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**\*Army Regulation 715–9**

**Effective 18 October 2024**

## Procurement

# Operational Contract Support Planning and Management

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By Order of the Secretary of the Army:

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*General, United States Army*  
*Chief of Staff*

Official:

  
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**History.** This publication is a major revision. The portions affected by this major revision are listed in the summary of change.

**Authorities.** This regulation implements Department of Defense Instruction 1100.22 and Department of Defense Instruction 3020.41.

**Applicability.** This regulation applies to the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve, unless otherwise stated.

**Proponent and exception authority.** The proponent of this regulation is the Deputy Chief of Staff, G–4. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing, to a division chief within the proponent agency or its direct reporting unit or field operating agency in the grade of colonel or the civilian equivalent. Activities may request a waiver to this regulation by providing justification that includes a full analysis of the expected benefits and must include formal review by the activity's senior legal officer. All waiver requests will be endorsed by the commander or senior leader of the requesting activity and forwarded through their higher headquarters to the policy proponent. Refer to AR 25–30 for specific requirements.

**Army internal control process.** This regulation contains internal control provisions in accordance with AR 11–2 and identifies key internal controls that must be evaluated (see appendix B).

**Suggested improvements.** Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to G–4 Publications Team mailbox: [usarmy.pentagon.hqda-dcs-g-4.mbx.publications@mail.mil](mailto:usarmy.pentagon.hqda-dcs-g-4.mbx.publications@mail.mil).

**Distribution.** This regulation is available in electronic media only and is intended for the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve.

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\*This publication supersedes AR 715–9, dated 24 March 2017.

# ***SUMMARY of CHANGE***

AR 715–9  
Operational Contract Support Planning and Management

This major revision, dated 18 September 2024—

- Adds additional responsibilities for the Assistant Secretary of the Army (Installations, Energy, and Environment) (para 2–4).
- Adds additional responsibilities for Deputy Chief of Staff, G–4 (para 2–9*k*).
- Adds responsibilities for Commander, U.S. Army Forces Command (para 2–16).
- Adds updates to contract support planning, Department of the Army’s Industrial Security Program (para 4–1).
- Adds updates to predeployment considerations in accordance with DoDI 3020.41 and updated sub-para 5–2*g* reference Department of Defense guidance for contractor computer systems access (para 5–2).
- Adds policy for Government property, Government-provided support (6–5*d*).
- Adds to Terms: Classified contract, Industrial Security Specialist, Contractor, Industrial Security (Glossary).

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## **Chapter 1**

### **Introduction**

#### **1–1. Purpose**

This regulation prescribes Department of the Army (DA) policy and responsibilities for planning and managing operational contract support (OCS) with a specific focus on the non-acquisition roles and responsibilities. It specifically addresses contract support integration, contracting support, and contractor management functions of OCS as defined in Department of Defense Instruction (DoDI) 3020.41 and Joint Publication (JP) 4–10.

#### **1–2. References, forms, and explanation of abbreviations**

See appendix A. The abbreviations, brevity codes, and acronyms (ABCAs) used in this electronic publication are defined when you hover over them. All ABCAs are listed in the ABCA directory located at <https://armypubs.army.mil/>.

#### **1–3. Associated publications**

This section contains no entries.

#### **1–4. Responsibilities**

See chapter 2.

#### **1–5. Records management (recordkeeping) requirements**

The records management requirement for all record numbers, associated forms, and reports required by this publication are addressed in the Records Retention Schedule–Army (RRS–A). Detailed information for all related record numbers, forms, and reports are located in the Army Records Information Management System (ARIMS)/RRS–A at <https://www.arims.army.mil>. If any record numbers, forms, and reports are not current, addressed, and/or published correctly in ARIMS/RRS–A, see DA Pam 25–403 for guidance.

## **Chapter 2**

### **Responsibilities**

#### **2–1. Assistant Secretary of the Army (Manpower and Reserve Affairs)**

The ASA (M&RA) will—

- a. Oversee current and future personnel readiness and the well-being of the Army through the development and integration of contingency-related human resources policies and programs related to Contractors Authorized to Accompany the Force (CAAF).
- b. Oversee all personnel security, corrections, and disciplines related to CAAF, including law enforcement and military justice matters, in coordination with The Judge Advocate General and the Provost Marshal General.
- c. Coordinate and oversee casualty, mortuary, memorial affairs, and prisoner of war and/or missing-in-action policy, as such policy relates to CAAF.
- d. Provide the policy, programming, and oversight of all Army workforce mix initiatives. This includes policy on challenges and appeals; exemption approval; reporting requirements under Public Law 105–270; oversight and management of core competencies and workforce mix in relation to inherently governmental functions (see Federal Acquisition Regulation (FAR), Subpart 7.5, DFARS 207.503, Army Federal Acquisition Regulation Supplement (AFARS) 5107.503 and DoDI 1100.22) and personal service contracts; and the Request for Service Contract Approval Business Process (see AR 70–13).

#### **2–2. Assistant Secretary of the Army (Financial Management and Comptroller)**

The Assistant Secretary of the Army (Financial Management and Comptroller) (ASA (FM&C)) will—

- a. Collect and review contingency funding requirements from affected commands in accordance with Office of Management and Budget and Office of the Secretary of Defense (OSD) guidance.

b. Oversee and provide guidance for cost estimating and cost-benefit analysis in support of OCS programs and initiatives.

### **2–3. Assistant Secretary of the Army (Acquisition, Logistics, and Technology)**

The Assistant Secretary of the Army (Acquisition, Logistics, and Technology) (ASA (ALT)) will—

- a. Identify, formulate, coordinate, and disseminate acquisition policy and acquisition guidance for OCS.
- b. Provide the U.S. Army Training and Doctrine Command (TRADOC) technical guidance on OCS acquisition issues related to doctrine, organization, training, materiel, leadership, and education; personnel and facilities development actions; and requirements.
- c. Oversee the implementation of OCS acquisition-related guidance and clauses for all contingency contracts, including peacekeeping and host nation support contracts.
- d. Assist in developing and improving OCS-related automated systems to include CAAF accountability and visibility systems.
- e. Advise TRADOC regarding embedding OCS-related information in professional military education and other training exercises.
- f. Participate in and support collective training exercises, as appropriate.
- g. Establish policy stating the awarding contracting office will provide quality assurance personnel or delegate authority to monitor contractor performance in accordance with the contract.
- h. Establish policy to plan, account for, and codify Contingency Contracting Administrative Services in Army Service Component Commands (ASCC) planning documents.
- i. Establish policy, guidelines, structure, approval authorities' levels, and procurement action lead time-lines specific to the Army/Joint requirements review board process for contingency operations to ensure standardization.

### **2–4. Assistant Secretary of the Army (Installations, Energy, and Environment)**

The ASA (IE&E) will—

- a. In coordination with the ASA (ALT), establish policy and proactively consider climate change's physical security and cybersecurity implications in planning OCS.
- b. Oversee integration of base operating support and management functions into OCS, as required, for Army lead Military Service enduring locations.
- c. As required, provide oversight and policy guidance to ensure contingency basing tenants described in Department of Defense Directive (DoDD) 3000.10 and AR 700–147 are appropriately addressed in OCS.
- d. Coordinate with the ASA (IE&E) to ensure appropriate IE&E portfolio considerations are addressed by performance contractors and integrated into the acquisition planning process and documentation for the full range of military operations.

### **2–5. General Counsel**

The General Counsel will provide contracting and fiscal law advice to Army Secretariat and other organizations, as required. In coordination with the Judge Advocate General, ensure compliance with the Office of Special Counsel requests for investigations.

### **2–6. Deputy Chief of Staff, G–1**

The DCS, G–1 will—

- a. Coordinate, develop, and publish, CAAF-related theater entrance requirements for personnel.
- b. Serve as the Army staff (ARSTAF) element for reporting Army CAAF accounting and tracking data.
- c. Provide liaison to and coordination for Army CAAF casualties with the contractor, in accordance with the Defense Federal Acquisition Regulation Supplement (DFARS) 252.225–7040, Contractor Personnel Supporting U.S. Armed Forces Deployed Outside the United States.
- d. Provide policy oversight of applicable in-theater CAAF-authorized government services and related policy implementation.
- e. Assist Casualty and Mortuary Affairs Operations Center personnel in maintaining access to the Synchronized Predeployment and Operational Tracker–Enterprise Suite (SPOT–ES), or its successor, for purposes of obtaining a record of emergency data information.
- f. Participate in OCS coordination and planning meetings, as appropriate.

g. Ensure OCS personnel are placed in the appropriate operational forces Logistics staffs' temporary duty assignment and modified table of organization and equipment positions to support the planning and execution of OCS.

## **2-7. Deputy Chief of Staff, G-2**

The DCS, G-2 will—

- a. Serve as the ARSTAF lead for the Army contract linguist's requirement in accordance with DoDD 5160.41E.
- b. Serve as the point of contact for intelligence and/or intelligence support-related contract support efforts.
- c. Coordinate and provide technical assistance and advice to the ASA (M&RA) and ASA (ALT) regarding the development and implementation of policy on vetting contract linguists and other contractor personnel, as required.
- d. Participate in OCS coordination and planning meetings, as appropriate.

## **2-8. Deputy Chief of Staff, G-3/5/7**

The DCS, G-3/5/7 will—

- a. Act as the Headquarters, Department of the Army (HQDA) lead staff officer for the continental United States Replacement Center (CRC) and Non-military Individual Replacement Deployment Operations (N-m IRDO) sites.
- b. Develop and coordinate OCS-related policies, programs, and initiatives to achieve directed levels of individual, leader, and unit readiness training for the Army.
- c. Serve as the ARSTAF focal point for organization, integration, decision-making, and execution of the spectrum of activities encompassing requirements definition, force development, force integration, force structuring, combat development, doctrine development, training development, resourcing, and prioritization for OCS issues.
- d. Incorporate OCS planning and/or assumption data for use in Total Army Analysis (TAA).
- e. Document enduring contractor man-year equivalents on tables of distribution and allowances and augmentation tables of distribution and allowances for operational units.
- f. Participate in OCS coordination and planning meetings, as appropriate.
- g. Serve as approval authority for exceptions to policy for non-Logistics Civil Augmentation Program (LOGCAP) CAAF to use LOGCAP Nm-IRDOs in place of CRCs.

## **2-9. Deputy Chief of Staff, G-4**

The DCS, G-4 will—

- a. Serve as the office of primary responsibility for non-acquisition OCS policy.
- b. Serve as the ARSTAF coordinator to ASA (ALT), OSD, and the Chairman of the Joint Chiefs of Staff for OCS policy.
- c. Assist TRADOC in developing non-acquisition OCS-related doctrine, organization, training, materiel, leadership, and education, and personnel and facilities developments.
- d. Participate in the Army planning community to support the inclusion of appropriate non-acquisition OCS guidance in HQDA, Army commands (ACOMs), and ASCCs planning documents.
- e. Facilitate staffing and decisions on requests for exception to or waivers of policy or procedures contained in this regulation.
- f. Provide contract support planning and/or assumption data for use in TAA.
- g. Assist DCS, G-3/5/7 with force structure risk assessment and programming alternatives.
- h. Advise TRADOC regarding embedding non-acquisition OCS-related information in professional military education and other training and exercises.
- i. Participate in and support collective training exercises, as appropriate. See Army Techniques Publication (ATP) 4-10.1.
- j. Participate in OCS coordination and planning meetings, as appropriate.
- k. Conduct quarterly OCS readiness assessments in accordance with the Army Strategic Readiness Assessment and Joint Capability Area Risk assessments in accordance with AR 525-30.
- l. Provide advice to the ASA (ALT) on the development of policy that ensures the requiring activity will nominate qualified contracting officer representative (COR) personnel to monitor contractor performance in accordance with the contract.

