Operational Contract Support

Five Things Every Field Grade Officer Should Know

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THE UNITED STATES ARMY cannot fight without contractors. On any given day, it has too many tasks and not enough troops. Those tasks come from various sources, including the White House, Congress, the joint staff, geographical combatant commanders, and an avalanche of plans, strategic commitments, and contingency requirements. While this mission load is not new, the Army and its sister services have increasingly relied on contractors to fill the gaps.

This reliance has become especially dramatic in combat zones, where contractors now provide American forces with everything from security, custodial, and food services to gravel, timber, and office supplies. In Afghanistan's Logar Province, for example, one brigade combat team and its attached units rely on 154 contracting officer representatives (CORs) to manage over 300 service and supply contracts in support of American and Afghan forces. In addition, project purchasing officers within the brigade administer several dozen projects under the Commander's Emergency Response Program (CERP).[1]

Peter Singer of the Brookings Institute has described the Pentagon's increasing reliance on contractors as an "addiction."[2] Indeed, contractors now outnumber soldiers in harm's way. As of December 2011, more than 100,000 Department of Defense contractors support U.S. military operations throughout Afghanistan, compared with 94,000 American troops.[3] That the United States or its allies could continue their military efforts without the support of these contractors is hard to imagine, but the scope and expense of these contracts have attracted widespread scrutiny and fierce criticism in Congress and the media.[4]

This criticism has little impact on the tactical Army. In Afghanistan, field grade officers with little or no acquisition-related training routinely navigate myriad regulations and restrictions governing their use of available contract support. The Defense Acquisition University provides a number of online courses in acquisition, and the Army Logistics University offers a two-week

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PHOTO: U.S. Army CPT Jyan Bevalian, left, a Nuristan Provincial Reconstruction Team civil affairs officer, and Jalal Nuristani, right, a contractor with the U.S. Department of State, give a copy of *Voice of Freedom* newspaper to Fazol Rahim, a village baker, in Nurgaram, Nuristan Province, Afghanistan, 29 November 2010. (U.S. Air Force, CMSgt Richard Simonsen)

resident course on Operational Contract Support for nonacquisition personnel. Nevertheless, most commanders and staff officers receive little or no preparation for planning or managing this capability, aside from previous experience and word of mouth.

While the process of preparing, justifying, and managing contract support may be frustrating and time consuming, the following guidelines can make that process significantly less painful.

The planning and management of operational contract support is a command responsibility. In Afghanistan, commanders drive contract requirements. Done well, these "requirements packages" can take a great deal of time, effort, and attention to detail to prepare, submit, and execute. Once awarded, these contracts support our counterinsurgency effort by generating stability, employment, economic growth, and good will within local communities. Done poorly, these actions get rejected by higher headquarters, forcing staff officers to spend even more time and energy. Or they get approved and awarded without adequate review, wasting money on ill-defined projects or worse, indirectly funding criminal activities or enemy forces.[5]

Stay in your lane. Title 10 of the U.S. Code gives military commanders broad responsibility and authority for the training, discipline, and welfare of their assigned military subordinates. However, this command authority does not extend to contract employees. Those personnel provide goods and services under a contract with the U.S. government, and only a warranted contracting officer may initiate, modify, or terminate that contract.[6] Commanders may not modify the conditions of an existing contract, and those who do risk incurring an "unauthorized commitment," which can lead to financial penalties and even criminal charges. This is not to say that commanders have to endure unsatisfactory results from the vendors supporting their mission. They have several alternatives, which brings us to our next guideline.

Nominate the right people as CORs. Yes, being a COR is an additional duty, and there are only so many good people in an organization. Still, a unit's effectiveness may well depend on the effectiveness of its contract support. The right people are those officers and noncommissioned officers (NCOs) with the ability and subject matter expertise to fulfill their obligations in managing the contract. Company commanders, first sergeants, and primary staff may be too busy, and brand new officers and NCOs may lack the necessary maturity or judgment. Nominees need the mandatory training (depending on theater guidance), valid appointment orders from the appropriate contracting officer, and a copy of the actual contract (which they should read). A background in civil engineering, construction, or generator maintenance is a bonus. These same guidelines apply to the project purchasing officers (PPOs) managing your unit's CERP projects.[7]

Get the requirements package right. Poorly defined requirements lead to poorly written contracts. These give vendors too much discretion to deliver substandard goods and services that waste money and can lead to mission failure. Specific language, enforceable standards, accurate illustrations, and valid cost estimates avoid these problems. Your local contracting officers can help by sharing examples of what has worked in the past, highlighting the required ingredients for your requirement package, and synchronizing operational and contracting timelines. They won't do the work for you, nor should they. Nobody knows your contract requirements better than you do. If you can't explain your requirements, good luck justifying them to your boss.[8]

Plan ahead. If your unit is deploying next year, it will need CORs and PPOs. Identify and train them.[9] If you are replacing another unit,

