to provide in executing the PWS.
  - Specific tasks and deliverables the contractor must execute or provide to include reports, outputs, outcomes, schedule, and quality.
  - Applicable documents, specifications, manuals, and regulations governing the requirements in the PWS.
- Was the PWS screened to ensure there are not inherently governmental or personal services tasks involved prior to being submitted to the supporting contracting activity if this is not a personal services requirement?
- Was the PWS staffed with all the customers (supported units) of the requiring activity prior to being submitted to the supporting contracting activity?

E-5. Ensure the QASP is prepared with the following considerations:

- Is the acquisition-ready requirements package for a service? If so, is there a PWS and the required performance requirements summary (as it is key to COR contract surveillance), COR nomination, and a draft QASP?
- Are the same technically qualified personnel who prepared the PWS preparing the QASP?
- Does your supporting contracting activity or LOGCAP support office have staff who may be able to assist personnel in building the QASP?
- Are sample QASPs available from adjacent or higher OCS cells, an adjacent or higher requiring activity, supporting finance office, or supporting contracting activity?
- Regardless of format, does the QASP contain the following minimum components?
  - Surveillance checks on both the technical matters (Was the service provided at the quality level specified by the contract?) and tactical matters (Did contractor employees follow security and force protection guidance as required by the contract and local command policy).
  - Roles and responsibilities of those who will oversee and coordinate surveillance activities.
  - Methods and frequency of surveillance (contractor metrics, random sampling, periodic inspection, 100% inspection, customer feedback, and third-party audits).
  - A sampling guide, which states what will be checked, the acceptable quality level, and how the checking will be performed.
  - Checklists to record what has been checked by sampling and to record additional information on contract items not covered by sampling.
  - Performance rating definitions to be used when evaluating the quality of contractor's performance.
  - Samples of performance assessment reports, customer complaint records, and corrective action reports.
- Is each performance objective in the PWS linked to a method of inspection incorporated in the QASP?
- Does the QASP include procedures to monitor the contractor's performance regarding CTIP?
- Additional information on QASP development can be found in the Defense Contingency COR Handbook Version 2 at the Office of the Assistant Secretary of Defense for Acquisition website.

E-6. Prepare and evaluate the IGE using the following criteria:

- Are there personnel available who have previously prepared IGEs or received training on how to prepare IGEs? Does your adjacent or higher OCS cell, an adjacent or higher requiring activity,

supporting finance office, or your supporting contracting activity offer training material on how to prepare an IGE?

- Do you know what type of IGE is required for your requested supply or service? IGEs for commercial supplies and basic services require significantly less detail than those for complex services not generally available to the public. Your adjacent or higher OCS cell, an adjacent or higher requiring activity, supporting finance office, or your supporting contracting activity should be able to guide you.
- Has a team been formed with the requisite functional knowledge to prepare an IGE for the requested service? (Some IGEs are complex and require a team of stakeholders and experts to complete.)
- Does the IGE development team have a plan and a structured, logical approach to building the IGE?
- Was market research conducted to determine industry standards, practices, procedures, and rates (when developing a cost estimate) or to conduct comparison and analysis of published catalog prices, historical prices paid, market surveys, and General Services Administration schedules (when developing a price estimate)?
- Is the IGE required to be in a standard format? Are templates available from your adjacent or higher OCS cell, an adjacent or higher requiring activity, supporting finance office, or the supporting contracting activity?
- Regardless of format used, does the IGE account for the following standard elements?
  - Direct labor – number, type, and wages of personnel required to perform the service.
  - Labor burden – the percentage of costs for direct labor associated with the employee benefits.
  - Other direct costs – an estimate of the type and quantity of material, equipment, and travel necessary for the contractor to perform the service.
  - Indirect costs (overhead) – costs that are not directly associated with any single project or contract but are incurred in the performance of some or all of the company's projects or contracts (examples: transportations costs, utilities, facilities use).
  - General and administrative costs – costs that are borne by all elements of a company and not associated with one particular project (example: cost associated with operating the corporate home office).
  - Profit or fee – dollar amount over and above any allowable costs paid to a contractor for performance.
- Did the appropriate supervising official sign the final IGE?
- Is the IGE marked and handled as a procurement-sensitive document, and access granted on a need-to-know basis only?
- Additional information on IGEs can be found in the Defense Contingency COR Handbook Version 2 at the Office of the Assistant Secretary of Defense for Acquisition website.