## **2-10. Deputy Chief of Staff, G-8**

The DCS, G-8 will—

- a. Facilitate the funding of validated and prioritized OCS requests in the Army Requirement and Resource Board and planning, programming, budgeting, and execution process (to include LOGCAP).
- b. Assess funding aspects of Government-Furnished Property (GFP) and Contractor Acquired Property (CAP) and determine alternative courses of action.

## **2-11. The Surgeon General and Commander, U.S. Army Medical Command**

TSG and Commander, MEDCOM will—

- a. Provide oversight and guidance on developing and implementing operational-specific medical and dental predeployment standards and qualifications.
- b. Establish and implement policy for the collection of reimbursable medical and dental services provided to contractor personnel in contingency operations.
- c. Provide oversight and guidance in OCS-related considerations in medical support planning and force programming.
- d. Participate in predeployment OCS coordination and planning meetings.
- e. Coordinate MEDCOM contingency contracting actions in accordance with local Joint Force Command and ASCC policies.
- f. Ensure contractor accountability clauses are included and enforced in all applicable MEDCOM contracts.
- g. Incorporate training into applicable professional military education and other training courses to ensure requiring activities understand the tools used to account for, manage, and track contractors in the battlespace (that is, SPOT-ES).

## **2-12. The Judge Advocate General**

TJAG will provide legal advice and support regarding status of forces agreements (SOFAs), international security agreements, acquisition cross-service agreements, host nation laws, the Military Extraterritorial Jurisdiction Act, Section 3261, Title 18, United States Code (18 USC 3261), the Uniform Code of Military Justice (UCMJ), procurement fraud, contract, and fiscal law, and other legal considerations regarding CAAF.

## **2-13. Chief of Chaplains**

The Chief of Chaplains will assist in developing policy and will provide guidance related to religious support requirements to contractor personnel.

## **2-14. Commanding General, U.S. Army Training and Doctrine Command**

The Commanding General (CG), TRADOC will—

- a. Serve as the proponent for non-acquisition OCS-related doctrine-related training publications (10 USC 1701).
- b. Incorporate OCS into the Army's Mission Command Training Program and Combat Training Center exercises.
- c. Incorporate OCS into professional military education and other leader development courses.
- d. Incorporate OCS into the Army's Lessons Learned Program.
- e. Incorporate training into applicable professional military education and other training courses to ensure requiring agencies understand the roles and responsibilities of contracting officer's representative (COR).
- f. Incorporate training to ensure requiring agencies know how to account for, manage, and track GFP in an Accountable Property System of Record (APSR).
- g. Incorporate training into applicable professional military education and other training courses to ensure requiring activities understand the tools used to account for, manage, and track contractors in the battlespace (SPOT-ES).

## **2-15. Commanding General, U.S. Army Materiel Command**

The CG, AMC, will—

- a. Provide Mission Command, training, and readiness oversight of Army Contracting Command organizations and Army Field Support Brigades that support the employment of OCS capabilities.

- b.* Prepare and execute theater and external support contracts in support of deployed Army Forces (ARFOR) and other organizations as required and/or directed.
- c.* Coordinate and synchronize OCS considerations in the planning and execution of systems support contracts.
- d.* Assist ASCCs and subordinate commanders in OCS planning and execution.
- e.* Assist in unit individual and collective training exercises.
- f.* Provide technical review oversight for OCS-related doctrine and common training.
- g.* Assist in the development of all OCS-related policy.
- h.* Provide use input and change recommendations in developing and improving OCS-related automated systems, including SPOT-ES or its successor.
- i.* Ensure contingency clauses are included and enforced in all applicable contracts.
- j.* Participate in and support collective training exercises, as appropriate. See ATP 4–10.1.
- k.* Ensure the requiring activity Army Post Office supervisor or Property Book Officer accounts for, manages, and tracks all GFP in an APSR. For additional guidance, see AR 735–5, AR 710–3, and AR 405–45.

## **2–16. Commander, U.S. Army Forces Command**

The Commander, U.S. Army Forces Command (FORSCOM) will—

- a.* Coordinate FORSCOM OCS-related requirements in accordance with ASCC policies.
- b.* Ensure contingency clauses are included and enforced in all applicable contracts to support service support requirements and low-density and sensitive equipment.
- c.* Participate in predeployment OCS coordination and planning meetings.
- d.* Participate in OCS coordination and planning meetings, as appropriate.

## **2–17. Commander, U.S. Army Special Operations Command**

The Commander, U.S. Army Special Operations Command (USASOC) will—

- a.* Coordinate USASOC OCS-related requirements in accordance with local Joint Force command and ASCC policies.
- b.* Ensure contingency clauses are included and enforced in all applicable contracts.
- c.* Participate in predeployment OCS coordination and planning meetings.
- d.* Participate in OCS coordination and planning meetings, as appropriate.

## **2–18. Director, U.S. Army Criminal Investigation Division**

The Director, U.S. Army Criminal Investigation Division, will—

- a.* Conduct criminal investigations involving procurement fraud and OCS personnel, equipment, and activities.
- b.* Assist units in developing OCS surveillance programs to identify potential waste, fraud, and abuse scenarios.
- c.* In coordination with the DCS, G–2, ensure industrial security requirements are included as applicable to cleared contractor support, integration, and management functions. Cleared contractor personnel who require access to classified information under the National ISP require additional contract and security requirements. The DCS, G–2 will assist in security guidance and oversight to ensure cleared contractor personnel adhere to program requirements.

## **2–19. Commander, U.S. Army Corps of Engineers**

The Commander, U.S. Army Corps of Engineers will—

- a.* Collaborate with LOGCAP to ensure Army Facility Components System designs—to be utilized by LOGCAP—are standardized, scalable, modular, rapidly executable, compliant with theater construction policies, and ensure compliance with life, health, and safety requirements for contingency construction.
- b.* Execute all required assignments of responsibility related to LOGCAP as prescribed in AR 700–137.

## **2–20. Commander, U.S. Army Intelligence and Security Command**

The Commander, U.S. Army Intelligence and Security Command (INSCOM) will—

- a.* Participate in predeployment OCS coordination and planning meetings.
- b.* Coordinate INSCOM contingency contracting actions in accordance with local Joint Force command and ASCC policies.



- c. Ensure contingency clauses are included and enforced in all applicable contracts.
- d. Coordinate with the DCS, G-2 regarding operational linguist contract support coordination and planning.

## **2-21. Commanders, Army Service Component Commands**

The Commanders, ASCCs will—

- a. Conduct OCS planning and ensure Annex W, OCS, and associated appendixes of the operations plans (OPLAN), are developed in accordance with Chairman of the Joint Chiefs of Staff Manual (CJCSM) 4301.01, Geographic Combatant Commander (GCC) guidance and established Department of Defense (DoD) and Army policy.
- b. Provide Annex W OCS with appendixes to GCC as required by GCC and Army policy and directives.
- c. Assess mission-essential contracts and develop contingency plans to ensure the continuation of mission-essential contract service policy and procedures for determining workforce mix in accordance with DoDI 1100.22.
- d. Ensure subordinate Army organizations execute required activity functions, including nominating qualified CORs and receiving officials.
- e. Assist in the development and enforcement of GCC-designated CAAF theater entrance requirements.
- f. Coordinate all plans, orders, and directives with the supporting contracting support brigade, Army field support brigades, and other contracting and contract support organizations as required.
- g. Ensure security and/or force protection plans are developed for ARFOR, facilities, and supplies to protect from threats by personnel posing as CAAF and other contractor personnel requiring temporary access to Army facilities.
- h. Incorporate CAAF and other contractor personnel who have access to Army facilities into force protection and/or security plans.
- i. Develop area of operations (AO) specific policies and establish and enforce procedures to address alleged contractor personnel violations of U.S. law, host nation law, Joint, and Army policies, SOFAs, and Joint Force commander (JFC) policies, directives, procedures, and orders.
- j. Enforce DoD, Army, and GCC policies, directives, and/or orders related to arming individual contractors for personnel protection and the use of armed private security services.
- k. Incorporate OCS into ASCC collective training exercises.
- l. Support the accounting and tracking of Army CAAF through SPOT-ES or its successor.
- m. Participate in OCS coordination and planning meetings, as appropriate.

## **2-22. Director/Chief Executive Officer, Army and Air Force Exchange Service**

The Director/CEO, Army and Air Force Exchange Service (AAFES) will—

- a. Ensure contractor accountability clauses are included and enforced in all applicable AAFES contracts.
- b. Ensure use of AAFES facilities and services in foreign or overseas areas are consistent with the Overseas commander's determinations under applicable international agreements. For support in contingency locations, authorized government services for CAAF and non-CAAF will be indicated on a SPOT-ES generated letter of authorization (LOA). AAFES contracts are nonappropriated fund instrumentality contracts issued to meet command requirements under permissive conditions.
- c. Participate in OCS coordination and planning meetings, as appropriate.

## **2-23. Commander and directors of requiring activities (all organizations/all levels)**

The commanders and directors of requiring activities will—

- a. Nominate qualified CORs and track appointed CORs for all service and minor construction contracts, as directed by the requiring activity.
- b. Ensure organizations require proof that a designated COR has completed the necessary training as part of the requirements package.
- c. Support award fee boards and source selection boards as required.
- d. Ensure government-furnished support is provided in accordance with the LOA and terms and conditions of the contract. Discrepancies will be reported to the cognizant contracting officer.

- e. Ensure contractor personnel are properly incorporated into local force protection and/or security plans.
- f. Ensure CAAF personnel and equipment deploying with the unit are documented in the time-phased force and deployment data list.

## **Chapter 3**

### **Contract Support Integration**

#### **3–1. General planning considerations**

a. *General.* OCS is the process of planning for and obtaining supplies, services, and construction from commercial sources in support of Combatant Commander (CCDR)-directed operations. OCS is a multi-faceted, cross-functional staff activity executed primarily by the Combatant Command, subordinate staffs, Service components, theater special operations commands, and, in some cases, functional components, along with supporting Combat Support Agency (CSAs). OCS is planned and integrated through cross-functional organizations and associated lead Service or joint theater support contracting-related activities. The three overall supporting functions and associated tasks are contained in this policy to characterize OCS. OCS includes planning, orchestrating, and synchronizing the provision of integration, contracting support, and contractor management. These three functions are inextricably linked to achieving favorable operational and acquisition objectives.

b. *Guidance on the use of contracting support in contingency operations.* Contractors may support ARFOR operating in military contingencies across the range of military operations. In general, contracted support will be utilized after full consideration of all support sources, including organic Army resources, deployable DA Civilians, other Services, and multinational and host nation support agreements. The use of contractors must also follow applicable laws and regulations.

c. *Restrictions on contracting certain functions.* All Army OCS planning and contingency contract actions will take into consideration all JFC-directed restrictions on specific contract functions (for example, restriction on the use of armed security services), prohibition on contracts for interrogators, and follow regulatory guidance on inherently governmental functions as specified in FAR, Subpart 7.5, DFARS 207.503, AFARS 5107.503 and DoDI 1100.22.

