

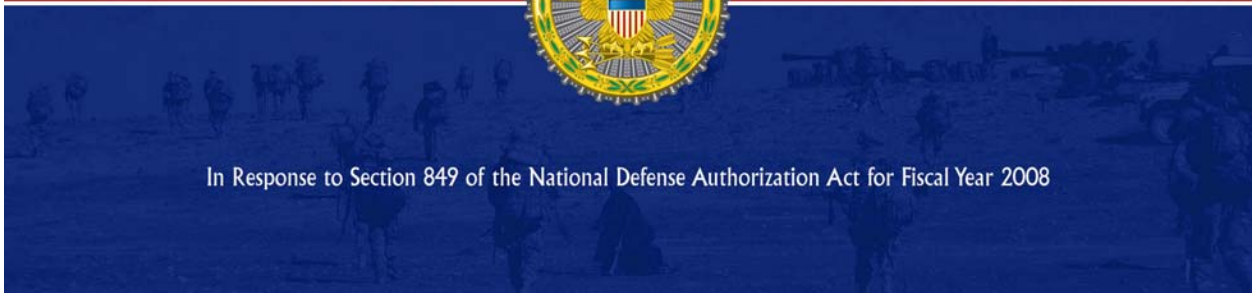


Department of Defense Task Force
on Contracting and Contract Management
in Expeditionary Operations

2008 Report to Congress



In Response to Section 849 of the National Defense Authorization Act for Fiscal Year 2008



Department of Defense
Evaluation and Implementation
of Recommendations
from the

Commission on
Army Acquisition and Program
Management in Expeditionary Operations

Report to Congress

in Accordance with the

Fiscal Year 2008
National Defense Authorization Act
Section 849

The Deputy Under Secretary of Defense (Acquisition and Technology)

In accordance with Section 849 of the National Defense Authorization Act for Fiscal Year 2008, the enclosed report evaluates the four overarching recommendations from the Commission on Army Acquisition and Program Management in Expeditionary Operations with respect to the Air Force and Navy and with respect to Department-wide application. The four overarching recommendations from the Commission are as follows:

- ◆ Increase the stature, quantity, and career development of military and civilian contracting personnel (especially for expeditionary operations)
- ◆ Restructure the organization and restore responsibility to facilitate contracting and contract management in expeditionary and continental United States operations
- ◆ Provide training and tools for overall contracting activities in expeditionary operations
- ◆ Obtain legislative, regulatory, and policy assistance to enable contracting effectiveness in expeditionary operations.

The Commission provided 40 specific recommendations in support of the four overarching recommendations. The 40 specific recommendations are addressed as part of this evaluation. The Commission also recommended that key recommendations be implemented by the Army within six months and all recommendations be implemented by the Army within one year. Those timelines and details are being evaluated for Department-wide application.

The Under Secretary of Defense (Acquisition, Technology, and Logistics) established a Task Force to conduct the evaluation with a cross-cutting team representing the Office of Secretary of Defense; the Departments of the Army, Navy, and Air Force; the Joint Staff; and the Joint Contracting Office for Iraq/Afghanistan. Extensive coordination has been accomplished and a significant amount of work remains to be done on these vital issues for the acquisition workforce.

It is important to note that there are a number of acquisition excellence initiatives in process that include contracting and contract management. We plan to integrate and align the appropriate recommendations from the Commission with those Department-wide initiatives for an integrated, Department-wide strategy for the acquisition workforce. Our Human Capital Strategic Plan is planned to provide that focus for these initiatives.

The Department is grateful to the Commission for its insights on expeditionary contracting and contract management. We are pleased to report considerable progress in evaluating the specific recommendations. Much work remains to be done. Evaluation and implementation activities will continue beyond this report. Other NDAA requirements will provide a reporting venue for an update for progress of evaluation and implementation. The DoD leadership team is committed to acquisition excellence that includes expeditionary contracting and contract management.

James I. Finley

Executive Summary

Purpose of This Report

Section 849 of the National Defense Authorization Act for Fiscal Year 2008 (FY 2008 NDAA) directed the Department of Defense to:

- ◆ evaluate the recommendations included in the report of the Commission on Army Acquisition and Program Management in Expeditionary Operations (the Commission),
- ◆ determine the extent to which such recommendations are applicable to the other Armed Forces, and
- ◆ submit a report to the congressional defense committees with the conclusions of the evaluation and description of the plans for implementing the recommendations for Armed Forces other than the Army.

The Commission provided 40 specific recommendations in support of four overarching recommendations. This report provides the Department's evaluation of the Commission's recommendations, the extent to which such recommendations are applicable and the plans for implementing them for the Services other than the Army.

Method for Developing This Report

Task Force

The Under Secretary of Defense (Acquisition, Technology and Logistics) (USD(AT&L)) established the DoD Task Force for Contracting and Contract Management (the Task Force) to evaluate the Commission's recommendations. The cross-cutting Task Force includes teams representing the Office of the Secretary of Defense (OSD); the Departments of the Army, Navy, and Air Force; the Joint Staff; and the Joint Contracting Command–Iraq/Afghanistan (JCC-I/A). The Deputy Under Secretary of Defense (Acquisition and Technology) (DUSD(A&T)) and the Deputy Under Secretary of Defense (Logistics and Materiel Readiness) (DUSD(L&MR)) co-chair the Task Force.

The DoD Task Force thoroughly reviewed and analyzed all of the commission's recommendations. As a result, of the review and analysis, DoD is taking the lead on 18 actions, while the Army has the lead on 22 actions. Those 18 actions are either DoD-wide in scope or require legislative, regulatory, and policy enablers. The remaining 22 actions are specific to the Department of the Army. The goal of the Task Force is to develop long-term, enterprise-wide solutions for contracting and contract management in expeditionary operations.



Steering Committee

The DUSD(A&T) established a Steering Committee of senior leaders from OSD, all of the Military Departments, the Joint Staff, and the JCC-I/A to provide Department-wide visibility and oversight for the Task Force and to ensure timely completion of Task Force initiatives and appropriate integration of these initiatives with related ongoing Department activities. The Steering Committee has an oversight process and uses a scorecard to monitor progress and completion.

Departments of the Navy and Air Force

The USD(AT&L) asked the Departments of the Navy and Air Force to assess the extent to which the Commission recommendations pertain to the Navy and the Air Force and to provide their plans for implementing the recommendations. In addition to providing the requisite analyses, representatives of the Navy, Marine Corps, and Air Force have participated fully in the Steering Committee as well as on the Task Force to develop and implement the Task Force's initiatives.

Department of the Army

The Secretary of the Army is leading the evaluation and implementation of the 22 recommendations that are specific to the Army. The Secretary is providing a separate report to Congress in accordance with the requirements of Section 849 (provided at Appendix G). In addition, the Department of the Army has participated fully in the Steering Committee and on the Task Force to develop and implement the Task Force's initiatives.

Results Provided in This Report

This report provides the results of the analysis of the Commission recommendations to the Department of the Army for the purpose of determining the extent to which the recommendations are applicable to the other Services:

- ◆ The DoD Task Force analyses and resulting initiatives developed in response to the 18 specific DoD-wide recommendations and legislative, regulatory, and policy enablers;
- ◆ A description of related Department activities and initiatives developed to address issues and to improve the efficiency and effectiveness of contracting and contract management in expeditionary operations; and
- ◆ The Steering Committee scorecard developed to support management oversight for timely execution of the Department's initiatives to improve contracting and contract management in expeditionary operations.