E-7. A military interdepartmental purchase request is a method for transferring funds by one military organization to another to procure services, supplies, or equipment for the requiring service. Below are some commonly seen errors with purchase requests:

- There are NO itemized dollar amounts (breakout) for the Transient Accommodations Tax and Customer Shared Direct Cost.
- An INCORRECT Transient Accommodations Tax number or NO Transient Accommodations Tax number present on the military interdepartmental purchase request.
- The military interdepartmental purchase request has NO Business Partner Network, Department of Defense Activity Address Code, or data universal numbering system number present.
- The request does not state the contract number.
- The requesting activity's line of accounting is INCORRECT or INCOMPLETE.
- No financial or technical point of contact information is present.
- Request is not legible.
- Grand total for the request series is incorrect.
- Request is not signed, dated, or addressed to the Defense Technical Information Center.

E-8. The PIEE introduces some changes as well as enhancements to the COR nomination and appointment process to allow for a more flexible and streamlined approach. The Joint Appointment Module and Surveillance and Performance Monitoring Module have replaced the Contracting Officer Representative Tracking Tool support, thereby improving the nomination and appointment functionality (see PIEE website

for additional information regarding the Joint Appointment Module and the Surveillance and Performance Monitoring module). Consider the following questions:

- Does the service requirement package contain the required COR nomination?
- Is the nominated COR qualified to inspect the technical matters of the service being provided? If not, has this issue been coordinated with the supporting contracting activity, the requiring activity's HQ, and next higher HQ?
- Is the nominated COR available and has access to the area of performance site(s)? If not, has this issue been coordinated with the supporting contracting activity, the requiring activity's HQ, and next higher HQ?
- Does the nominated COR fully understand their delegated duties and responsibilities, their limitations and their importance?
- Are there any personal, financial, or organizational conflicts of interest that might prevent the nominated COR from satisfactorily executing their delegated duties and responsibilities?
- Does the nominated COR have the requisite technical training, certification, and experience in accordance with DODI 5000.72 plus any additional local experience and training requirements?
- Has the nominated COR's required experience and training been documented and supplied to the appointing KO along with the COR nomination letter?

Note. Additional information on COR nomination can be found in the Defense Contingency COR Handbook Version 2 and DODI 5000.72. Both documents are located at the Office of the Assistant Secretary of Defense for Acquisition website.

E-9. There are other supporting documents required by local command policy (for example, a letter of justification for the requirement). Below are some common questions to consider if there is a need for other supporting documentation:

- Are you requesting a sole source contract, or other exception to full and open competition? If so, then you might be required to develop a justification and approval.
- Does your Service require any specific forms like the Army forms discussed below?

E-10. Additional required Army forms for contracted services requests include—

- U.S. Army Contract Requirements Package Antiterrorism and Operations Security Review Cover Sheet (Army-only requirement for most services contract requests) can be found at the Army Office of the Provost Marshal General Antiterrorism Enterprise Portal (which requires common access card login).
- Request for Services Contract Approval Form (Army-only requirement for most services contract requests) can be found at the Assistant Secretary of the Army for Manpower and Reserve Affairs website.
- Recommend all DOD activities provide affirmation OPSEC requirements were properly verified in accordance with Service regulations or instructions to the cognizant procurement contracting office with the acquisition requirements package. This can be transmitted as the Service-approved format (for example, Army uses the Anti-Terrorism/Operational Security Coversheet).

E-11. The requirements package process plays a key role in the successful completion of an acquisition-ready requirements package, culminating with the commander and staff validating all required documentation. Below are some commonly asked review questions:

- Did the designated action officer review the package to ensure package staffing and approval is complete in accordance with all Service and local command guidance?
- Did the designated action officer review the package to ensure package staffing and approval timelines are accurate when estimating the overall time it takes to plan and execute commercial support?
- Does the requirements package require a requirements review board due to high-value or high-visibility requirements?
- How will the designated staff officer monitor and track acquisition-ready requirements packages through established requirements review and approval process?