(1) Contracting officials will request requiring officials to certify in writing that functions to be contracted (or to continue to be contracted) are not inherently governmental. Requiring officials will determine whether functions are inherently governmental based on policy prescribed in DoDI 1100.22.

(2) Functions that are not inherently governmental are commercial in nature. Commercial activities that are exempted from private sector performance by law, Executive order, treaty, or international agreement will be designated for DoD civilian or military performance. Contracting officials will request requiring officials to certify in writing that functions to be contracted (or continue to be contracted) are not exempted from private sector performance. Requiring officials will determine whether functions are exempted from private sector performance based on policy prescribed in DoDI 1100.22.

(3) If a function is not inherently governmental nor exempted from private sector performance, it will be designated for DoD civilian performance unless an approved analysis pursuant to policy prescribed in DoDI 1100.22 is addressed by requiring officials. Requiring officials will determine whether DoD civilian employees should be used to perform the work based on additional guidance found in Deputy Secretary of Defense Memorandum, "In-sourcing Contracted Services – Implementation Guidance," dated May 28, 2009, and Deputy Secretary of Defense Memorandum, "Implementation of Section 324 of the National Defense Authorization Act for Fiscal Year 2008 – Guidelines and Procedures on In-Sourcing New and Contracted Out Functions," dated April, 4 2008.

(4) Specific Army regulatory guidance on arming contractor employees and utilizing private security services is covered in paragraph 6–11 below. Additionally, AMC may not utilize weapon systems support-related contracts without coordination and approval.

d. *Restrictions on timing, organizational level, and location of contract support.* Contractor personnel are not combatants; therefore, it is necessary to keep them out of direct contact with hostile forces as much as practicable. In all operations, Army commanders will follow Joint Forces Command guidance and all terms and conditions of the applicable contract(s) regarding any restrictions to the location and timing of contract performance. Additionally, commanders may impose further restrictions based on anticipated or actual mission, enemy, terrain, troops available, time, and civil considerations. When such restrictions impact the contractor's ability to meet the contract's terms and conditions, the requiring activity

and/or supported unit must report this situation to the cognizant contracting officer through their appointed COR.

*e. Host nation and other international legal considerations.* The OCS planning actions must consider host nation support agreements, SOFAs, local laws, or other international legally related considerations such as work visa requirements (to include in transit countries), restrictions on contract functions, requirements to hire a certain percentage of local national employees, and so forth.

### **3–2. General guidance on the use of contracting support in the Continental United States**

In continental United States based contingencies, OCS is a force enabler for Commanders. It provides access to commercial assets and services with unique skill sets and knowledge when and where needed, reduces military operations tempo, and circumvents our reliance on extended supply chains through local providers. OCS also requires integration across military services and all staff functional areas under commanders and leaders at all echelons.

## **Chapter 4 Contracting Support**

### **4–1. Contract support planning**

Army contracting policy authority resides with the ASA (ALT). It can only be prescribed in accordance with applicable U.S. laws, FAR, DFARS, and AFARS. Accordingly, contracting policy is not part of this regulation. The DAs ISP is administered by the DCS, G–2. The ISP applies to classified contracts, cleared contractors, and addresses controlled unclassified information in the hands of industry or contractor operations on Army installations or at Army facilities. Contract support under the ISP must be coordinated with the local Industrial Security Specialist. Special access program security requirements are prescribed in AR 380–381 and AR 715–30. Additionally, AR 715–30 prescribes policy and guidance to support a secure contracting environment and activities having special security or operational requirements.

*a. Contract Support Integration.* Ensures that commanders at all levels understand the scope of contracted activities in their respective area of responsibility and associated risks. Contract support integration is applicable to exercises, security cooperation, and shaping activities in support of operations and campaign plans. Related tasks include:

- (1) Planning, validating, consolidating, and prioritizing requirements.
- (2) Performing OCS information management.
- (3) Collaborating in boards, cells, and working groups that support OCS objectives within their respective area of responsibility.

*b. Contracting Support.* Ensures that requiring activities can legally obtain supplies or services from commercial sources most efficiently. Contracting support is applicable to exercises, security cooperation, and shaping activities in support of operations and campaign plans. Contracting support tasks include:

(1) Complying with laws and policies, as described in the Glossary of Terms, Section II Terms, Contracting Authority. Contracting officers must also be familiar with this regulation to fully comprehend their required activities' responsibilities.

- (2) Planning and organizing for contracting support.
- (3) Coordinating common contracting actions.
- (4) Drafting contracts.
- (5) Developing, soliciting, awarding, administering, and closing out contracts.

*c. Contractor Management.* Comprehensive contractor management policies and procedures are necessary for effective oversight and integration of contractor personnel and their associated equipment into applicable operations when contracts support the joint force in a designated operational area. Contractor management is applicable to exercises, security cooperation, and shaping activities in support of operations and campaign plans. Contractor management tasks include:

- (1) Planning contractor management.
- (2) Preparing for contractor deployment.
- (3) Deploying or redeploying contractors.
- (4) Managing contractors.
- (5) Sustaining contractors in-theater.
- (6) Accounting for and managing GFP.

#### **4–2. Contracting support capabilities planning**

The use of contracted support capabilities and deployment of CAAF and equipment in support of contingency operations require Army operational-level planners to develop orchestrated, synchronized, and detailed contract support integration plans (CSIPs) and supporting contractor management plans (CMPs) as components of feasible OPLANs and operation orders (OPORDs), in accordance with CJCSM 4301.01, JP 4–10, ATP 4–10, and Joint Forces Command guidance.

*a. Contract support integration planning.* All ASCC or subordinate ARFOR command-level (normally a corps or division) OPLANs and OPORDs will include a CSIP. Additionally, plans, and orders will contain additional contract support guidance, as appropriate, in applicable annexes and appendixes within the respective plan (Operational plans at all levels will consider all applicable OCS-related requirements).

*b. Contractor management plans.* All CSIPs will also include a separate CMP appendix and/or address the requisite contractor management requirements in the applicable appendix or annex of these plans. CMPs will address all requisite contractor management matters.

*c. Staff integration and synchronization.* All CSIP actions, and especially CMP actions, must be fully synchronized and integrated across all primary and special staffs to include applicable contracting and contract support organizations (for example, contracting support brigade and Army field support brigade).

*d. Integrating Army and Joint planning.* All Army CSIPs and associated CMPs will be developed in parallel and be fully synchronized with the applicable Joint Forces Command CSIP and associated CMP and policies. Commander and staff must also establish and execute appropriate OCS-related review boards, cells, and working groups. Proper OCS synchronization among the collective staff will enable the commander to leverage contracted support to create desired OCS-related effects and achieve operational and strategic objectives. See JP 4–10 for OCS-related boards.

*e. Joint contracting command and coordination.* The Army supports the formation of and participation in Joint Forces Command-directed Joint theater support contracting commands as well as Joint acquisition and contracting boards as described in JP 4–10 and as prescribed in the appropriate Joint Forces Command CSIP.

*f. Risk assessment and continuation of essential contractor services.* A risk assessment of the planned use of contract support by phase of operation must be conducted to reasonably ensure the continuation of essential services in contingency operations. As appropriate, develop mitigation plans and procedures to address the identified risk. At a minimum, the ASCC commander, in coordination with the subordinate ARFOR commander, will address the following DoD policy-directed requirements in the CSIP:

- (1) Identification of mission-essential contract support functions by phase of the operation.
- (2) Risk avoidance, mitigation plans, and associated procedures for mission-essential contractor services.
- (3) Specific courses of action to be taken to replace or mitigate the loss of each mission-essential contracted support function.

#### **4–3. Plan review requirements**

All ASCC and subordinate ARFOR command-level CSIPs and associated CMP information will be provided to the appropriate GCC for review as required in accordance with GCC policy and directives. The status of CSIPs and associated CMP development and integration into appropriate operational planning documents will be reported annually to the DCS, G–4.

#### **4–4. Requirements definition**

Requiring activities are responsible for developing acquisition ready requirements packages that include a clear description of the requirements, contractor performance, market research information, appropriate command and staff approvals (to include funding), and points of contact for receipt of goods and services. These requirements definition actions will be developed in accordance with guidance found in the relevant CSIP, CMP, and other operational command policies and procedures.

#### **4–5. Complete Acquisition Ready Requirements Package**

Contracts will not be awarded without the submission of a complete and approved requirements package. Acquisition ready requirements packages will contain, but may not be limited to—

- a. Funding documents.*

- b. Performance work statement or statement of work (for services) or item description with desired capabilities and characteristics (for a commodity).
- c. Independent government cost estimate.
- d. GFP information.
- e. Requirements justification and command approval (as required by local policy).
- f. Other supporting documentation (as required by local policy).
- g. Any COR nomination and qualification certification (for all service contracts).
- h. Receiving official designations (for all commodity contracts).

*Note:* ATP 4–10 provides additional guidance on developing and staffing acquisition ready requirements packages.

#### **4–6. Security requirements and classification considerations**

- a. Prior to obtaining access to classified information, contractor employees who require such information, as documented in the DD Form 254 (Department of Defense Contract Security Classification Specification), must have a corresponding favorably adjudicated background investigation that is equivalent to the level of classified material to be accessed. Contract support requiring access to classified information will be coordinated with the local Industrial Security Specialist.
- b. Classified contracts must be handled in accordance with AR 380–49 and applicable Army and DoD policy.
- c. All security and classification requirements for the protection of classified information will be in accordance with AR 380–5, AR 380–49, AR 380–67, and DoDM 5200.01.
- d. All ASCC (requiring activity) commanders will ensure coordination with industrial security specialists is conducted for contracts requiring access to classified information.
- e. All ASCC (requiring activity) commanders will ensure security professionals (security managers, industrial security specialists, special security officers, TEMPEST personnel) are made aware of new contracts requiring access to classified information.

## **Chapter 5 Contractor Management**

### **5–1. Authorities and oversight**

- a. *Standard deployment clause.* All contracts requiring or potentially requiring CAAF support from outside the AO will include specific requirements or the appropriate FAR and DFARS clauses pertaining to predeployment, deployment, and redeployment of contractor equipment and CAAF personnel.
- b. *Theater-specific entry requirements.* Army contract personnel will use the theater-specific guidance for each Joint operational area. Additional predeployment guidance can be found on the individual GCC section of the Defense Pricing and Contracting website (Available at: <https://www.acq.osd.mil/asda/dpc/index.html>).
- c. *Security classification considerations.* All security and classification requirements will be in accordance with AR 25–2, AR 380–5, AR 380–49, AR 380–67, and DoDM 5200.01 (see Appendix A for titles).