TABLE OF CONTENTS

SECTION I. DEPARTMENT OF DEFENSE EVALUATION OF THE REPORT OF THE COMMISSION ON ARMY ACQUISITION AND PROGRAM MANAGEMENT IN EXPEDITIONARY OPERATIONS

A. Purpose of this Report.....	1
B. Recommendations in the Report of the Commission on Army Acquisition and Program Management in Expeditionary Operations.....	2
C. Evaluation of Recommendations Included in the Report of the Commission on Army Acquisition and Program Management in Expeditionary Operations.....	4
1. Organization.....	4
DoD Task Force for Contracting and Contract Management in Expeditionary Operations.....	4
Steering Committee.....	4
Task Force Teams.....	5
Independent Reviews Performed by the Departments of the Navy and Air Force.....	7
Department of the Army Contracting Campaign Plan Task Force.....	8
2. Communication and Collaboration.....	8
Steering Committee In-Depth Reviews.....	8
Independent OSD and Military Departments Reviews.....	8
3. Applicability of Commission Recommendations to Services other than the Army.....	9
Department of the Army.....	9
Department of the Navy.....	11
Department of the Air Force.....	13
Department of Defense.....	14
Commission.....	14
4. Integration with Other Department of Defense Initiatives.....	15
DPAP Deputy Directorate on Contingency Contracting.....	15
Management of Contractors on the Battlefield.....	16
Training and Education Programs.....	17
D. Plans for Implementing the Commission’s Recommendations for Armed Forces other than the Army.....	17
1. Initial Implementation.....	17
Task Force on Contracting and Contract Management in Expeditionary Operations.....	17
Army Contracting Campaign Plan Task Force (ACCP TF).....	18
2. Path Forward: Driving to Completion.....	18
3. Scorecards.....	22
4. Questions.....	26



SECTION II: EVALUATION AND IMPLEMENTATION OF COMMISSION RECOMMENDATIONS

A. Structure for Discussion of Recommendations27

B. Summary of Evaluation and Implementation.....27

 1. Recommendation 1: Increase the Stature, Quantity, and Career Development of the Army’s Contracting Personnel.....30

 2. Recommendation 2: Restructure Organization and Restore Responsibility to Facilitate Contracting and Contract Management.....39

 3. Recommendation 3: Provide Training and Tools for Overall Contracting Activities in Expeditionary Operations.....45

 4. Recommendation 4: Obtain Legislative, Regulatory, and Policy Assistance to Enable Contracting Effectiveness.....56

SECTION III. ABBREVIATIONS 70

SECTION IV. APPENDICES

APPENDIX A. SECTION 849 OF THE FISCAL YEAR 2008 NATIONAL DEFENSE AUTHORIZATION ACT–FULL TEXT

APPENDIX B. FEBRUARY 5, 2008 MEMORANDUM FROM THE UNDER SECRETARY OF DEFENSE (ACQUISITION, TECHNOLOGY AND LOGISTICS) TASKING THE NAVY, MARINES, AND AIR FORCE TO EVALUATE THE APPLICABILITY OF COMMISSION RECOMMENDATIONS

APPENDIX C. NAVY EVALUATION OF COMMISSION RECOMMENDATION APPLICABILITY: ASSISTANT SECRETARY OF THE NAVY (RESEARCH, DEVELOPMENT AND ACQUISITION) MEMORANDUM TO THE DEPUTY UNDER SECRETARY OF DEFENSE (ACQUISITION AND TECHNOLOGY) DATED MARCH 21, 2008

APPENDIX D. AIR FORCE EVALUATION OF COMMISSION RECOMMENDATION APPLICABILITY: ASSISTANT SECRETARY OF THE AIR FORCE (ACQUISITION) REPORT SIGNED MARCH 18, 2008

APPENDIX E. REPORT TO CONGRESS IN RESPONSE TO SECTION 854 OF THE FISCAL YEAR (FY) 2007 NATIONAL DEFENSE AUTHORIZATION ACT (NDAA)–EXECUTIVE SUMMARY

APPENDIX F. CONTRACTING CAREER DEVELOPMENT AT EACH SERVICE

APPENDIX G. DEPARTMENT OF THE ARMY SECTION 849 REPORT TO CONGRESS



FIGURES

FIGURE 1	COMMISSION 4 OVERARCHING RECOMMENDATIONS WITH 40 SPECIFIC ACTIONS.....	3
FIGURE 2	STEERING GROUP MEMBERSHIP.....	5
FIGURE 3	TASK FORCE TEAMS.....	7
FIGURE 4	ARMY CONTRACTING COMMAND (PROVISIONAL).....	10
FIGURE 5	TIMELINE FOR FINALIZING THE ARMY CONTRACTING COMMAND.....	10
FIGURE 6	U.S. NAVY 0-5/0-6 PROMOTION RATES, 2001-2007.....	12
FIGURE 7	U.S. AIR FORCE 0-5/0-6 PROMOTION RATES, 2001-2007.....	14
FIGURE 8	SUMMARY MILESTONES FOR COMMISSION RECOMMENDATION 1.....	20
FIGURE 9	SUMMARY MILESTONES FOR COMMISSION RECOMMENDATION 2.....	20
FIGURE 10	SUMMARY MILESTONES FOR COMMISSION RECOMMENDATION 3.....	21
FIGURE 11	SUMMARY MILESTONES FOR COMMISSION RECOMMENDATION 4.....	21
FIGURE 12	DoD SCORECARD.....	21
FIGURE 13	ARMY SCORECARD.....	25
FIGURE 14	COUNT OF DoD ACQUISITION FLAGS/SES WITH CONTRACTING BREAKOUT.....	32
FIGURE 15	TIMELINE FOR DCMA CONTRACT MANAGEMENT AND OVERSIGHT.....	35
FIGURE 16	TIMELINE FOR REVIEWING AND REWRITING CIVILIAN PERSONNEL DIRECTIVES.....	38
FIGURE 17	JOINT CONTINGENCY CONTRACT SUPPORT OFFICE INITIAL CONCEPT OF OPERATIONS.....	41
FIGURE 18	TIMELINE FOR CREATING AN EXPEDITIONARY COMMAND IN-THEATER.....	42
FIGURE 19	TIMELINE FOR CONTRACTING TRAINING & WORKFORCE DEVELOPMENT.....	47
FIGURE 20	TIMELINE FOR PROVIDING AWARENESS TRAINING TO NON-CONTRACTING PERSONNEL AND STANDARD CONTRACTING OFFICER’S REPRESENTATIVES TRAINING REQUIREMENTS.....	51
FIGURE 21	TIMELINE FOR CONTRACT MANAGEMENT BUSINESS SYSTEMS.....	54
FIGURE 22	TIMELINE FOR PROVIDING INCENTIVES TO CIVILIAN CONTRACTING PERSONNEL IN EXPEDITIONARY OPERATIONS.....	59
FIGURE 23	TIMELINE FOR PRE-POSITIONING WAIVERS TO ALLOW RAPID LOCAL BUYING FOR EXPEDITIONARY OPERATIONS.....	65
FIGURE 24	TIMELINE FOR ESTABLISHING AN EXPEDITIONARY CONTRACTING MANUAL.....	69



TABLES

TABLE 1 ROADMAP FOR SECTION II OF THIS REPORT.....28



Section I. Department of Defense Evaluation of the Report of the Commission on Army Acquisition and Program Management in Expeditionary Operations

This section of the report contains background information. It explains that the Department has submitted this report in response to congressional direction, and it describes the Department's method for conducting the required evaluation. This section also summarizes the Department's analysis and its implementation plans; Section II of this report provides more detail on DoD's analysis, conclusions, and implementation plans.