Appendix F

Special Authorities and Programs

Contracting may be authorized to provide rapid support to local reconstruction and humanitarian needs. Authorization for these contracts may require special authorities and must be formally requested by the operational commander to receive congressional approval prior to implementation.

CONTRACTORS ACCOMPANYING THE FORCE BILL OF RIGHTS

F-1. Commanders must be prepared to take preventative measures such as directing issuance of CTIP and workers' rights cards in the appropriate language(s). Commanders must also ensure potential CTIP violations are reported to their higher-level HQs and the supporting contracting activity. The following list provides a CAAF bill of rights framework:

- No agency may hold your passport or other identification documents.
- CAAF personnel must receive agreed upon wages on time without unlawful deductions.
- CAAF personnel will be allowed to take lunch breaks and work breaks.
- CAAF personnel may leave the place of employment at any time.
- CAAF personnel are allowed to report grievances to the military without fear of reprisal.
- CAAF personnel should be given a copy of their employment contract in their native language.
- CAAF personnel may be paid for work hours and wages in line with their native country's laws.
- If housing is provided, it must be a habitable space that is comparable to other personnel living on the U.S. base.

FIELD ORDERING OFFICERS

F-2. The role of the FOO is to procure authorized, urgently needed supplies and services from local sources during deployments because normal supply channels are either not available or not capable of providing them in a timely manner. FOOs derive their purchasing authority from a warranted KO. FOOs are authorized to purchase supplies or non-personal services immediately available, as one delivery/one payment purchases, up to the established micro-purchase threshold. As with any purchase, FOOs cannot split requirements to avoid monetary threshold levels.

F-3. There are several stakeholders involved in field ordering operations besides FOOs and PAs. The G-8/S-8 and the judge advocate general officer are parts of the Fiscal Triad synchronization. The Fiscal Triad and the unit commander are all part of the team that enables the effectiveness of this triad. Proper training of PAs and separation of duties between PAs and FOO are crucial to deterring and preventing fraud, waste, or abuse of funds. Whenever possible, the PAs and FOOs should receive combined briefings and training in their respective duties and responsibilities. Patience, flexibility, and creativity are required to reach the goal of supporting Service members. The following list includes just a few of the challenges FOOs and PAs might encounter:

- Corruption (number one threat).
- Customs and culture differences.
- Trafficking in persons.
- Enemy threats against vendors.
- Information security and OPSEC (vendors can provide intelligence to the enemy).
- Language barriers.
- Time-management challenges.
- UACs by the PA or by someone speaking for the PA.
- Chain of command and conflicting responsibilities.
- Contingency/combat environment.

F-4. See ATP 1-06.1 for more information on the Army FOO and PA operations.

3-IN-1 TOOL

F-5. The 3-in-1 Tool is a web-based application used for documenting purchase transactions and the primary means of creating digital SF 44s in accordance with DFARS PGI 218.271(b). The SF 44 is a multi-function document – purchase order, invoice, and payment voucher. FOO programs will incorporate and use the 3-in-1 Tool as part of their FOO program.

F-6. No other electronic tools may be used to fulfill the same capabilities as the 3-in-1 Tool, and the use of Word, Excel, or .pdf versions of the SF 44 to document FOO transactions is prohibited (DFARS PGI 218.271(c).

F-7. The Governmentwide Commercial Purchase Card is the preferred method of purchasing supplies and services within the micro-purchase threshold. If the purchase card is not accepted or feasible, the 3-in-1 Tool may be used by container control officers and FOOs to make cash-and-carry (one delivery, one payment) purchases at or below the established micro-purchase threshold, or if made by warranted container control officers in declared contingency operations. Use of the 3-in-1 Tool is mandatory when automating the SF 44 process.