### **5–2. Predeployment considerations**

- a. *Contractor personnel accountability and deployment preparation data.* The OSD designates SPOT–ES as the database to maintain contractor data. The SPOT–ES system maintains contract employee personnel data, completion data for predeployment requirements, contract data, and deployed contract employee location data. In accordance with DoD policy, DFARS, Subpart 225.371–5, DFARS 252.225–7040, and any other terms and conditions, all CAAF will be entered into SPOT–ES, or its successor, before deployment. More information can be found at the SPOT–ES website (<https://spot.dmdc.mil>).
- b. *Personnel recovery.* All CAAF who are U.S. citizens and CAAF non-U.S. citizens designated by the GCC must be incorporated in the personnel recovery program in accordance with DoDD 3002.01 during predeployment processing.
- c. *Next of kin notification.* Next of kin information for CAAF will be maintained in SPOT–ES or its successor.

*d. Passports and visas.* CAAF employed in support of a DoD mission are considered DoD-sponsored personnel for purposes of the DoD Foreign Clearance Guide. Contracting officers must ensure contracts include a requirement that CAAF meets theater personnel clearance requirements and obtain personnel clearances before entering applicable contingency operations. Contracts must require CAAF to obtain proper identification credentials (for example, passport, visa) as required by the terms and conditions of the contract. See DoDI 3020.41.

*e. Geneva Convention category identification.* The CAAF will be issued an official Geneva Conventions identification card (either a DoD Uniformed Services Identification and Privilege Card or a common access card (CAC) with a Geneva Conventions identifier).

*f. Common access card issuance.* All eligible CAAF must be issued an ID card with their Geneva Conventions Accompanying the Force designation. CAAF are required to present their SPOT-ES generated LOA as proof of eligibility at the time of ID card issuance. The DCS, G-1 will ensure eligible CAAFs receive an ID card before beginning deployment to the operational area. Expiration dates on the ID card should correspond to the end date of the contract period of performance or the end of their deployment. Normally, only replacement cards will be issued in the operational area. The DCS, G-1 will ensure they include CAAF in the appropriate ID card in-theater replacement program planning. Refer to JP 4-10, DoDI 1000.01 and DoDI 1000.13.

*g. Department of Defense computer systems access.* Any CAAF requiring logical access to DoD computer systems and networks to perform their mission will require a dot mil email address. Contractor personnel require government sponsorship and should have access based on their job title and permission right for their support organization.

*h. Operational-specific badges and security access cards.* Operational-specific identification cards and security and base access badges may be issued prior to deployment or in the AO, as directed by the appropriate JFC or Army commander.

*i. Personal identification tags.* Identification tags are required for all CAAF and will include the following information: full name, social security number (or other identification numbers as applicable for non-U.S. citizens), blood type, and religious preference. These tags will always be worn when in the AO unless otherwise directed by local command policy. When CAAF are processed for deployment by their employers, it is the responsibility of the contractor company to ensure its employees receive required identification tags prior to deployment.

*j. Medical requirements.*

(1) All contracts requiring the deployment of CAAF will include medical and dental fitness requirements as specified in DoDI 3020.41. Under the terms and conditions of their contracts, contractors will provide personnel who meet such medical and dental requirements as specified in their contracts.

(2) CAAF will be provided medical surveillance and occupational and environmental health surveillance consistent with the applicable contracts.

(3) All CAAF must be provided medical threat pre-deployment briefings in accordance with DoDI 3020.41 and DoDI 6490.03.

*k. Legal assistance.* Individual contractor personnel are responsible to have their personal legal affairs in order (including preparing and completing powers of attorney, wills, trusts, estate plans, and so forth) before reporting to deployment centers. The CAAF are normally not eligible to receive predeployment legal assistance except as specified in AR 27-3.

*l. Military specification individual protective equipment.* When necessary and directed by CCDR, the contracting officer will include language in the contract authorizing CAAF and selected non-CAAF, as designated by the CCDR, to be issued military individual protective equipment (IPE) (for example, chemical, biological, radiological, and nuclear protective ensemble, body armor, ballistic helmet) in accordance with DoDD 1100.4. This equipment will typically be issued at the deployment center, before deployment to the designated operational area, and must be accounted for and returned to the Government or otherwise accounted for in accordance with appropriate DoD and Army policy (including DoDI 4161.02, directives, instructions, and supplementing publications). It is important to plan and resource IPE as required by the geographic CCDR or subordinate JFC, and the terms of the contract. Training on the proper care, fitting, and maintenance of issued protective equipment will be provided as part of contractor deployment training. This training will include practical exercises within the context of the various mission-oriented protective posture levels. When a contractor is required under the terms and conditions of the contract to provide IPE, such IPE will meet minimum standards as defined by the contract.

*m. Predeployment processing.* There are three authorized deployment processing methods for CAAF.

(1) *Deployment with a habitually supported unit.* Any CAAF that has a habitual relationship with a particular unit may process with that unit. The requiring activity (if different from the supported unit) will coordinate with the supported unit to ensure that the supported unit is prepared to provide and/or coordinate common military platform training if it is not available online. The Army generally will not provide assistance with predeployment administrative tasks such as legal, travel documents (such as passports and visas), Family care coordination, and medical and dental qualifications (to include physical, dental screening, and commercially available immunizations). These requirements are the responsibility of the contractor company. In coordination with the power projection platform, the supported unit will confirm the successful completion of these habitually related CAAF predeployment requirements and that these requirements are properly captured into SPOT-ES in accordance with current SPOT-ES business rules.

(2) *Deployment through a continental United States replacement center.* Any CAAF who do not have a habitual relationship with a particular unit may complete their deployment process through a designated CRC. Advanced online training and administrative and medical processing, as required for deployment with a habitually supported unit, are required prior to reporting to the CRC. In coordination with the appropriate contracting officer, the requiring activity will certify that contractor-entered SPOT-ES data, including predeployment requirements, is complete before contractor employees report to the CRC. A SPOT-ES-generated LOA is required before reporting to the CRC. The CRC will provide military-related platform training, issue applicable military identification cards, provide required military-specific immunizations, and arrange follow-on transportation, normally directly from the CRC site to the operational area.

(3) *Contractor performed predeployment processing.* The LOGCAP is a validated DCS, G-3/5/7 authorized N-m IRDO. All non-LOGCAP N-m IRDO requests will be processed through the appropriate requiring activity. In coordination with the applicable contracting officer, the requiring activity will forward these requests to the DCS, G-4. The DCS, G-4 will coordinate these requests with the DCS, G-1, and the Human Resources Command prior to submission to DCS, G-3/5/7 for approval. If approved, the DCS, G-3/5/7 will validate the N-m IRDO site to ensure the contractor performed predeployment processing meets the same standards as Army-run CRCs.

n. *Time-phased force and deployment data development.* All contractor equipment and CAAF destined for an AO must be documented in the time-phased force and deployment data in accordance with CJCSM 3122.02C, JP 4-10, and current deployment guidance. The requirement to provide deployment data will be incorporated in known system support and external support contracts and will apply regardless of whether defense contractors will provide or arrange their own transportation.

o. *Individual readiness files.* An individual readiness file (IRF) will be completed for all deploying CAAF as part of predeployment processing. The IRF must be in the employee's possession at all times while in the theater or be readily available at the area of performance. Minimum requirements for the IRF include—

- (1) CAC.
- (2) Passport.
- (3) Visa (if required).
- (4) Identification tags.
- (5) Background investigation and/or security clearance requirements.
- (6) Copy of physical examination less than 12 months old that confirms deployability.
- (7) Dental examination less than 12 months old that confirms deployability.
- (8) Documentation of required government-issued personal protective equipment and/or uniforms.
- (9) Certification of completed predeployment training.
- (10) Immunization record showing that all required immunizations have been administered.
- (11) Deoxyribonucleic acid testing.
- (12) If required, a prescription for a 180-day supply of medications or arrangements for additional medications.
- (13) SPOT-ES generated LOA that identifies the government-furnished support authorized.
- (14) Copy of weapons qualification card, as needed.
- (15) PRO - File survey.

p. *Theater entrance training requirements.* Common training and AO specific training will be identified in Army personnel policy guidance. Training requirements must be contained or incorporated by reference in contracts employing contractor personnel in support of an applicable contingency operation. Training requirements include specific training requirements established by the CCDR and training

required in accordance with DoDI 3020.41, DoDD 8000.01, DoDI 2000.12, DoDI O–2000.16 Volume 1, and DoDI O–3002.05.

### **5–3. Deployment, reception, staging, and onward movement considerations**

*a. Deployment.* CAAF may deploy by military means either as individuals or part of the unit with which they have a habitual relationship. When authorized by the contract, contract companies may deploy by commercial means.

*b. Reception.* All CAAF will be received and processed through an ARFOR-designated in-theater reception center/process upon entering an AO, regardless of the deployment method.

(1) CAAF personnel and equipment deploying with a habitually supported unit will perform reception processing under the control of their supported unit.

(2) Some large contractors (for example, a LOGCAP performance contractor) may be authorized to perform their own theater reception processing if approved by the ARFOR commander and authorized in their contract.

(3) Other CAAF personnel will be processed individually through an in-theater reception center.

(4) Prior to authorizing onward movement, reception center personnel will document entry into the AO in SPOT–ES, verify all predeployment requirements are met, review the LOA, and notify the supported unit of their pending arrival at the place of performance. The CAAF processing with their habitually supported unit or by the parent company (with authorization) must still complete SPOT–ES, or its successor, the predeployment validation, and the LOA review requirements. If theater entry requirements are not met, CAAF employees may be denied entry and returned to their points of origin at contractor company expense.

(5) At the discretion of the ARFOR commander, reception center personnel may make arrangements with the requiring activity and/or supported unit to complete any shortcomings identified in predeployment requirements to prevent the CAAF from being returned to their points of origin.

*c. Staging.*

(1) Any CAAF personnel and equipment deploying with a habitually supported unit will perform staging-related actions under the control of their supported unit.

(2) Some large contractors (for example, a LOGCAP performance contractor) may be authorized to perform their own staging operations if approved by the ARFOR and authorized in their contract.

(3) Other CAAF personnel and equipment normally are not required to go through a formal staging process.

*d. Onward movement.* All CAAF onward movement actions will follow AO force protection and/or security policy and procedures.

(1) All CAAF personnel and equipment deploying with a habitually supported unit will conduct onward movement under the control of their supported unit.

(2) Some large contractors (for example, a LOGCAP performance contractor) may be authorized to directly coordinate their onward movement with the AO movement control center if approved by the ARFOR commander and authorized in their contract.

(3) Reception centers will coordinate the onward movement of individually deploying CAAF and equipment to the point of performance.

### **5–4. Redeployment considerations**

*a. Government-furnished and contractor acquired property equipment.* This equipment must be returned to the U.S. Government in accordance with AR 735–5, DoDI 4161.02, and the applicable contracts. ASCCs will coordinate this equipment's redeployment and/or disposition with HQDA, AMC, cognizant contracting command or agencies, and other applicable organizations.

*b. Equipment leaving the area of operations.* All equipment, including contractor-owned equipment, leaving the AO must meet all environmental and customs requirements for the final destination and any stop points while in transit. As some countries hosting an intermediate staging base may not permit certain items to enter their borders, some clothing and equipment, whether issued by the contractor, purchased by the employee, or provided by the Government, may not be permitted to exit the area of responsibility. In this case, alternate methods of accounting for Government-issued equipment and clothing will be used according to CCDR or JFC guidance and contract language.

*c. Contractors authorized to accompany the force out-processing from the area of operations.*



(1) Requiring activities will coordinate CAAF security and force health protection debriefings per AO specific guidance.