A. Purpose of This Report

This report responds to the requirements of Section 849 of the National Defense Authorization Act for Fiscal Year 2008 (FY 2008 NDAA). Paragraph (b)(1) of Section 849 directs the Secretary of Defense to:

- ◆ evaluate the recommendations included in the report of the Commission on Army Acquisition and Program Management in Expeditionary Operations (the Commission),
- ◆ determine the extent to which such recommendations are applicable to the other Armed Forces, and
- ◆ submit a report to the congressional defense committees with the evaluation and description of the plans for implementing the recommendations for the Armed Forces other than the Army.

The Commission provided 40 specific recommendations in support of four overarching recommendations. This report provides the Department's evaluation of the recommendations and describes the plans for implementing the Commission's recommendations for the Armed Forces other than the Army. In general, these implementation plans provide for coordinated, Department-wide solutions to the issues raised in the Commission's report.

Paragraph (b)(2) of Section 849 requires the Secretary of the Army to evaluate the Commission's recommendations and report on the Army's conclusions and implementation plans. The Department of the Army's report is provided as Appendix G.

Paragraph (c) of Section 849 requires the Comptroller General to review the Department's implementation efforts and provide a report to the congressional defense committees on the Department's progress.

Appendix A provides the full text of Section 849.



B. Recommendations in the Report of the Commission on Army Acquisition and Program Management in Expeditionary Operations

On August 29, 2007, the Secretary of the Army established the independent Commission on Army Acquisition and Program Management in Expeditionary Operations to review lessons learned in recent operations. The Secretary tasked the Commission to provide forward-looking recommendations to ensure that military operations are more effective, efficient, and transparent. Dr. Jacques S. Gansler, who was the Under Secretary of Defense (Acquisition, Technology and Logistics)—USD(AT&L)—from 1997 to 2001, chaired the Commission.

The Commission developed a broad-based strategy for addressing shortcomings identified during its assessment. On October 31, 2007, the Commission published its recommendations in an independent report, *Urgent Reform Required: Army Expeditionary Contracting*. The report can be found at http://www.army.mil/docs/Gansler_Commission_Report_Final_071031.pdf.

The Commission provided four overarching areas of recommendations:

- ◆ Increase the stature, quantity, and career development of military and civilian contracting personnel (especially for expeditionary operations)
- ◆ Restructure the organization and restore responsibility to facilitate contracting and contract management in expeditionary and continental U.S. (CONUS) operations
- ◆ Provide training and tools for overall contracting activities in expeditionary operations
- ◆ Obtain legislative, regulatory, and policy assistance to enable contracting effectiveness in expeditionary operations.

To achieve these overarching recommendations, the Commission provided 40 specific recommendations. Figure 1 identifies the recommendations. 18 of the specific recommendations affect the entire Department or require legislative, regulatory, or policy enablers. The DoD Task Force for Contracting and Contract Management in Expeditionary Operations is leading the analysis and implementation of these 18 recommendations, along with an assessment of the applicability of all of the recommendations to the Armed Forces other than the Army. In accordance with Section 849(b)(1), this report focuses on the activities of the DoD Task Force.

The remaining 22 recommendations are specific to the Department of the Army. The Army Contracting Campaign Plan Task Force (ACCP TF) is leading the evaluation and implementation of these recommendations in accordance with the requirements of Section 849(b)(2). The Army's report to Congress is provided as Appendix G.



<p>Overarching Recommendation: Implement the Commission's Recommendations Rapidly and Measure Success</p>	<p>Recommendation 1: Increase the Stature, Quantity, and Career Development of the Army's Contracting Personnel (CONTINUED)</p>	<p>Recommendation 2: Restructure Organization and Restore Responsibility to Facilitate Contracting and Contract Management</p>	<p>Recommendation 3: Provide Training and Tools for Overall Contracting Activities in Expeditionary Operations</p>	<p>Recommendation 4: Obtain Legislative, Regulatory, and Policy Assistance to Enable Contracting Effectiveness</p>
<p>Army:</p> <p>1) A.1 Charter a Special Task Force to plan for, & achieve, the needed transformation with proper urgency</p> <p>A.1.1. Appoint a Special Task Force Leader</p> <p>A.1.2 Develop a time-phased master plan within 30 days & provide it to the Commission</p> <p>2) A.2 Implement key recommendations within 6 months and all recommendations within a year</p> <p>3) A.3 Review progress periodically with the Commission (quarterly reports and annual program review)</p>	<p>Army:</p> <p>9) 1.3 Establish "contract planning" (requirements definition) positions</p> <p>10) 1.4 Establish a separate Army Contracting Promotion board</p> <p>11) 1.5 Fence the 5 Army General Officer billets to SECAR</p> <p>12) 1.6 Establish a MG Deputy for Contracting and Director of the Army Contracting Corps</p> <p>13) 1.7 Increase the number of military (by 400) and civilian (by 1,000) in the Army contracting workforce.</p> <p>14) 1.8 Ensure that Army military contracting personnel, start their contracting career earlier</p> <p>15) 1.9 Capture expeditionary contracting lessons learned, incorporate them into systemic forums, and provide feedback to the force</p> <p>16) 1.10 Establish a separate, centrally managed Contracting Corps</p> <p>17) 1.11 Establish a skill identifier and manage military contracting personnel</p> <p>18) 1.12 Adequately fund contracting career planning programs, education & training, and internships</p> <p>19) 1.13 Ensure that expeditionary contracting deployment is not a first assignment</p> <p>20) 1.14 Change environment to foster civilian personnel participation in expeditionary operations</p>	<p>Army:</p> <p>21) 2.1 Establish a MG Deputy for Contracting and Director of the Contracting Corps and realign the current Deputy Assistant Secretary for Policy as a direct report</p> <p>22) 2.2 Establish an Army Contracting Command, commanded by a MG, and realign the current Deputy for Contracting, AMC, as a direct report</p> <p>23) 2.3 Establish an Expeditionary Contracting Command, commanded by a BG, under the ACC, and create a new SES position as a direct report.</p> <p>24) 2.4 Establish an Installation Contracting Command, commanded by a BG, under the ACC, and realign the current Directing, US Army Contracting Agency, as a direct report</p> <p>25) 2.5 Establish a chief of contracting for the Army Corps of Engineers, headed by a BG, and supported by a SES deputy.</p> <p>Department of Defense:</p> <p>26) 2.6 Create an Integrated Expeditionary Command in-theater for each major operation</p> <p>27) 2.7 Make one executive reporting directly to the USD(AT&L) responsible and accountable for DoD contracting</p> <p>28) 2.8 Redefine DCMA's scope</p>	<p>Army:</p> <p>29) 3.1 Train as we fight: Adapt training exercises to stress rapid acquisition, logistics, and contracting in expeditionary operations; include contracting operations and planning requirements in all military exercises</p> <p>30) 3.2 Develop and field the contract tools needed for the expeditionary forces (e.g., sample contracts)</p> <p>Department of Defense:</p> <p>31) 3.3 Focus DAU to train and educate the civilian and military acquisition, logistics, and contracting workforce for expeditionary operations</p> <p>32) 3.4 Provide DAU the necessary resources for the through-put it will experience to accommodate the Army's migration to emphasizing Level 1 certification earlier in careers</p> <p>33) 3.5 Provide training to Contracting Officer's Representatives in each Service, prior to any military operation</p>	<p>Congress:</p> <p>34) 4.1 Increase General Officer billets for Contracting and Joint Contracting (with "fencing" for contracting professionals)</p> <p>35) 4.2 Increase contracting personnel (Army military by 400, Army civilian by 1,000, and 583 to fill DCMA billets for Army support)</p> <p>36) 4.3 Legislate to provide incentives for civilian contracting personnel to "pre-volunteer" for expeditionary operations</p> <p>4.3.1 Eliminate the pay cap</p> <p>4.3.2 Establish tax-free status</p> <p>4.3.3 Make medals available</p> <p>4.3.4 Assure life-insurance and long-term medical coverage</p> <p>37) 4.4 Legislate to pre-position funding flexibility through an adequately resourced contingency operations transfer fund</p> <p>38) 4.5 Legislate to pre-position waivers of small business and US labor provisions, Buy American, Berry Amendment, Specialty Metals to allow rapid, local buying for expeditionary operations</p> <p>Department of Defense:</p> <p>39) 4.6 Establish an Expeditionary Contracting Manual</p> <p>40) 4.7 Ensure policy and practice support intelligent funding apportionment for expeditionary operations</p>
<p>Recommendation 1: Increase the Stature, Quantity, and Career Development of the Army's Contracting Personnel</p>				
<p>Congress:</p> <p>4) 1.1 Authorize 10 additional General Officers for contracting positions</p> <p>5) 1.2 Maintain existing civilian SES contracting authorizations, plus 1 new SES</p> <p>Department of Defense:</p> <p>6) 1.15 Assign DCMA the role of all base, post, camp, and station contract management</p> <p>7) 1.16 Adequately resource DCMA for this expanded role, and have the required training</p> <p>8) 1.17 Require a complete review and rewrite (as necessary) of each applicable personnel directive impacting civilian personnel involvement in military operations</p>				