DESCRIPTION

F-8. The 3-in-1 Tool is a technology-based solution to automate the SF 44. It records and transfers data when conducting on-the-spot, over-the-counter, field purchases of supplies and non-personal services (cash-and-carry-type purchases). It has three parts:

- The 3-in-1 Tool is a small, lightweight, handheld device that captures and records purchase, payment, and receiving information, including the user's receipt of goods and vendor’s acknowledgement of payment.
- The 3-in-1 workstation application is a hard client application that transmits data to the prime database/server; stores a replica of the prime database for offline operations; and caches data from the device for later synchronization with the prime database/server.
- The 3-in-1 prime database is used to manage devices and role-based system access. It stores, reports, and analyzes purchase and payment data; and transmits payment information to other financial systems and order/voucher and receipt images for official document storage to electronic data access.

CAPABILITIES

F-9. The 3-in-1 Tool capabilities include the following:

- Receives and accepts purchase requests: Adds purchase requests to system for 3-in-1, or the disbursing agent may issue cash advance for 3-in-1 tool.
- Awards procurement instruments are used to execute micro-purchases and simplified acquisitions (purchase order, invoice, voucher) and record funding obligations.
- Administer procurement instruments is used to administer purchase order until receipt and acceptance (or return) of goods.
- Performs receipt, acceptance, and return: Is used to perform receipt and acceptance of goods for micro-purchases and simplified acquisitions.
- Manages disbursements is used to distribute payments for micro-purchases and simplified acquisitions.
- Performs instrument closeout is used to record delivery and closeout instructions for micro-purchases and simplified acquisitions.

F-10. For further information about the 3-in-1 Tool, see the Department of Defense Contingency Business Environment Guidebook and the Defense Contingency Contracting Handbook Version 5.

Appendix G

Combating Trafficking in Persons

As stated earlier in this publication, unscrupulous labor practices can lead to serious CTIP infractions, especially in long-term operations where there are large numbers of CAAF supporting the force. The first step in preventing CTIP problems is command awareness of the potential for these types of problems to arise and full understanding of joint force and higher-level Service command mission-specific CTIP policies and procedures.

RESPONSIBILITIES

G-1. All Service members (especially tactical commanders, senior command noncommissioned officers, and all OCS staff members) need to be aware of common contractor-related CTIP infractions. These include illegal confiscation of passports, providing substandard housing, forcing sex acts, and use of unlicensed labor brokers (normally through subcontractors) to avoid deployment preparation requirements. Service component commanders have a responsibility to ensure subordinate units are trained and report potential trafficking in persons infractions.

Note. Units deploying to an area of operations where there are significant TCN CAAF deployed in support of the operation should include information from this appendix in their CTIP training awareness program in addition to the standard DOD CTIP training.

GENERAL QUESTIONS

G-2. Gather the following data:

- Do you have TCN CAAF living on the base?
- Are they living in contractor-controlled man camps or are they living in military-controlled barracks?
- Are they properly documented with camp ID cards and LOAs? Do their LOAs properly describe authorized government-furnished support?
- If they are living in man camps, what unit is responsible to inspect these camps for basic sanitation and safety?
- Have these man camps been inspected?
- Basic man camp inspection points:
  - Are the facilities generally clean, safe, and ventilated?
  - Do they meet joint task force engineer established minimum square footage per person?
- Are TCNs properly fed? Where do they eat? Is their food acceptable and are dining sites sanitary?
- Are they provided potable water in the barracks and in the work site?
- Are they provided reasonably safe and secure worksite?
- Are these TCNs workers aware of basic force protection and security procedures in conjunction with LOA?

CTIP CHECKLIST

G-3. Area and base camp commanders should ensure their routine health and safety inspections include CAAF working areas and living spaces to include separate contractor man camps. Additionally, this effort must be directly coordinated with the appropriate contracting organizations with the results of these inspections reported to both higher-level HQ, the cognizant contracting activity, and when appropriate, the military inspector general or military criminal investigation organization.