(2) Requiring activities will coordinate the return of all operational-specific identifications and security access badges. A special effort will be made to collect all CACs from returning deployed contractors.

(3) Transportation for CAAF and all returning equipment must be arranged in accordance with the terms of the contract. Transportation of CAAF from the deployment center/site to the home destination is the employer's responsibility. Government reimbursement to the employer for travel will be determined by the terms and conditions of the contract.

*d. Out-processing procedures after departing the area of operations.*

(1) Contracts will require that CAAF complete a post-deployment health assessment in the Defense Medical Surveillance System at the termination of the deployment (within 30 days of redeployment). These assessments will only be used by the DoD to accomplish population-wide assessments for epidemiological purposes, and to help identify trends related to health outcomes and possible exposures. They will not be used for individual purposes in diagnosing conditions or informing individuals they require a medical follow-up. Diagnosing conditions requiring medical referral is a function of the contractor.

(2) Contracting officers or their designated representative will verify that contract companies recover and return CACs as stipulated in the contract. Additional access badges must be turned in, and special access debriefings must be conducted with the local security office for all departing cleared contractor personnel.

(3) Contracting officers will verify contractor companies recover and return any government-issued protective clothing or uniforms as stipulated in the contract.

(4) Contracting officers or their designated representative, will verify the contractor company updated SPOT-ES (or its successor) to reflect their employee's change in status within 3 days of his or her redeployment as well as close out the deployment and collect or revoke the LOA.

(5) The CAAF are subject to customs and immigration processing procedures at all designated stops and their final destination during their redeployment. All CAAF returning to the United States are subject to U.S. reentry customs requirements in effect at the time of reentry.

## **Chapter 6**

### **In-Theater Contractor and Contract Management**

#### **6-1. Contracting authority and oversight**

*a. Contracting authority.* Only a warranted contracting officer responsible for the contract may direct or approve changes to the contract or terminate the contract or negotiate contractual requirements with a commercial source.

*b. Command and mission oversight authority.* Operational commanders do not have contracting authority; however, commanders are responsible for OCS planning, definition requirements, and supporting in-theater contract management oversight. Operational commanders, not contracting organization commanders, remain responsible for the readiness and safety of deployed ARFORs even when a significant portion of their support is provided via contracted means. Commanders support contract management requirements primarily through their nomination of a properly trained and qualified individual for appointment as a COR by the cognizant contracting officer.

*c. Contracting officer's representative.* A COR may execute only authorities specifically delegated in the appointment letter signed by the contracting officer. A COR also serves as the operational commander's primary oversight point of contact to ensure that the contracted services or construction support is being executed in accordance with the terms and conditions of the contract.

*d. Oversight of contractor personnel.* Contractor personnel are not part of the operational chain of command. They are managed in accordance with the terms and conditions of the contract. Commanders have direct authority over CAAF and non-CAAF working on military facilities for matters of administrative procedures and requirements, force protection, and safety of the force. Commanders may restrict contractor access to specific expeditionary force operations locations and/or facilities and installations (or portions thereof) based on the operational situation; however, the commander must inform the appropriate contracting officer of these access restrictions as soon as practical, preferably prior to imposing such restrictions to ensure that they do not impede the ability of the contractor to meet designated performance requirements and/or to mitigate any contractor performance issues caused by the U.S. Government.

Contractor safety violations that do not put the military force at risk will be handled through the appropriate COR, the onsite contractor manager, and the contracting officer.

## **6–2. Legal and disciplinary considerations**

*a. International law and contractor legal status.* Under applicable law, contractors may support military contingency operations for all functions not inherently governmental. Contractor personnel may be utilized in support of such operations in a noncombat role if they have been designated as CAAF by the force they accompany and are provided with an appropriate identification card pursuant to the Geneva Convention Relative to the Treatment of Prisoners of War. If captured during international armed conflict, contractors with CAAF status are entitled to prisoner of war status. Some contractor personnel may be covered by the Geneva Convention Relative to the Protection of Civilian Persons in Time of War should they be captured during armed conflict. All contractor personnel may be at risk of injury or death incidental to enemy actions while supporting military operations. CAAF status does not apply to contractor personnel supporting domestic contingencies. Contractor personnel may support contingency operations through indirect participation in military operations such as providing communications support; transporting munitions and other supplies; performing maintenance functions for military equipment; providing private security services (see para 6–11, below); providing foreign language interpretation and translation services, and providing logistic services such as billeting and messing. The requiring activity and/or designated supported unit commanders will review each service to be performed by contractor personnel in contingency operations on a case-by-case basis in consultation with the servicing legal office to ensure compliance with relevant laws and international agreements.

*b. Local and Third-Country laws.* Subject to the application of international agreements, all contingency contractor personnel must comply with applicable local and third-country laws. The local nation may retain jurisdiction for violating its laws or relinquish jurisdiction to the United States. Commanders will notify the Department of State (through the designated ARFOR of CCDR or subordinate Joint Forces Command point of contact) of any alleged CAAF-related local nation law violations or apprehensions by local nation authorities.

*c. Uniform Code of Military Justice.* CAAF are subject to UCMJ prosecution when deployed to a contingency area outside the United States and territories. (See AR 27–10 for commander and supervisor responsibilities in addressing alleged misconduct of civilians accompanying the force.)

*d. Other U.S. Laws.* All U.S. citizen and third-country national CAAF may be subject to prosecution pursuant to Federal law including, but not limited to 18 USC 3261 (known as the Military Extraterritorial Jurisdiction Act (MEJA) of 2000). Immediate consultation with the servicing legal office and the contracting officer is required in all cases of suspected MEJA and/or UCMJ application to conduct by CAAF personnel, especially in non-combat operations or in undeclared contingencies.

*e. Commander disciplinary authority.* Commanders may respond to incidents, investigate, restore safety and order, and apprehend and detain contractors for law violations. Area and base commanders may also restrict or revoke CAAF and non-CAAF access to Army facilities or installations for disciplinary infractions. All such actions will be immediately coordinated with the supporting Judge Advocate. The commander must inform the appropriate contracting authority of these access restrictions as soon as practical, preferably before taking such action.

## **6–3. Contractor personnel supervision**

Contractor companies are responsible for providing day-to-day supervision of their employees. In cases where the contractor company supervisor is not located within the area of performance (for example, for interpreters, field service representatives, and so forth), the COR will, with the cognizant contracting officer and contracted company, monitor the contract employee's performance to ensure it is consistent with the terms and conditions of the contract. For any security concerns or violations of the contract involving a cleared contractor, the COR or cognizant contracting officer, or contractor company supervisor will report to the appropriate local security personnel.

## **6–4. Supervision of Soldiers and Department of the Army Civilians**

Contractor personnel will not command, supervise, task, direct work performance, and/or provide performance ratings of Soldiers or DA Civilians.

## 6–5. Government-provided support

The nature and level of government furnished support provided to contractors depends on the point of origin of the contractor. For U.S. contractors and contractors originating from outside the area of responsibility, the level of support will be greater because they may require transportation to get to the theater and facilities to operate once they are in place. On the other hand, contractors residing in the area of responsibility may only require transportation or access to the logistics operations centers, force protection, or no support at all.

*a. Authorized support.* The requiring activity will confirm with theater adjudication authorities that the Government has the capacity, capability, and willingness to provide the support. However, in many contingency operations, especially those in which conditions are austere, uncertain, and/or non-permissive, the contracting officer may decide it is in the interest of the Government to allow for selected life, mission, medical, and administrative support to some contingency contractor personnel. Prior to awarding the contract, the contracting officer will request the requiring activity to verify that proper arrangements for Government support at the deployment center and within the designated operational area have been made. The contract will specify the level of Government-furnished support to be provided to CAAF and selected non-CAAF and what support is reimbursable to the Government. The requiring activity will ensure that approved Government-furnished support is available. See DoDI 3020.41.

*b. Intra-theater movement support.* In accordance with DoD policy and consistent with applicable laws and international agreements, transportation within the operational area may be authorized or required when CAAF and selected non-CAAF are deployed with or otherwise provide support in the theater of operations to U.S. Military forces deployed outside the continental United States.

*c. Medical and dental support.*

(1) CAAF will normally be afforded emergency medical and dental care through military medical treatment facilities if injured. Emergency medical and dental care includes medical care situations when life, limb, or eyesight is jeopardized. CAAF will be provided medical evacuation services at the discretion of the Army medical authorities to their original port of embarkation. All costs associated with the treatment and transportation of CAAF to a selected civilian facility are reimbursable to the Government and will be the responsibility of contractor personnel, their employers, or their health insurance providers.

(2) Primary medical or dental care normally will not be authorized or be provided to CAAF by medical treatment facilities. When required and authorized by the CDR or subordinate JFC, this support must be specifically authorized under the terms and conditions of the contract and detailed in the corresponding LOA. Primary care is not authorized for non-CAAF employees. Primary care includes routine inpatient and outpatient services, non-emergency evacuation, pharmaceutical support, dental services, and other medical support as determined by appropriate military authorities based on recommendations from the joint force command surgeon and on the existing capabilities of the forward deployed MTFs. Contractors may also be authorized to provide their own routine medical care within the AO if authorized by the JFC or the ARFOR commander and so stipulated in their contract.

(3) Non-CAAF employees who are injured while in the vicinity of U.S. Forces will be afforded emergency medical and dental care through a military medical treatment facility. Non-CAAF will be evacuated or transported via national means (when possible) to their local medical systems.

*d. Government-furnished property.* All GFP will be serviced and maintained as stipulated in the contract. In the absence of explicit terms or conditions in the contract, GFP will be serviced and maintained in the same manner as similar government-operated equipment. Any GFP may be provided in accordance with local policies and as stipulated in the contract.

(1) *Contractor acquired property equipment.* Contractor acquired property acquisition, use, and disposition are accomplished according to the terms and conditions of the contract and FAR Part 45, DFARS Part 245, and AFARS Part 5145.

(2) *Equipment readiness, reporting, and accountability.* The GFP and contractor acquired property readiness and accountability will be reported to the designated contracting officer and operational commander in accordance with the terms and conditions of the contract.

(3) *Contractor-owned equipment.* Other than transportation support, government support will not be provided for contractor-owned equipment. Exceptions may be granted by the local commander based on support availability and the operational situation, subject to reimbursement by the contractor. All requirements for government support for contractor-owned equipment will be coordinated with the cognizant contracting officer.

e. *Personnel recovery.* All CAAF employees regardless of their citizenship will be provided personnel recovery support in accordance with DoDD 3002.01.

f. *Mortuary affairs.* CAAF who die while in support of U.S. forces will be covered on a reimbursable basis by the DoD mortuary affairs program as prescribed in DoDD 1300.22. Every effort will be made to identify remains and account for un-recovered remains of contractors and their dependents who die in military operations, training accidents, and other multiple fatality incidents. The remains of CAAF who are fatalities resulting from an incident in support of military operations deserve and will receive the same dignity and respect afforded military remains. The disposition of non-CAAF contractors (local nationals and third-country nationals) will be given the same dignity and respect afforded U.S. personnel. The responsibility for coordinating the transfer of these remains to the host nation or affected nation resides with the geographic CCDR in coordination and conjunction with the Department of State and other federal agencies through the embassies or the International Committee of the Red Cross, the International Federation of the Red Cross and Red Crescent Societies as appropriate, and in accordance with applicable contract provisions.

g. *Postal services.* In accordance with DoDI 4525.09, the extent of personal postal support will be outlined in the terms and conditions of the contracts for U.S. citizens that the contractors and subcontractors employ. Before the contract is executed, these terms and conditions must be reviewed and approved by the CCDR (or the designated representative), and the military department concerned. The nationality of the contractor employee usually determines postal support. CAAF who are US citizens that deploy in support of US Armed Forces may be authorized use of the Military Postal Service (MPS) if there is no reliable or local mail service available and if MPS use is not precluded by the terms of any international or host nation agreement. In most circumstances, third-country nationals and local national contract employees are not provided access to the MPS. However, CAAF who are not US citizens are afforded occasional mail service necessary to mail their paychecks back to their home of record.