Figure 1. Commission 4 Overarching Recommendations, with 40 Specific Recommendations



C. Evaluation of Recommendations in the Report of the Commission on Army Acquisition and Program Management in Expeditionary Operations

1. Organization

DoD Task Force for Contracting and Contract Management in Expeditionary Operations

The USD(AT&L) implemented section 849 by establishing the DoD Task Force for Contracting and Contract Management in Expeditionary Operations. The USD(AT&L) directed the Task Force to evaluate the applicability of the Commission’s recommendations and to develop long-term, enterprise-wide solutions to improve contracting and contract management in expeditionary operations.

The Task Force is staffed by eight cross-cutting teams with representatives from the Office of Secretary of Defense (OSD); the Departments of the Army, Navy, and Air Force; the Joint Staff; and the Joint Contracting Command–Iraq/Afghanistan (JCC-I/A). The Deputy Under Secretary of Defense (Acquisition and Technology) (DUSD (A&T)) and the Deputy Under Secretary of Defense (Logistics and Materiel Readiness) (DUSD(L&MR)) co-chair the Task Force. The co-chairs are supported in the daily activities and management of the Task Force by an Executive Director and a small staff of senior OSD personnel. The Task Force is advised by a Steering Committee.

Steering Committee

The DUSD(A&T) established a Steering Committee of senior leaders from OSD, all of the Military Departments, the Joint Staff, and the JCC-I/A to provide Department-wide visibility and oversight for the Task Force and to ensure timely completion of Task Force initiatives and integration of the initiatives with related ongoing Department activities.

The Steering Committee established an oversight process and uses a scorecard to monitor progress and completion of initiatives. The purpose of this process is to ensure successful completion of the initiatives developed in response to the Commission report as well as to provide for Department-wide visibility and collaboration on these and related DoD initiatives to improve contracting and contracting management in expeditionary operations.

Figure 2 depicts the Steering Committee membership.


















Steering Group Membership		
	Position	Organization
	Task Force Co-Chair/Deputy Under Secretary of Defense (Acquisition and Technology)	OUUSD(AT&L)
	Task Force Co-Chair/Deputy Under Secretary of Defense (Logistics & Materiel Readiness)	OUUSD(AT&L)
	Task Force Executive Director/Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing	OUUSD(AT&L)
	Assistant Deputy Under Secretary of Defense (Program Support)	OUUSD(AT&L)
	Deputy Under Secretary for Civilian Personnel Policy (DUSD(CPP))	OUUSD (PR)
	Principal Deputy Under Secretary of Defense (Comptroller)	OUUSD (Comptroller)
	Deputy Under Secretary for Financial Management (Comptroller)	OUUSD (Comptroller)
	President, Defense Acquisition University	OUUSD(AT&L)
	Military Deputy to the Assistant Secretary of the Army for Acquisition, Logistics & Technology / (SAAL-ZB)	Department of the Army
	Military Deputy to the Assistant Secretary of the Air Force for Acquisition (SAF/AQ)	Department of the Air Force
	Principal Deputy to the Assistant Secretary of the Navy for Research, Development, and Acquisition ASN(RDA)	Department of the Navy
	Vice Director for Logistics (J-4)	Joint Chiefs of Staff
	Commander	Joint Contracting Command, Iraq/Afghanistan (JCC I/A)
	Director	Defense Contract Management Agency (DCMA)
	Deputy Director for Logistics Operations (J-3)	Defense Logistics Agency (DLA)

Figure 2. Steering Group Membership

Task Force Teams

Of the eight cross-cutting teams on the Task Force, seven are addressing the 18 specific recommendations that affect the entire Department or require legislative, regulatory, or policy enablers. The eighth team is focused on developing related and supportive contract management business systems. The eight teams are as follows:

- ◆ Expeditionary Acquisition Support/Management of Contractors on the Battlefield
- ◆ Contract Management and Oversight
- ◆ Training and Contracting Workforce Development for Expeditionary Contracting



-
- ◆ Contracting Policy
 - ◆ Military Non-Contracting Officer Training
 - ◆ Contract Management Business Systems
 - ◆ Expeditionary Personnel Management
 - ◆ Expeditionary Contracting Financial Management.

Figure 3 shows the Task Force teams and identifies the specific Commission recommendations addressed by each team. (The specific recommendations are identified by “G” numbers, which were assigned by the Commission.)

The Task Force Director selected team co-chairs based on their expertise within a focus area. The co-chairs of the teams are leaders in the organizations that represent the many facets of the defense contracting system, as are many of the team members. Their participation on the Task Force provides a unique opportunity to demonstrate leadership commitment to contracting and contract management in expeditionary operations. Furthermore, they are positioned to provide insights and lessons learned, share best practices, and recommend improvements in the defense contracting system. The teams’ commitment is key to the Department’s success in achieving sustainable change in the critical area of contracting and contract management in expeditionary operations.

The Task Force Director provided management oversight and worked with the teams to obtain resources and information to support their research and analysis. The Director also identified senior staff members to advise and support each team.

To provide a consistent focus and a forum for sharing information, asking questions, identifying perceived obstacles, and efficiently addressing any issues or concerns, the Task Force Deputy Director conducted conference calls twice each week with the team chairs. The teams also used the twice-weekly conference calls to develop this report to Congress.