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you will probably inherit their contracts. Identify these existing and pending contracts during your predeployment site survey, especially any contracts that will expire or need extensions prior to your arrival. If the next phase of your operation requires base life support, helicopter landing areas, local reconstruction projects, or some other type of contract support, start developing those requirement packages now. Acquisition review boards generally have more requirements than funds, and the priority of your requirement depends on its validity, urgency, and cost. The sooner you start identifying these, the better your chances of timely approval.[10]

Help is Available

In an effort to better educate leaders on the basics of operational contract support, the Army has developed a series of manuals, training aids, and web-based tools. Most of these are available at the following website, hosted by the Assistant Secretary of the Army for Acquisition, Logistics, and Technology: https://www.us.army.mil/suite/page/659589. ATTP 4-10, *Operational Contract Support,* provides doctrinal guidance, and the recently updated Army Regulation 715-9, *Operational Contract Support Planning and Management,* contains the latest regulatory guidance on this topic.[11]

The Army's heavy reliance on contractors represents a significant change in the American way of war. The next deployment will probably depend on field grade officers to anticipate, define, coordinate, and manage contract requirements. Moreover, these requirements will probably generate more than their fair share of headaches. However, with patience and common sense, the Army will use contract support to accomplish the next mission and win the next war. ***MR***

NOTES

1. MAJ Christopher L. Center, chief, Regional Contracting Center, FOB Shank, Afghanistan, phone conversation with the author, 19 December 2011.

2. Peter W. Singer, "Blackwater: The Roger Clemens of War," *Wired.com,* 14 December 2007. Available at <http://www.brookings.edu/opinions/2007/1214_military_contractors_singer.aspx> (17 December 2011).

3. Office of the Deputy Assistant Secretary of Defense, Program Support, Fact Sheet: "Contractor Support of US Operations in the USCENTCOM Area of Responsibility, Iraq, and Afghanistan," 17 October 2011; "US Plans Major Shift to Advisory Role in Afghanistan," *Los Angeles Times*, 13 December 2011, available at <http://latimesblogs.latimes.com/world_now/2011/12/us-plans-major-shift-to-advisory-role-in-afghanistan.html> (17 December 2011).

4. See, for example, the *Commission on Wartime Contracting's Final Report to Congress—Transforming Wartime Contracting: Controlling Costs, Reducing Risks* (Washington, DC, August 2011), available at <http://www.wartimecontracting.gov/> (30 December 2011).

5. Memorandum, Commander, International Security Assistance Force/United States Forces-Afghanistan, Subject: COMISAF's Counterinsurgency (COIN) Contracting Guidance, 18 September 2011; U.S. Army Field Manual 3-24, *Counterinsurgency* (Washington, DC: U.S. Government Printing Office [GPO], 2006), 8-17 through 8-19.

6. Joint Publication 4-10, *Operational Contract Support* (Washington, DC: GPO, 2008), xiii-xiv.

7. MG Edward Cardon, email correspondence with the author, 21 December 2011; Center for Army Lessons Learned (CALL) Handbook 08-47, *Deployed Contracting Officer's Representative: Tactics, Techniques, and Procedures* (Fort Lee, VA: U.S. Army Combined Arms Support Command, 2008), 51-52; Center for Army Lessons Learned Handbook 08-12, *Commander's Emergency Response Program: Tactics, Techniques and Procedures* (Fort Lee, VA: U.S. Army Combined Arms Support Command, 2008).

8. MG Cardon, email correspondence with the author, 21 December 2011. CALL Handbook 09-48, *Developing a Performance Work Statement in a Deployed Environment: Tactics, Techniques and Procedures* (Fort Lee, VA: U.S. Army Combined Arms Support Command, 2009), 3-14. See also Annex H, "Requirements Development and Acquisition Review Processes," Joint Publication 4-10, *Operational Contract Support* (Washington, DC: GPO).

9. MAJ Christopher L. Center, phone conversation with the author, 19 December 2011. For further information on predeployment requirements, see Execution Order 048-10, Pre-Deployment Training for Contracting Officer's Representative Candidates and Commander's Emergency Response Program Personnel." Headquarters, Department of the Army, Washington, DC, 25 November 2009.

10. MAJ Christopher L. Center, "Operational Contract Support: A Nonlethal Enabler, *Armor* (U.S. Army Armor Center, Fort Knox, KY: January-February 2010), 34-6; Annex H, "Requirements Development and Acquisition Review Processes," Joint Publication 4-10, *Operational Contract Support* (Washington, DC: GPO).

11. U.S. Army website, "OCS Community of Practice Site," available at <https://www.us.army.mil/suite/designer> (3 January 2012); Army Tactics, Techniques and Procedures 4-10, *Operational Contract Support* (Washington DC, Department of the Army, 7 July 2010); *Army Regulation 715-9*, *Operational Contract Support Planning and Management* (Washington, DC, GPO, 20 June 2011).