#### **6-6. Movement control**

CAAF movement will be coordinated and controlled when necessary, in accordance with local policies and procedures. CAAF movement restrictions that may have a negative impact on the contractor's ability to meet contractual performance standards must be coordinated with the cognizant contracting officer.

#### **6-7. Personnel accountability**

a. All CAAF individual personnel data will be maintained in SPOT-ES, or its successor, by the contractor in accordance with the terms and conditions of the contract and DoDI 3020.41. The ARFOR (Personnel Officer) will report contractor accountability information received from SPOT-ES as local command policy requires.

b. The COR will notify the contracting officer of any discrepancies in SPOT-ES, or its successor, CAAF accountability data. The contracting officer is responsible for notifying the contracted company of these discrepancies.

#### **6-8. Next of kin notification**

The contractor will be responsible for notification of the employee-designated next of kin in the event an employee dies, requires evacuation due to an injury, or is isolated, missing, detained, captured, or abducted. The Casualty and Mortuary Affairs Operations Center may provide assistance if requested by the company.

#### **6-9. Force protection**

a. Local area and base force protection plans will include contingency contractor personnel in locations where civil authority is either insufficient or illegitimate and the commander determines it is in the interests of the U.S. Government to provide security because the contractor cannot obtain effective private security services; such services are unavailable at a reasonable cost; or threat conditions necessitate security through military means.

b. In appropriate cases, the CCDR may provide security through military means to contractor personnel commensurate with the level of security provided DoD Civilians. The contracting officer will include in the contract the level of protection to be provided to contingency contractor personnel as determined by the CCDR or subordinate JFC. Specific procedures for determining requirements for and integrating contractors into the joint operational area force protection structure will be placed on the geographic CCDR

websites. Non-CAAF personnel whose area of performance is within the vicinity of U.S. forces or on military facilities will receive force protection incidental to their location of their work. Where appropriate, CAAF representatives will be authorized to attend security and operational planning meetings in order to ensure proper CAAF, force protection, and security policy and procedure awareness.

#### **6–10. Arming policy**

a. Contractors performing private security functions may be armed (see para 6–11, below) in order to perform their contracted service.

b. According to applicable U.S., host nation, or international laws; relevant SOFAs; applicable security agreements; international agreements; or other arrangements with local authorities and on a case-by-case basis when military force protection and legitimate civil authority are deemed unavailable or insufficient, the CCCR (or a designee no lower than the general/flag officer level) may authorize contingency contractor personnel to be armed for individual self-defense. When armed for personal protection, contingency contractor personnel are authorized to use force only for individual self-defense. When armed to provide security services, the rules for the use of force are established by the JFC and executed in accordance with the terms and conditions of the relevant contract.

c. Inappropriate use of force by contingency contractor personnel could subject them to U.S. and host nation/local prosecution and civil liability.

d. Acceptance of weapons by contractor personnel will be voluntary as permitted by the contractor and the contract.

e. DD Form 2760 (Qualification to Possess Firearms or Ammunition) will be completed for all contractors authorized to carry weapons verifying the individual is not prohibited under U.S. law from possessing a weapon or ammunition due to conviction in any court of a crime of domestic violence, whether a felony or misdemeanor.

f. Contractors will ensure their personnel are not barred from possession of a firearm by 18 USC 922.

g. The appropriate staff judge advocate to the CCCR must review all applications for arming contingency contractor personnel on a case-by-case basis to ensure there is a legal basis for approval. The request is then approved or denied by the CCCR or a specifically identified designee, no lower than flag officer level.

h. All contractor personnel prior to being authorized to carry weapons, will—

(1) Meet weapons familiarization and qualifications standards and receive briefings regarding the rules for the use of force in accordance with CCCR policies.

(2) Be certified by the cognizant contracting officer or an authorized representative in SPOT–ES, or its successor, as having met these requirements.

i. Contractor personnel may possess only U.S. Government-issued and/or U.S. Government-approved weapons and ammunition for which they have qualified.

j. Proof of authorization to be armed must be carried at all times while armed by all contractor personnel authorized to carry a weapon.

k. When not in possession of the contractor personnel to whom the weapons were issued, contractor weapons must be stored and secured in accordance with local CCCR standards and policies.

l. Authorization to possess weapons and ammunition may be revoked for noncompliance with established rules.

m. A serious incident report will be submitted by the COR, appropriate contracting authority, or other government personnel designated by the COR to the base or area commander and base security/local special security office anytime a contractor discharges a weapon during anything other than an authorized training activity.

#### **6–11. Use of private security companies**

If consistent with applicable U.S., local, and international laws and relevant SOFAs or other security agreements, contractor personnel may be utilized to provide private security services for other than uniquely military functions as prescribed in DoDI 1100.22, DoDI 3020.50, and subject to limitations in the Prohibition on contracts for performance of firefighting or security-guard functions, 10 USC 2465.

#### **6–12. Recognition of contractors**

a. *General.* There is very limited authority to recognize contractor employees for contributions that go substantially beyond that specified or implied within the terms of the contract. The U.S. Government

establishes a relationship with the contractor, which is defined by the contract. Though the U.S. Government does set the performance standards for the contract, which will be measurable and structured to permit an assessment through surveillance of the overall contractor's performance, this authority does not extend to the performance of individual contract employees. Thus, contractor recognition should ordinarily be accomplished consistent with the terms of the contract (for example, award fees, past performance ratings, contract options, and so forth).

*b. Recognition.* Contractors may be recognized only through the cognizant contracting officer. Proposed contractor recognition should be sent to the COR. The COR will forward the proposed recognition to the contracting officer. Proposed recognition messages should not be sent to, or copy furnished to the contract employee, the contractor supervisor, or the contract company.

*c. Military and monetary awards.* Military awards and government monetary awards are not authorized for contractor personnel. Such awards include but are not limited to, any tangible device of recognition for acts of exceptional service or achievement of honorific value (for example, a letter, certificate, medal, plaque, or item of nominal value; time off from duty outside the scope of the contract; or cash payment to the contractor employee outside the scope of the cognizant contract). The use of appropriated funds for such awards outside the cognizant contract is not appropriate. The action will be coordinated with the contracting officer before a decision is made to give a presentation, award, or any other form of recognition to a contractor employee.

*d. Civilian awards.* In certain extraordinary circumstances, contractor employees may be awarded civilian awards for valor, such as the Secretary of Defense Medal for the Defense of Freedom. However, the proposed recognition must be coordinated with the COR and the cognizant contracting officer in all instances.

## Appendix A

### References

#### Section I

##### Required Publications

Unless otherwise stated, Department of the Army publications are available on the Army Publishing Directorate website at <https://armypubs.army.mil/>. DoD issuances are available on the Washington Headquarters Services website at <https://www.esd.whs.mil/>.

##### **AFARS Part 5145**

Government Furnished Property (Cited in para 6–5d(1).) (Available at <https://www.acquisition.gov/afars.>)

##### **AFARS 5107.503**

Army Federal Acquisition Regulation Supplement (Cited in para 2–1d.) (Available at <https://www.acquisition.gov/afars.>)

##### **AR 11–2**

Risk Management and Internal Control Program (Cited in title page.)

##### **AR 25–2**

Army Cybersecurity (Cited in para 5– 1c.)

##### **AR 27–3**

The Army Legal Assistance Program (Cited in para 5–2k.)

##### **AR 27–10**

Military Justice (Cited in para 6–2c.)

##### **AR 380–5**

Army Information Security Program (Cited in para 4–6c.)

##### **AR 380–49**

Industrial Security Program (Cited in para 4–6b.)

##### **AR 380–67**

Personnel Security Program (Cited in para 4–6c.)

##### **AR 380–381**

Special Access Programs (SAPS) and Sensitive Activities (Cited in para 4–1.)

##### **AR 405–45**

Real Property Inventory Management (Cited in para 2–15k.)

##### **AR 525–30**

Army Strategic and Operational Readiness (Cited in para 2–9k.)

##### **AR 700–137**

Logistics Civil Augmentation Program (Cited in para 2–19b.)

##### **AR 700–147**

Contingency Basing (Cited in para 2–4c.)

##### **AR 710–3**

Inventory Management Asset and Transaction Reporting System (Cited in para 2–15k.)

##### **AR 715–30**

Secure Environment Contracting (Cited in para 4–1.)

##### **AR 735–5**

Relief of Responsibility and Accountability (Cited in para 2–15k.)

##### **ATP 4–10**

Multi-Service Tactics, Techniques, and Procedures for Operational Contract Support (Cited in para 4–2.)

**ATP 4–10.1**

Logistics Civil Augmentation Program Support to Operations (Cited in para 2–9*i*.)

**CJCSM 4301.01**

Planning Operational Contract Support (Cited in para. 2–21*a*.) (<https://www.jcs.mil/library/cjcs-manuals/>)

**DFARS 252.225–7040**

Contractor Personnel Supporting U.S. Armed Forces Deployed Outside the United States (Cited in para 2–6*c*.) (Available at <https://www.acq.osd.mil/dpap/dars/dfarspgi/current/index.html>.)

**DoDD 1300.22**

Mortuary Affairs Policy (Cited in para 6–5*f*.)

**DoDD 3000.10**

Contingency Basing Outside the United States (Cited in para 2–4*c*.)

**DoDD 3002.01**

Personnel Recovery in the Department of Defense (Cited in para 5–2*b*.)

**DoDD 5160.41E**

Defense Language, Regional Expertise, and Culture (LREC) Program (Cited in para 2–7*a*.)

**DoDI 1100.22**

Policy and Procedures for Determining Workforce Mix (Cited in para 2–1*d*.)

**DoDI 3020.41**

Operational Contract Support (OCS). (Cited in para 1–1.)

**DoDI 3020.50**

Private Security Contractors Operating in Contingency Operations, Humanitarian or Peace Operations, Or Other Military Operations or Exercises (Cited in para 6–11.)

**DoDI 4161.02**

Accountability and Management of Government Contract Property (Cited in para 5–2*l*.)

**DoDI 4525.09**

Military Postal Service (Cited in para 6–5*g*.)

**DoDI 6490.03**

Deployment Health (Cited in para 5–2*j*(3).)

**FAR Part 45**

Government Property (Cited in para 6–5*d*(1).) (Available at <https://www.acquisition.gov/far>.)

**JP 4–10**

Operational Contract Support (Cited in para 1–1.) (Available at <https://www.jcs.mil>.)

**PL 105–270**

Federal Activities Inventory Reform Act of 1998 (Cited in para 2–1*d*.) (Available at <https://www.congress.gov/>.)