DoD Task Force for Contracting & Contract Management in Expeditionary Operations

Long Term Enterprise Wide Solution

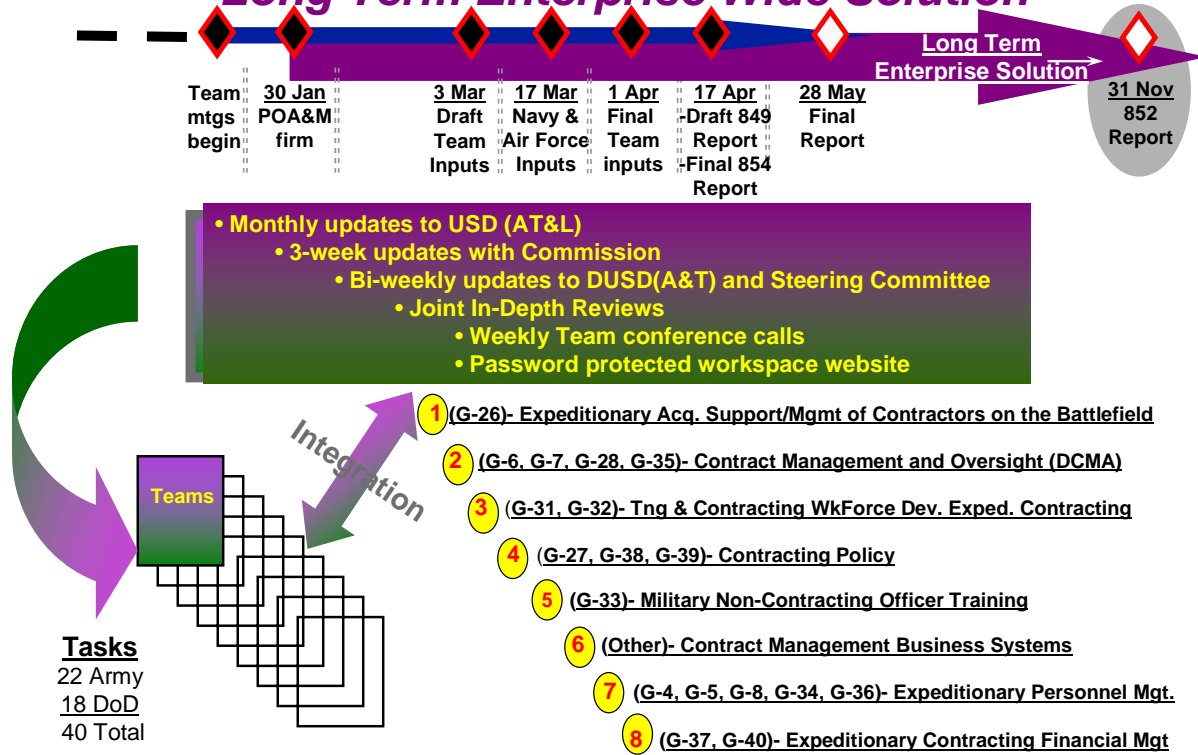


Figure 3. Task Force Teams

In response to Steering Committee direction, each team developed an informal working paper documenting its analyses and providing projected milestones for accomplishing their assigned initiatives.

Independent Reviews Performed by the Departments of the Navy and Air Force

On February 5, 2008, the USD(AT&L) notified the Departments of the Army, Navy, and Air Force of the establishment of the DoD Task Force to implement the requirements of section 849. The memoranda requested that the Departments provide the Task Force with points of contact. In addition, the USD(AT&L) asked the Departments of the Navy and Air Force to review the Commission’s recommendations and to provide their assessments of the extent to which the Commission recommendations pertain to the Navy and the Air Force, as well as their plans for implementing the recommendations. Appendix B contains copies of the USD(AT&L) memoranda.

In addition to providing the requisite analyses, representatives of the Navy, Marine Corps, and Air Force have participated fully in the Steering Committee and on the Task Force to develop and implement the Department’s initiatives.



Department of the Army Contracting Campaign Plan Task Force

Of the Commission's 40 recommendations, 22 are specific to the Department of the Army. The Acting Under Secretary of the Army (A/USA) established the ACCP TF, led by a Major General. The A/USA charged the ACCP TF with continuing the ongoing efforts to identify and implement needed improvements in doctrine, organization, training, leader development, materiel, personnel, and facilities, as well as to define and defend the resources required for success. In part, the ACCP TF's mandate is to ensure that the Department of the Army meets the congressional reporting requirements set out in the FY 2008 NDAA. The Secretary of the Army's report to Congress in response to section 849, Appendix G, provides more detail on the ACCP TF and its activities.

In addition, representatives of the Department of the Army participated fully in the Steering Committee and on the DoD Task Force teams to develop and implement the Task Force initiatives.

2. Communication and Collaboration

Steering Committee In-Depth Reviews

The Steering Committee initiated periodic formal, in-depth reviews of progress in addition to continuous informal interactions. The DUSD (A&T) and the Military Deputy, Assistant Secretary of the Army (Acquisition, Logistics and Technology) co-chaired the reviews. During these half-day reviews, the Steering Committee members and Task Force team leaders discussed progress made in evaluating and implementing the Commission recommendations and developed ways to overcome obstacles. Each meeting included presentations from Task Force leaders and the Military Departments, which served as starting points for the ensuing dialogue. The presentations focused on actions underway, actions planned, timelines, projected completion dates, completed actions, and expected end states. The reviews helped to ensure that the Department-wide actions are complementary and coordinated, as well as to confirm broad-based agreement on the various paths forward and resulting end states.

Independent OSD and Military Departments Reviews

OSD and the Military Departments conducted independent reviews of the applicability of the Commission's recommendations and reported their findings to the DUSD(A&T) in March 2008. The OSD assessments were provided in a briefing and the results are incorporated in this report. The Assistant Secretary of the Navy (Research, Development and Acquisition), on behalf of both the Navy and the Marine Corps, provided a memorandum to the DUSD(A&T) on March 21, 2008, and updated on March 25, 2008. (see Appendix C). The Assistant Secretary of the Air Force (Acquisition) submitted a report on behalf of the Department of the Air Force on March 18, 2008 (see Appendix D). The Department of the Army's assessment in response to the requirements of section 849(b)(2) are contained in the Army's report to Congress, Appendix G.



3. Applicability of Commission Recommendations to Services other than the Army

Through the collaborative process and independent reviews described above, OSD and the Military Departments thoroughly analyzed the applicability of the Commission recommendations. The following paragraphs summarize the Military Departments' assessments. Section II of this report provides additional details on the Department's implementation of the Commission's 18 specific recommendations for DoD-wide implementation or requiring legislative, regulatory, or policy enablers.

Department of the Army

As mentioned earlier, 22 of the Commission's 40 recommendations are specific to the Army. The Army intends to implement solutions that fully meet the spirit of the Commission's 22 Army-specific recommendations, although in some cases, the Army has identified alternative solutions that it determined to be more advantageous. These alternative solutions are designed to address Army contracting challenges holistically, whereas the Commission primarily focused on expeditionary contracting. The Army's report to Congress, Appendix G, provides more detail. In addition, to track progress, the USD(A&T) Steering Committee, in coordination with the ACCP TF, developed scorecards to facilitate oversight and synchronization of efforts and to monitor and measure improvement.

U.S. Army Contracting Command

Through its collaboration with the Commission, the Army moved quickly to implement Recommendation 2: Restructure the Army Contracting Organization. Specifically, the Army implemented three of the five Army-specific organizational improvements by establishing, provisionally, the U.S. Army Contracting Command (ACC) in January 2008. (The "provisional" designation indicates that the Army activated the command before the concept plan was approved by Army Staff.) Figure 4 depicts the current structure of the ACC.