WORKER INTERVIEW

G-4. Query workers to acquire the following information:

- Is this the job and work location that you expected? What is different?
- Are you being paid on a regular basis? Are you allowed to send money home?
- Were there other benefits promised? Have you received the benefits yet?
- How many hours do you work? Are the pay and hours what you expected?
- Do you get breaks? How long? How many?
- Who is your company supervisor? Tell me what it is like to work with your supervisor.
- What kind of information about human rights, ethical conduct, and treatment have you received?
- Are you allowed to socialize with your co-workers?
- Do you have identification on you? Can I see it? Do you have an LOA? Can I see it? Where is your passport? Can I see it?
- If you have a problem, can you contact the host country's government? How would you do that?
- Can you end your contract and return home? What is the penalty?
- Would you like to renew your contract? If not, why? If so, why?
- Do you have any major issues with base services (billeting, food, hygiene facilities)? If so, please explain.
- Do you feel you are safe when on base in terms of force protection and general security? If not, please explain.
- Have you ever been a victim of robbery, physically attacked, sexually harassed or assaulted while working on base?
- Do you feel you are being put at undue risk at work or while living on base due to enemy threat, lack of protective gear, or lack of safety equipment? Do you know what to do in the event of an emergency or enemy attack?

Note. If you do not get satisfactory answers to these CTIP questions, contact the appropriate authorities: unit COR, joint force command OCR integration cell, KO, military police, or Office of the Inspector General.

G-5. The following references provide additional information and resources on CTIP:

- DODI 2200.01 establishes DOD policy and assigns responsibilities for CTIP.
- The DOD Combating Trafficking in Persons website—
  - Provides information and training materials to educate personnel and satisfy DOD annual training requirements.
  - Contains information on CTIP events and conferences.
  - Contains resources to support unit CTIP programs and brochures, posters, and cards that communicate to TCNs DOD CTIP policy and suspected violation reporting procedures.

Glossary

Use chapter intro style for glossary introduction.

SECTION I – ACRONYMS AND ABBREVIATIONS

AFSB	Army field support brigade
AR	Army regulation
ATP	Army techniques publication
CAAF	contractors authorized to accompany the force
CAGO	contractor-acquired, government-owned
CAP	civil augmentation program
CBRN	chemical, biological, radiological, and nuclear
CCDR	combatant commander
CCF	Contingency Contracting Force
CJCSM	Chairman of the Joint Chiefs of Staff Manual
COA	course of action
COR	contracting officer's representative
CRC	continental United States replacement center
CSB	contracting support brigade
CTIP	combating trafficking in persons
DA	Department of Army
DD	Department of Defense (form)
DFARS	Defense Federal Acquisition Regulation Supplement
DOD	Department of Defense
DODD	Department of Defense directive
DODI	Department of Defense instruction
DODM	Department of Defense manual
ESC	expeditionary sustainment command
FAR	Federal Acquisition Regulation
FM	field manual
FOO	field ordering officer
FRAGORD	fragmentary order
G-1	assistant chief of staff, personnel
G-2	assistant chief of staff, intelligence
G-3	assistant chief of staff, operations
G-4	assistant chief of staff, logistics
G-8	assistant chief of staff, financial management
GCCMAC	Global Contingency Construction Multiple Award Contract
GCSMAC	Global Contingency Services Multiple Award Contract

GFP	government-furnished property
HN	host nation
HQ	headquarters
ID	identification
IGE	independent government estimate
JFC	joint force commander
JOA	joint operations area
JOPEC	Joint Operational Contract Support Planning and Execution Course
JP	joint publication
KO	contracting officer
LN	local national
LOA	letter of authorization
LOGCAP	Logistics Civil Augmentation Program
LSC	lead Service for contracting
LSCC	lead Service for contracting coordination
MAGTF	Marine air-ground task force
MCRP	Marine Corps reference publication
MCTP	Marine Corps tactical publication
MEF	Marine expeditionary force
MOS	military occupational specialty
MWR	morale, welfare, and recreation
NAVFAC	Naval Facilities Engineering Systems Command
NAVSUP	Naval Supply Systems Command
NCC	Navy component command
NTTP	Navy Tactics, Techniques, and Procedures
OCS	operational contract support
OPLAN	operation plan
OPNAVIST	Chief of Naval Operations Instruction
OPORD	operation order
OPSEC	operations security
PA	pay agent
PGI	procedures, guidance, and information
PIEE	Procurement Integrated Enterprise Environment
PWS	performance work statement
QAR	quality assurance representative
QASP	quality assurance surveillance plan
S-1	battalion or brigade personnel staff officer
S-2	battalion or brigade intelligence staff officer
S-3	battalion or brigade operations staff officer
S-4	battalion or brigade logistics staff officer
S-8	battalion or brigade financial management staff officer