**The Geneva Conventions of 1949, International Committee of the Red Cross, Convention (III)**

International Committee of the Red Cross, Convention (III) Relative to the Treatment of Prisoners of War (Cited in para 6–2.) (Available at <https://www.redcross.org/>.)

**The Geneva Conventions of 1949, International Committee of the Red Cross, Convention (IV)**

International Committee of the Red Cross, Convention (IV) Relative to the Protection of Civilian Persons in Time of War (Cited in para 6–2.) (Available at <https://www.redcross.org/>.)

**UCMJ**

Uniform Code of Military Justice (Cited in para 2–12.). (Available at <https://jsc.defense.gov>.)

**10 USC 1701**

Management policies (Cited in para 2–14*a*.) (Available at <https://uscode.house.gov/>)



**10 USC 2465**

Prohibition on contracts for performance of firefighting or security-guard functions (Cited in para 6–11.)  
(Available at <https://uscode.house.gov/>)

**18 USC 3261**

Criminal offenses committed by certain members of the Armed Forces and by persons employed by or accompanying the Armed Forces outside the United States (Cited in para 2–12.) (Available at <https://uscode.house.gov/>)

**Section II****Prescribed Forms**

This section contains no entries.

## Appendix B

### Operational Contract Support Internal Control Evaluation

#### B-1. Function

The functions covered by this evaluation are planning and management of OCS.

#### B-2. Purpose

The purpose of this evaluation is to assist commanders and their staff at all levels in evaluating OCS compliance with the key internal control processes listed below. It is not intended to cover all processes.

#### B-3. Instructions

Answers must be based on actual testing of key internal controls (for example, document analysis, direct observation, sampling, simulation, and others). Answers which indicate deficiencies must be explained, and corrective action indicated in supporting documentation. Although not every section is required by each organization, these internal controls must be evaluated at least once every two years. Certification that this evaluation has been conducted must be accomplished on DA Form 11-2, Internal Control Evaluation Certification.

#### B-4. Test questions

- a. Are organizations familiar with and have access to OCS regulations and other reference material? (ASCCs, supported units, and requiring activities at all levels).
- b. Is OCS integrated into doctrine and training publications; professional military education and leader development courses; lessons learned programs; and collective training exercises? (DCS, G-3/5/7, TRADOC, FORSCOM, AMC, ASCCs, MEDCOM).
- c. Are OCS-related requests for exceptions to policy or waivers being requested, processed, and approved? (HQDA staff, ACOMs, ASCCs, direct reporting units).
- d. Does every OPLAN and OPOD contain Annex W OCS along with associated Appendix 2 contractor management planning guidance? (ASCCs).
- e. Are these Annex W OCSs reviewed and compliance reported annually? (ASCCs).
- f. Are CAAF predeployment standards and qualifications identified and published? (HQDA staff, ASCCs, MEDCOM).
- g. Are operating force units prepared to develop procurement-ready requirements per policy and doctrine? (Requiring activities at all levels).
- h. Have organizations identified alternative means for accomplishing contracted essential services if the primary commercial means fail to meet the requirements? (ASCCs, requiring activities at all levels).
- i. Does the organization have established procedures for review and approval of acquisition requirements prior to submission to the Acquisition Review Board/Joint Acquisition Review Board? (All brigade and above units).
- j. Are organizations nominating technically qualified and trained personnel to serve as CORs for all service and minor construction contracts? (Supported units at all levels).
- k. Does the organization maintain a system(s) for tracking supporting contracts and associated CORs? (Supported units at all levels).
- l. Have organizations designated qualified receiving officials for commodity contracts? (Supported units at all levels).
- m. Are organizational personnel aware of and following regulatory guidance on the supervision of contract personnel and ensuring contract personnel are not supervising government personnel? (Supported units at all levels).
- n. Does the organization have internal procedures for addressing CAAF misconduct in accordance with U.S. law, higher command policy, and international security agreements? (Supported units at all levels) See DoDI 3020.41.
- o. Are government-furnished services and force protection for contractors identified and coordinated between the requiring activity and the unit responsible for providing this support prior to codification in the contract by the contracting officer? (ASCC, requiring activities at all levels).

**B-5. Supersession**

This evaluation replaces the evaluation for planning and management of OCS previously published in AR 715-9, dated 24 March 2017.

**B-6. Comments**

Help make this a better tool for evaluating management controls. Submit comments to the DCS, G-4 (DALO-OPS-C), 500 Army Pentagon, Washington, DC 20310-0500.

## **Glossary of Terms**

### **Administration**

The management and execution of all military matters not included in tactics and strategy, primarily in the fields of logistics and personnel management.

### **Annex W**

Annex W OCS is the primary means combatant command staff, service component, and contract support agency planners use to document OCS in OPLANs or OPORD. Annex W is generally included in geographic combatant command plans and orders. The level of detail included in annex W varies based on the information available and the level of command.

### **Applicable Operations**

Contingency operations, humanitarian assistance, and other peace operations conducted outside the United States and other military operations as determined by a CDR or as directed by the Secretary of Defense.

### **Army Command**

An Army Force, designated by the Secretary of the Army, composed primarily of institutional organizations with Army lead for two or more of the Secretary of the Army's Service Title 10 functions (10 USC 3013b). Command responsibilities are those established by the Secretary and normally associated with administrative control.

### **Civilian**

Employees of the U.S. Government and personnel with nongovernmental organizations who are not members of the military. Reservists not on active duty and employed by the U.S. Government may qualify as civilians.

### **Classified contract**

Any contract, license, agreement, or grant requiring access to classified information by a contractor and its employees for performance. A contract is referred to in this rule as a "classified contract" even when the contract document and the contract provisions are not classified. The requirements prescribed for a "classified contract" also are applicable to all phases of precontract, license, or grant activity, including solicitations (bids, quotations, and proposals), precontract negotiations, post-contract activity, or other government contracting activity (GCA) programs or projects which require access to classified information by a contractor (see 32 CFR 117).

### **Contingency**

A situation requiring military operations in response to natural disasters, terrorists, subversives, or as otherwise directed by the appropriate authority to protect United States interests.

### **Contingency Basing**

The life-cycle process of planning, designing, constructing, operating, managing, and transitioning, transferring, or closing a non-enduring location supporting a CCs requirements.

### **Contingency Clause**

A clause in a contract for peacetime performance that would afford an option to require continuation of the performance, in whole or specified part, in a wartime situation. If such a situation occurs, a duly appointed contracting officer would exercise the option.

### **Contingency Contract**

A legally binding agreement for supplies, services, and construction let by government contracting officers in the operational area and other contracts with a prescribed area of performance within a designated operational area. Contingency contracts include theater support, external support, and system support contracts.

### **Contingency Contracting**

The process of obtaining goods, services, and construction via contracting means in support of contingency operations.

**Contingency Contractor Employees**

Individual contractors, individual subcontractors at all tiers, contractor employees, and sub-contractor employees at all tiers under all contracts supporting the Military Services during contingency operations. They are also referred to as “contingency contractor personnel.”

**Contingency Operation**

A military operation that is either designated by the Secretary of Defense as a contingency operation or becomes a contingency operation as a matter of law (Title 10, United States Code, Section 101[a][13]).

**Contingency Plan**

A branch of a campaign that is planned based on hypothetical situations for designated threats, catastrophic events, and contingent missions outside of crisis conditions.

**Continuation of Essential Department of Defense Contractor Services during crises**

A service provided by a firm or an individual under contract to the DoD to support vital systems in support of military missions considered of utmost importance to the U.S. peace, mobilization, and wartime mission. This service will be designated in the contract as essential. If designated, the contract is considered essential because the DoD components may not have military or DoD Civilians to perform these services immediately, or the effectiveness of defense systems or operations may be seriously impaired, and interruption is unacceptable when those services are not immediately available, especially during a crisis. Such contracts include most support contracts under external support and systems support contracts, services for Foreign Military Sales customers, and some support under theater support contracts.

**Contract Requirements Review Board**

Contract Review Committee is the committee established by the Authority that reviews proposals and actions related to contracts for clerical and administrative services, loan servicing, and other substantial operating contracts.

**Contract Support Integration**

The planning, coordination, and synchronization of contracted support in military operations.

**Contract Support Integration Plan**

The planning mechanism to ensure effective and efficient contract support to a particular operation. The CSIP serves as the mechanism for providing detailed guidance on OCS for a specific military operation and covers the function of acquiring (contracting for) theater support contracting and non-facility (an engineer staff function) support-related information on external support contracts, such as LOGCAP, in support of a particular operation.

**Contracting Authority**

Contracting officers have the authority to enter into, administer, or terminate contracts and make related determinations and findings. Contracting officers may bind the Government only to the extent of the authority delegated to them. Contracting officers will receive from the appointing authority clear instructions in writing regarding the limits of their authority. Information on the contracting officers' authority limits will be readily available to the public and agency personnel. No contract will be entered into unless the contracting officer ensures that all requirements of the law, executive orders, regulations, and all other applicable procedures, including clearances and approvals, have been met. See FAR Subpart 1.602–1 and 1.603–1

**Contracting Officer**

The Servicemember or DoD Civilian with the legal authority to enter into, administer, modify, and/or terminate contracts. Per FAR 2.101, a contracting officer is a person with the authority to enter into, administer, and/or terminate contracts and make related determinations and findings. The term includes certain authorized representatives of the contracting officer acting within the limits of their authority as delegated by the contracting officer.

**Contracting Officer's Representative**

An individual designated in writing by the contracting officer to perform specific technical or administrative functions.

**Contracting Organization**

Army organizations that have contracting authority delegated to them by the DA (for example, U.S. Army Contracting Command, U.S. Army Corps of Engineers).

**Contracting Support**

The planning, coordination, and execution of contracting authority to legally bind contractors in support of military operations.

**Contractor**

Any industrial, educational, commercial, or other entity that has been granted an entity eligibility determination by a CSA. This term also includes licensees, grantees, or certificate holders of the USG with an entity eligibility determination granted by a CSA. The term “contractor” does not refer to contractor employees or other personnel.

**Contractor Acquired Property**

Contractor acquired property means property acquired, fabricated, or otherwise provided by the Contractor for performing a contract to which the Government has title.

**Contractor Employee**

Prime contractors, their employees, and subcontractors at all tiers (including third-country national and local national personnel) supporting U.S. Armed Forces under such contracts. They are also referred to as “contractor personnel.”

**Contractor Management**

The oversight and integration of contractor personnel and associated equipment providing support to the joint force in a designated operational area.

**Contractor Management Plan**

The contractor management plan part of the OCS planning effort should be focused on risk assessments and mitigation actions regarding the impact of contractors in support of military operations. The global nature of the systems and external support contractor base dictates that contractors may deploy CAAF employees and their equipment from anywhere in the world. Proper deployment and in-theater management of CAAF personnel and equipment requires early planning, establishing clear and concise theater entrance requirements, and incorporating standard deployment-related clauses in appropriate contracts.

**Contractors Authorized to Accompany the Force**

Contractor personnel, including all tiers of subcontractor personnel, who are authorized to accompany the force in applicable contingency operations and have been afforded CAAF status through the issuance of a LOA. Also referred to as “CAAF personnel.” CAAF personnel generally include all U.S. citizen and third-country national employees not normally residing within the operational area whose area of performance is in the direct vicinity of U.S. forces and who routinely are co-located with U.S. forces (especially in non-permissive environments). Personnel co-located with U.S. forces will be afforded CAAF status via LOA. In some cases, CCDR subordinate commanders may designate mission-essential host nation or local national contractor personnel (for example, interpreters) as CAAF personnel.