Army Contracting Command (Provisional) 27 May 2008

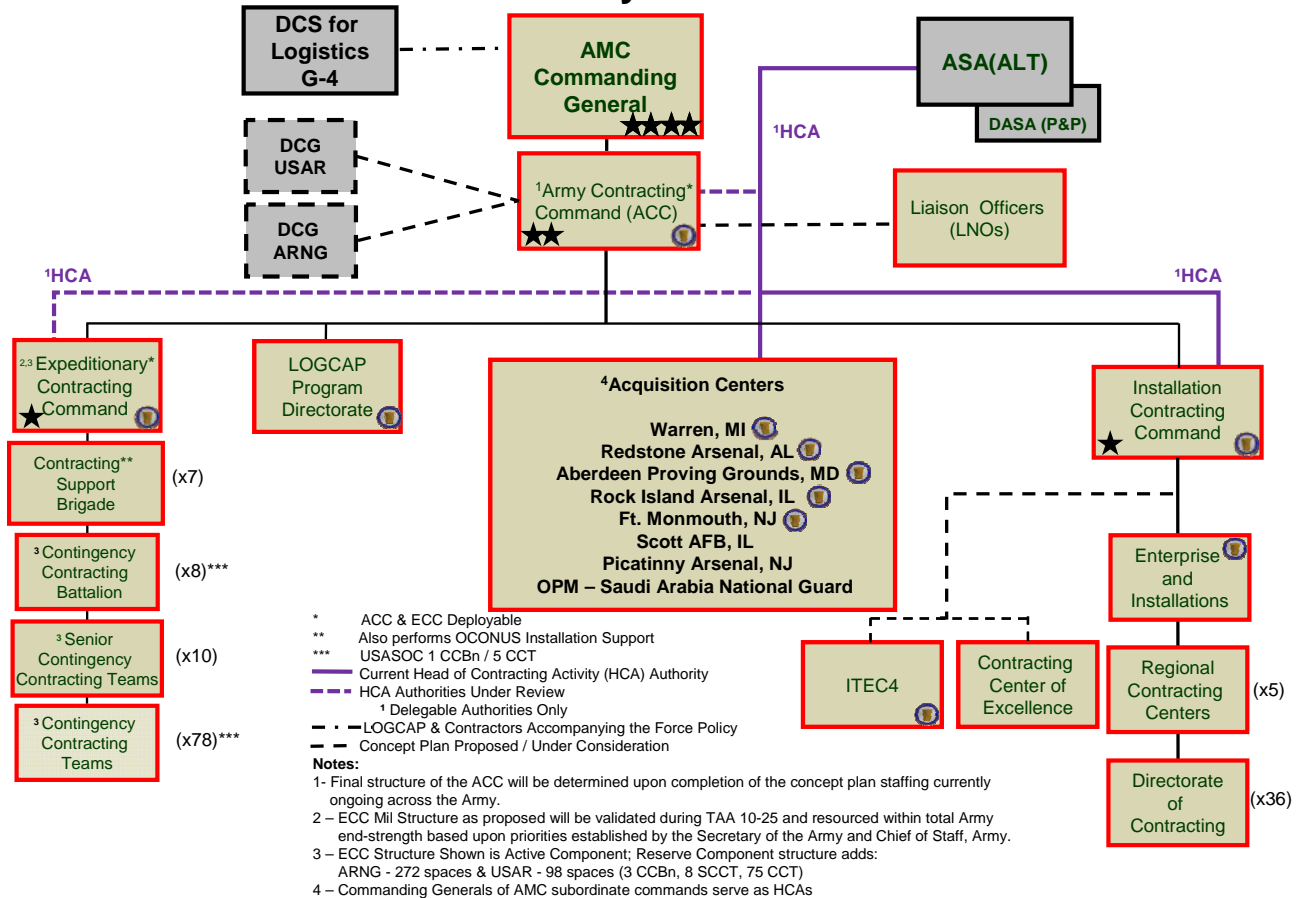


Figure 4. Army Contracting Command (Provisional)

As shown in Figure 5, the Army expects to permanently establish the Command in October 2008.

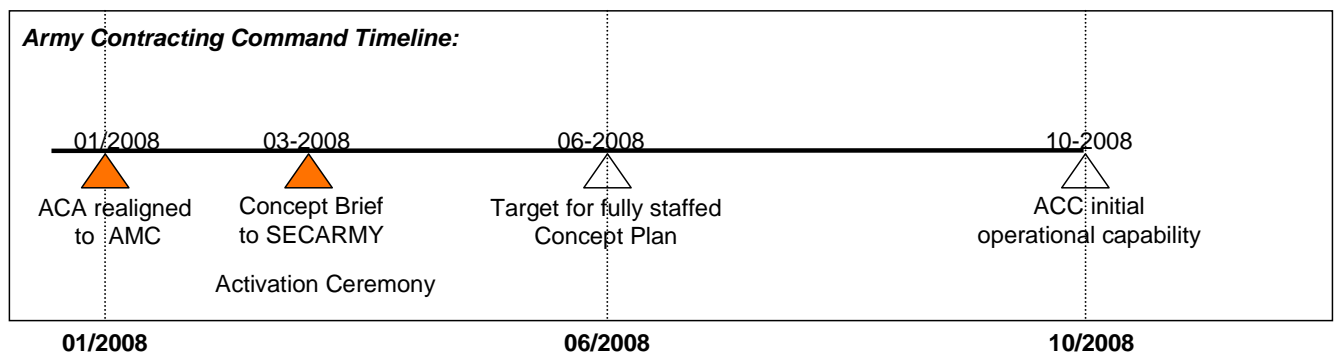


Figure 5. Timeline for Finalizing the Army Contracting Command



Under the ACC Expeditionary Contracting Command, the expeditionary contracting structure will include planning cells consisting of contracting personnel and logistics specialists. Planning cells within the Contract Support Brigade (CSB) will include embedded contract planners to coordinate contract requirements with operational commanders. The Army is also adding a Contracting Support Element (CSE) to provide the Army Commands with added contract planning (requirements definition) capabilities. For information on other Army actions to address this key area (Commission Finding G-9), see Appendix G. OSD is establishing the Joint Contingency Contract Support Office (JCCSO) (discussed later in the report), which will lead the integration and synchronization of contract support and for which the Army contract planners within CSB planning cells can serve as a resource.

General and Flag Officers

The Department of the Army is actively participating in the assessment and development of the DoD position on the appropriate numbers of General Officer, Flag Officer, and Senior Executive Service (SES) authorizations for contracting positions. At the time of this report, the Army has committed to five General Officer contracting positions. The Army has addressed this issue in its report, Appendix G, responding to Section 849(b)(2).

Department of the Navy

The Department of the Navy evaluated the Commission recommendations for applicability to the Navy and the Marine Corps in the context of the maritime strategy: “we will employ the global reach, persistent presence, and operational flexibility inherent in U.S. Seapower...U.S. maritime forces will be characterized by regionally concentrated, forward-deployed task forces.”

The Navy advised that its approach is to ensure that naval contingency contracting capability is self-sustaining and that it can support joint requirements as resources and capacity permit. The Navy pointed out that its approach to acquisition and program management is significantly different from that of the Department of the Army. The Navy moved contracting from ships in the mid 1980’s and instituted a husbanding program to support deployments. The Navy tests this capability daily, during normal operations and exercises. Therefore, the Navy found that many of the Commission recommendations were not applicable. The Navy committed to adopt the Commission recommendations found to be applicable, for example, the recommendations related to General and Flag Officers and to training.

General and Flag Officers

The Navy is actively participating in the assessment and development of DoD position regarding the appropriate numbers of General Officer, Flag Officer, and SES authorizations for contracting positions. At the time of this report, the Navy has committed to four Flag Officers for contracting positions. All existing Civil Engineering Corps Flag Officers are fully qualified contracting officers, and the Navy has, for the past 15 years, successfully maintained two Supply Corps Flag Officers who are fully qualified in contracting.



Training

The Marine Corps has completely restructured and updated its approach to training in support of contingency operations. The Marine Corps accelerated bringing officers into the contracting career field by starting them immediately following their first Marine Expeditionary Force (MEF) tour. On completion of training, officers are assigned to a Regional Contracting Center (RCC) to gain experience which makes them eligible for follow-on deployments with the MEF. The enlisted training curriculum mirrors that of officers but is divided into two segments. Enlisted personnel have assignments in the contracting career field between the two segments. The Marine Corps tests this capability daily, during normal operations and exercises.