SF	standard form
SOF	special operations forces
SOFA	status-of-forces agreement
SOW	statement of work
SPOT-ES	Synchronized Predeployment and Operational Tracker-Enterprise System
TCN	third-country national
TPFDD	time-phased force and deployment data
TSC	theater sustainment command
U.S.	United States
UAC	unauthorized commitment
USAHCA	United States Army Health Contracting Activity
USAMC	United States Army Materiel Command
USASOC	United States Army Special Operations Command
USC	United States Code
USG	United States Government

SECTION II – TERMS

administrative contracting officer

Contracting officer whose primary duties involve contract administration. (JP 4-10)

civil augmentation program

Standing, long-term external support contacts designed to augment Service logistics capabilities with contracted support in both preplanned and short-notice contingencies. (JP 4-10)

contract support integration

The planning, coordination, and synchronization of contracted support in military operations. (JP 4-10)

contracting officer

A Service member or Department of Defense civilian with the legal authority to enter into, administer, modify, and/or terminate contracts. (JP 4-10)

contracting officer's representative

An individual designated in writing by the contracting officer to perform specific technical or administrative functions. (JP 4-10)

contracting support

The planning, coordination, and execution of contracting authority to legally bind contractors in support of military operations. (JP 4-10)

contractor management

The oversight and integration of contractor personnel and associated equipment in support of military operations. (JP 4-10)

contractors authorized to accompany the force

Contactor employees and all tiers of subcontractor employees who are authorized to accompany the force in applicable contingency operations outside of the United States and have afforded such status through the issuance of a letter of authorization. (JP 4-10)

external support contract

Contract awarded by contracting organizations whose contracting authority does not derive directly from the theater support contracting head(s) of a contracting activity or from systems support contracting authorities. (JP 4-10)

letter of authorization

A document issued by the procuring contracting officer or designee that authorizes contractor personnel authorized to accompany the force to travel to, from, and within an operational area and outlines authorized government support authorizations within the operational area, as agreed to under the terms and conditions of the contract. (JP 4-10)

operational contract support

The process of planning for and obtaining supplies, services, and construction from commercial sources in support of combatant commander-directed operations. (JP 4-10)

prime contract

A contract or contractual action entered into by the United States Government to obtain supplies, materials, equipment, or services of any kind. (JP 4-10)

privity of contract

The legal relationship that exists between two contracting parties. (JP 4-10)

requirements development

The process of defining specific contract support requirements and capturing these requirements in procurement-ready contract support requirements packages. (JP 4-10)

requirements management

All activities necessary to develop and approve contract support requirements, along with the associated post-contract award oversight functions, in support of combatant commander-directed operations. (JP 4-10)

requiring activity

A military or other designated supported organization that identifies the need for contracted support during military operations. (JP 4-10)

supported unit

As related to contracted support, an organization that is the recipient, but not necessarily the requestor, of contracted support. (JP 4-10)

systems support contract

A prearranged contract awarded by a Military Department and the United States Special Operations Command program management office that provides fielding, technical, and maintenance support for selected military weapon and other systems. (JP 4-10)

task order

Order for services placed against an established contract. (JP 4-10)

theater support contract

A type of contract awarded by contingency contracting officers in the operational area serving under the direct contracting authority of the Service component, United States Special Operations Command, or designated joint head of a contracting activity for the operation. (JP 4-10)

unauthorized commitment

An agreement that is not binding solely because the United States Government representative who made it lacked the authority to enter into that agreement on behalf of the United States Government. (JP 4-10)

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02 December 2025

By Order of the Secretary of the Army:

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General, United States Army
Chief of Staff

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