**Conversion to Contractor Support**

The decision made by the ASCC and/or GCC that the U.S. Government can no longer support a required mission and contractor support is needed. As the mission progresses, the coalition command will attempt to economize the logistic support through the use of civilian contractors. The general aim will be to achieve the most economical logistics organization that will both meet the demands of the force and release military manpower for redeployment.

**Coordinating Authority**

A commander or individual who has the authority to require consultation between the specific functions or activities involving forces of two or more Services, joint force components, or forces of the same Service or agencies but does not have the authority to compel agreement.

**Embedded Contractor**

A contractor who has established a relationship with a deploying military unit and is deployed with the unit. This method of contractor deployment is specified in the contract as military unit processing.

**Essential Contractor Service**

A service provided by a firm or an individual under contract to the DoD to support vital systems including ships owned, leased, or operated in support of military missions or roles at sea and associated support activities, including installation, garrison, base support, and linguist/translator services considered of utmost importance to the U.S. mobilization and wartime mission. The term also includes services provided

to foreign military sales customers under the Security Assistance Program. Services are considered essential because: the DoD Components may not have military or DoD civilian employees to perform the services immediately; the effectiveness of defense systems or operations may be seriously impaired and interruption is unacceptable when the services are not available immediately.

### **External Support Contracts**

Prearranged contracts or contracts awarded during a contingency from contracting organizations whose contracting authority does not derive directly from the contingency operation or system support contracting authority. The largest and most commonly used external support contracts are the Services' CAP contracts including the Army's LOGCAP, the Air Forces Contract Augmentation Program, and the Navy's global contingency construction contract and global contingency service contract. External support contracts normally include a mix of U.S. citizens, third-country nationals, and local national contractor employees.

### **Force Structure**

Contractor-provided support designed to augment military force structure, not replace it.

### **Funding Document**

The funding document provides written assurance from a responsible fiscal authority that funds are legally available for the purpose of the contract action.

### **Government-Furnished Property**

Property in possession of, or directly acquired by, the government and subsequently furnished to the contractor, including subcontractors and alternate locations, for the performance of a contract. GFP, in the context of DoDI 5000.64, includes equipment, special tools, and special test equipment. It does not include consumable or material items, or items held as inventory as defined by DoD 7000.14-R (DoDI 5000.64).

### **Host Nation**

A nation that permits, either by written agreement or official invitation, government representatives and/or agencies of another nation to operate under specified conditions within the borders.

### **Host Nation Support**

Civil and military assistance rendered in peace and operations other than war by a host nation to allied forces which are located on or in transition through the host nation's territory. The basis for such commitments is bilateral or multilateral agreements concluded between the host nation and the nation(s) having forces operating on the host nation's territory.

### **Independent Government Cost Estimate**

The U.S. Government's estimate of the projected price or cost that a contractor would incur in the successful performance of a contract. Also known as IGCE.

### **Industrial Security**

That portion of information security concerned with the protection of classified information in the custody of U.S. industry.

### **Industrial Security Specialist**

The individual designated in writing by the appropriate commander to be responsible for implementing the installation or unit ISP and for providing oversight of contractors who perform classified contractual activities on Army installations or within activities in order to ensure compliance with governing security regulations.

### **International Agreements**

Agreements concluded with one or more foreign governments. See AR 550-51.

### **Interoperability**

The condition achieved among communications-electronics systems or items of communications-electronics equipment when information or services can be exchanged directly and satisfactorily between them and/or their users.

### **Joint Requirements Review Board**

The subordinate joint force commander's established board to review, validate, approve, and prioritize selected Service and special operations forces component contract support requests.

**Justification and Approval**

A contracting officer's rationale for other than a full and open competition contract as stipulated in FAR, Subpart 6.3, and local policies.

**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 the operational area; and outlines government-furnished support authorizations in the operational area, as agreed to under the terms and conditions of the contract.

**Logistics**

Planning and executing the movement and support of forces.

**Logistics Civil Augmentation Program**

Army regulatory program to preplan during peacetime and execute contracted support services for deployed forces performing DoD-directed missions during wartime or other contingency operations globally.

**Logistics Civil Augmentation Program support unit**

Units deploying worldwide in support of any contingency using LOGCAP capabilities and providing an on-site interface between the customer and contractor.

**Logistics System**

Corporate entity consisting of personnel, procedures, and machines working within established policy toward the mission of planning, moving, stationing, and sustaining U.S. ARFOR.

**Maintenance**

All action taken to retain materiel in or restore it to a specified condition. It includes inspection, testing, servicing, classification as to serviceability, repair, rebuilding, and reclamation.

**Materiel**

All items, including ships, tanks, self-propelled weapons, aircraft, and related spares, repair parts, and support equipment (but excluding real property, installations, and utilities) necessary to equip, operate, maintain, and support military activities without distinction as to its application for administrative or combat purposes.

**Mission**

The essential task or tasks, together with the purpose, that clearly indicates the action to be taken and the reason for the action.

**Mission—Essential Contractor Employees**

Defined as CAAF who are deemed by the contracting officer in consultation with the requiring activity as mission essential individuals. Mission-essential CAAF have managerial or technical skills not commonly found in the general population. Examples include but are not limited to CAP contractor managers, system support contract field service representatives, and interpreters.

**Non-contractors Authorized to Accompany the Force Contractor Employees**

Normally includes local national (and third-country national expatriates who are permanent residents in the operational area) who perform support functions away from the close proximity of, and do not reside with, U.S. forces. Non-CAAF contractor employees are non-mission-essential employees (for example, day laborers and delivery and cleaning service personnel) and generally are not conveyed CAAF status. Government-furnished support to non-CAAF contractor employees is typically limited to force protection, emergency medical care, and basic human needs (for example, bottled water, latrine facilities, security, and food when necessary) when performing their jobs in the direct vicinity of U.S. forces.

**Operational Command**

The authority granted to a commander is to assign missions or tasks to subordinate commanders, to deploy units, to reassign forces, and to retain or delegate operational and/or tactical control as deemed necessary. It does not, in itself, include responsibility for administration or logistics.

**Operational Contract Support**

The ability to orchestrate and synchronize the provision of integrated contract support and management of contractor personnel providing support to the joint force within a designated operational area. OCS is the process of planning for and obtaining supplies, services, and construction from commercial sources in



support of CCDR-directed operations. It is a complex source of support planned and executed in accordance with JFC guidance and through the contracting authority of one or more military departments or DoD agencies to supporting contracting organizations. Also, per joint doctrine, OCS consists of three complementary functions: contract support integration, contracting support, and contractor management.

**Operational Control**

The authority to perform those functions of command over subordinate forces involving organizing and employing commands and forces, assigning tasks, designating objectives, and giving authoritative direction necessary to accomplish the mission. Also called OPCON. Note: it does not include administrative or logistic control.

**Performance Work Statement**

Addresses the quality of work in terms of the desired outcome and accurately reflects the actual government's requirement, including performance standards.

**Personnel Recovery**

The sum of military, diplomatic, and civil efforts to prepare for and execute the recovery and reintegration of isolated personnel.

**Post-Contract Award Oversight**

The non-acquisition function to monitor and report contract execution as it relates to unit-mission readiness.

**Receiving Official**

Those who receive and/or accept goods and ensure that goods accepted are in accordance with the contract requirements.

**Reimbursable**

A category of personnel or materiel made available for use in a mission for which an agreement for use and reimbursement is made to the member state concerned from an allocated budget.

**Requirements Approval**

The process of consolidating, validating, approving, and prioritizing contract support requests.

**Requirements Development**

The process of defining specific contract support requirements and capturing these requirements in procurement-ready contract support requirements packages.

**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.

**Requiring Unit or Activity**

A military or other designated supported organization that identifies the need for contracted support during military operations (see supported unit).

**Sponsoring Unit**

That unit or activity tasked to furnish organizational or life support to external support or system contractor employees. It may be the supported organization, the requiring unit or activity, a functional organization such as a transportation unit, the Army Sustainment Command that would provide equipment or facilities, or any other organization with the support capability. The supporting organization may, if appropriate, use another contractor to provide such support.

**Support**

The action of a force that aids, protects, complements, or sustains another force in accordance with the directive requiring such action. 2. A unit that helps another unit in battle. 3. An element of a command that assists, protects, or supplies other forces in combat.

**Supported Unit**

As related to contracted support, the organization that is the recipient, but not necessarily the requester of, contractor support.

**Supporting Unit or Activity Commander**

1. A commander who provides actions and other directed support to a supported commander. 2. In the context of a support command relationship, the commander who aids, protects, complements, or sustains another commander's force and who is responsible for providing the assistance required by the supported commander. See also support.

**Synchronized Predeployment and Operational Tracker-Enterprise Suite**

The Joint Enterprise System for all contingency contracts and CAAF. The SPOT-ES provides by-name visibility of deployed CAAF and contract capability information for CCDRs. Defense contracting agencies are required to register acquisition information into the SPOT-ES (or its successor) when contingency contracts are awarded. Thereafter, defense contractor companies populate the SPOT-ES or its successor with their employee's personal data via a Web-based application. Once an individual is selected for deployment duty, the SPOT-ES allows for the generation of a standardized, digitally signed LOA. Predeployment processing compliance, travel to the area of responsibility, in-theater movements, and redeployment activities are annotated in SPOT-ES (or its successor). Government agencies use the SPOT-ES to analyze available contract services and to support their mission needs. Contractors use the SPOT-ES to process and track CAAF who deploy to provide required capabilities. CCDRs use the SPOT-ES reports to maintain the overall visibility of contractors within their area of responsibility, determine their support requirements, and integrate contractor support into their operational plans.

**System Support Contracts**

Prearranged contracts awarded by Service acquisition program management offices that provide fielding support, technical support, maintenance support, and, in some cases, Class IX (Repair Parts) support for selected military weapon and support systems. System support contracts are routinely put in place to provide support to newly fielded weapons systems, including aircraft, land combat vehicles, and automated C2 systems. System support contracting authority, contract management, and program management authority resides with the Service system materiel acquisition program offices. System support contractors, made up mostly of U.S. citizens, provide support in CONUS and often deploy with the force in both training and contingency operations. The JFC generally has less control over systems support contracts than other types of contracts.

**Tactical Control**

The authority over forces that is limited to the detailed direction and control of movements or maneuvers within the operational area necessary to accomplish missions or tasks assigned, also called TACON.

**Theater Support Contracts**

Contingency contracts awarded by contracting officers deployed to an operational area serving under the direct contracting authority of the Service component, special operations force command, or designated joint contracting authority for the designated contingency operation. These contracts, normally executed under emergency contracting authority (FAR Part 18), provide goods, services, and minor construction from commercial sources normally within the operational area. Theater support contracts are typically associated with term contingency contracting. From the contractor management perspective, local national personnel make up the bulk of the theater support contract employees.

**Workforce Mix**

The appropriate mix of manpower (military and civilian) and private sector support necessary to accomplish defense missions consistent with appropriate laws, policies, and regulations.

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