The Navy Supply Corps utilizes the civilian intern training program and begins officers in the career field following their initial sea tour. It has instituted a career progression plan that will encourage a contracting skill set in the senior officer levels. The Navy advises that its approach to expeditionary training ensures the capability to expand or shrink the military footprint according to the mission and the maritime strategy.

During its evaluation, the Navy examined the promotion rate for Navy officers in the contracting career field. The Navy determined that the promotion rate demonstrates that the Navy career development path for these officers is successful. Figure 6 compares the promotion rate for U.S. Navy (USN) officers in contracting to the rates for USN line officers and acquisition officers.

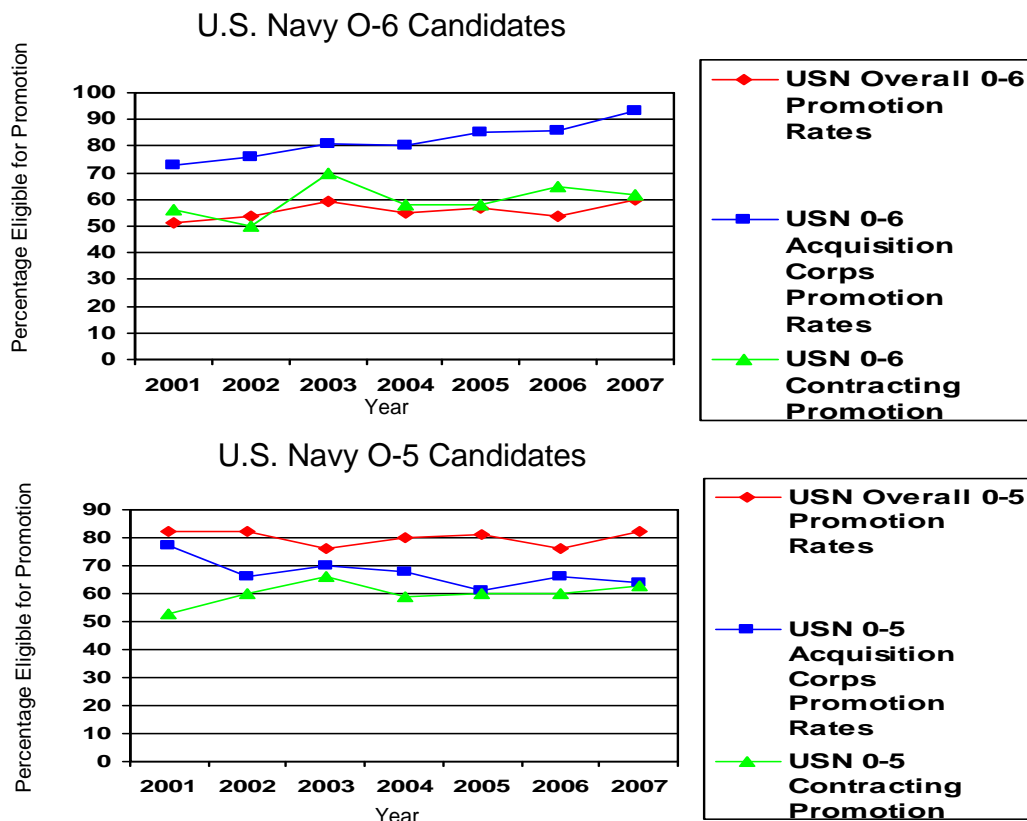


Figure 6. U.S. Navy O-5/O-6 Promotion Rates, 2001–2007



Navy contracting officer promotion rates are consistent with their line and acquisition counterparts. The full text of the Navy assessment is located in Appendix C.

Department of the Air Force

The Department of the Air Force advises that it has provided approximately 67 percent of the contracting resources to the JCC-I/A, in addition to supporting other joint and Air Force taskings around the world. The Commission’s report acknowledged that Air Force contracting officers in the JCC-I/A are taking on the most complex buying, due to their breadth and depth of their experience.

The Air Force achieves this level of breadth and depth of experience by early identification of their military officers and enlisted in contracting. Almost all Air Force officers start their education, training, and experience at the 2nd Lieutenant stage of their career. Over 50 percent of Air Force contracting enlisted members come into the career field directly out of basic training. The other 50 percent are selectively cross-trained after successful terms in other career fields. The Air Force model develops contracting professionals with a defined career path that makes their officer and enlisted members extremely competitive for promotion. Figure 7 compares the promotion rate for U.S. Air Force (USAF) officers in contracting to the rates for USAF line officers and acquisition officers.

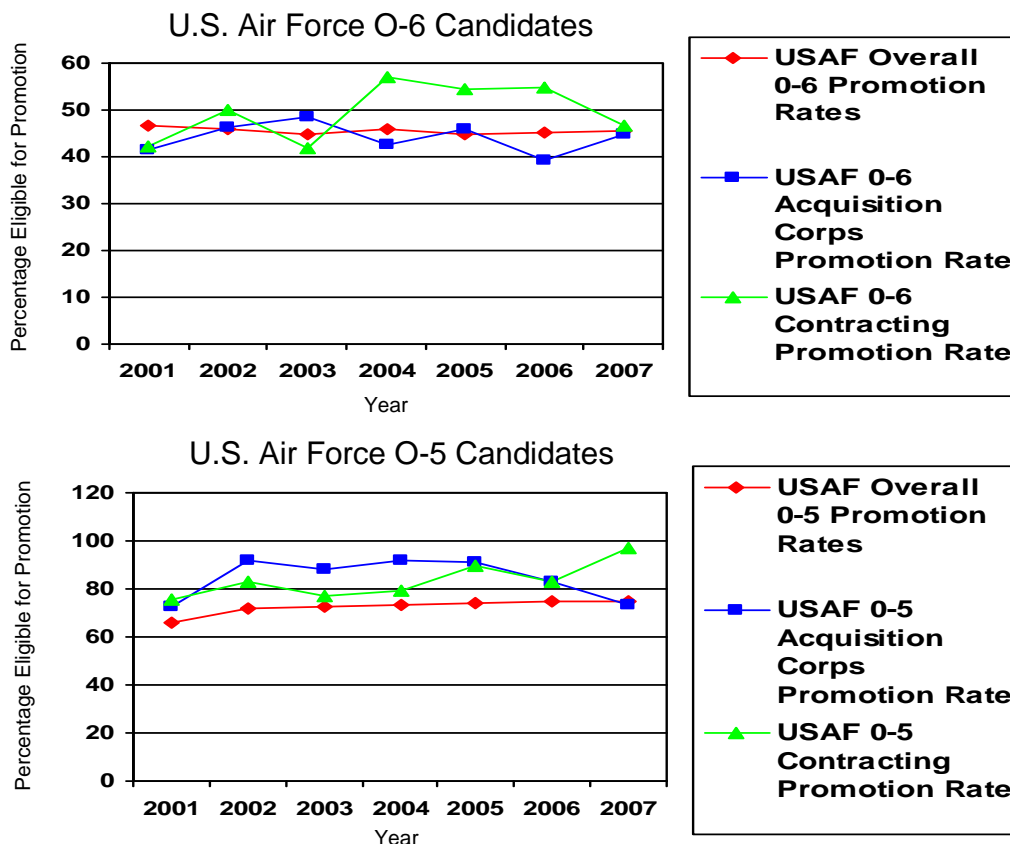


Figure 7. U.S. Air Force 0-5/0-6 Promotion Rates, 2001–2007



Although the Air Force structure has successfully supported Air Force and joint expeditionary requirements, it continues to evolve in support of the Air Force expeditionary mission. The Secretary of the Air Force approved a transformational initiative, known as Installation Acquisition Transformation, that will allow the Air Force to be more strategic in support of installations and to enhance training and experience for future deployees. In addition, in response to stress on Air Force military force due to backfilling Army shortfalls, the Air Force instituted a voluntary civilian contingency contracting officer program. The program should become increasingly popular once civilian personnel policies are improved and the requisite funding becomes centrally funded rather than unit funded.

The Department of the Air Force is actively participating in the DoD assessment and development of its position regarding the appropriate numbers of General Officer, Flag Officer, and SES authorizations for contracting positions. At the time of this report, the Air Force has agreed to pursue reallocating two General Officer for contracting positions.

The full text of the Air Force assessment is located in Appendix D.

Department of Defense

The USD(AT&L) is leading the Department's assessment and implementation of (1) the Commission's 18 specific recommendations that are Department-wide in scope or require legislative, regulatory, and policy enablers and (2) the applicability of the recommendations to Armed Forces other than the Army. After thorough analysis, the Department plans to achieve the intended outcome for all 18 recommendations. In some instances, after careful consultation with all of the Military Departments, the Department is using a different approach to achieve the Commission's intended outcome. This report provides the rationale for those decisions.

In addition, the Department has reviewed and analyzed the assessments of the applicability of the Commission recommendations to the Departments of the Navy and Air Force. In general, the Department concurs with these assessments. However, all of the Military Departments and OSD are vigorously pursuing the initiatives described in this report to improve contracting and contract management in expeditionary operations. In addition, the Department is leading numerous initiatives outside the scope of the Task Force and the Commission's recommendations to improve contracting and contract management generally. The Task Force leadership is working to ensure appropriate integration of these efforts.

Section II of this report provides a detailed discussion of the Department's assessments and approaches for each of the 18 specific recommendations that are DoD-wide in scope or require legislative, regulatory, or policy enablers.

Commission

The Department keeps the Commission apprised of progress and solicits feedback on implementation activities, both through formal meetings and informal exchanges. For example,



starting in February 2008, DUSD(A&T) has held monthly meetings with the Commission chairman; and the Army has held two meetings with the entire Commission.

4. Integration with Other Department of Defense Initiatives

To improve contingency contracting, the Department has undertaken several initiatives that predate or are independent of the Commission recommendations. The Department has been positioning itself for the future operational environment, which the Commission subsequently described in its report: expeditionary, joint, and multiagency political and military events. The following highlights from these efforts illustrate DoD's commitment to ensure that our soldiers, sailors, marines, and airmen are provided with the safest, most dependable, and best-performing equipment available within fiscal constraints, together with the logistics and materiel support necessary to ensure performance whenever, and wherever, they are needed.

DPAP Deputy Directorate on Contingency Contracting

In May 2007, the Department increased the staffing within the Defense Procurement, Acquisition Policy and Strategic Sourcing Directorate (DPAP). That staffing is dedicated specifically to contracting in expeditionary operations. This team consists of staff members who have expeditionary deployment experience. In addition, the team provides the management infrastructure and processes to support the DoD Task Force for Contracting and Contract Management in Expeditionary Operations.

The DPAP Contracting in Expeditionary Operations team has developed the first-ever Joint Contingency Contracting Handbook. The handbook provides a consolidated source of information for our contingency contracting officers conducting contingency contracting operations in a Joint environment, and provides the essential information, tools and training to meet the challenges they will face, regardless of mission or environment. This February the Defense Acquisition University (DAU) completed its first course to incorporate the handbook into formal training, and the feedback received from the students was an overwhelming success! A working group is meeting again in June to capture current lessons learned from the theater, as well as making other recommended changes from the field. The handbook will continue to be updated on a yearly basis. In addition, we have developed a draft Expeditionary Contracting Policy, which provides the foundation for the Joint handbook. DAU is also developing a core curriculum, with Military Department input, to train our contingency contracting officers to meet the challenges of the expeditionary contracting environment in a Joint and standardized fashion.

DPAP has also coordinated the internal review and staffing of legislative proposals to provide solutions in areas where the Department lacks adequate authority to respond to the Commission's recommendations.

DPAP incorporated specific competencies for Contingency Contracting Officers into the competency model for contracting officers and has set standards for six categories of contracting, including contracting in an expeditionary environment. All contracting officers, including those in Iraq and Afghanistan, will complete an assessment utilizing the model. The assessment results



will provide us the information necessary for improving training and to shape career and leadership development plans and programs for all expeditionary contracting personnel.

Finally, DPAP is taking advantage of relevant work being accomplished by the Panel on Contracting Integrity established under section 813 of the Fiscal Year 2007 NDAA. The Panel is recommending changes to law, regulations and policy that it determines necessary to eliminate areas of vulnerability in the defense contracting system that allow fraud, waste, and abuse to occur. Of particular relevance is the work of the Subcommittee on Contract Surveillance, which is developing a DoD-wide standard requirement for the training and qualification of Contracting Officer's Representatives. Details of this initiative are included in the discussion of individual actions relating to Contracting Officer Representatives.

Management of Contractors on the Battlefield

As noted in the Commission's report, to be on a war footing, DoD must fully recognize the impact of the large number of contractors involved in expeditionary operations and their potential impact on mission success. To illustrate, according to the Commission report, as of October 2007, the approximately 160,000 to 190,000 contractors in Iraq, Afghanistan, and Kuwait represented more than 50 percent of the total force. The Commission indicated that future operations are likely to similarly rely on contractors in expeditionary environments.

DoD is developing joint policies for requirements definition, contingency program management, and contingency contracting during combat operations and postconflict operations as required by section 854 of the FY2007 NDAA. The goal is to create a joint policy and program management framework for managing civilian contractors accompanying deployed forces. To that end, the DUSD(L&MR) established the Office of the Assistant Secretary of Defense (Program Support)—ADUSD(PS)—to oversee this initiative. The ASUSD(PS) and the Vice Director of the Directorate of Logistics, Joint Staff (J-4), have institutionalized a General Officer Steering Committee—consisting of Military Service and Defense Agency senior procurement executives—which meets regularly to oversee and synchronize the implementation of joint policies regarding contingency contracting. As a result, DoD is:

- ◆ establishing the JCCSO,
- ◆ deploying joint operational contract support planners to Combatant Commands (COCOMs), and
- ◆ creating an Operational Contract Support Concept of Operations (OCS CONOPS).

In addition, DoD is coordinating contingency contracting efforts with other government agencies in-theater. The Secretary of Defense, the Secretary of State, and the Administrator of the Agency for International Development are currently reviewing a draft memorandum of understanding (MOU) regarding matters relating to contracting in Iraq and Afghanistan. DoD and the Department of State (DOS) are also working to establish regulations on the selection, training, equipping, and conduct of private security contractors operating in an area of combat. In addition, DoD has established its own framework that defines roles and responsibilities for



managing and integrating all DoD contractors in an area of combat operations. Operationally, DoD and DOS have placed a priority on registering contracts and contractor personnel in the Synchronized Pre-deployment and Operational Tracker (SPOT) system, a common contract/contractor personnel database. These DoD and DOS initiatives help implement FY 2007 NDAA section 854 and FY 2008 NDAA sections 861 and 862. Appendix E contains a copy of the executive summary of the report to Congress in response to FY 2007 NDAA section 854.

Training and Education Programs

Efforts began in September 2007 to establish training programs for military personnel involved in contingency contracting, as well as to provide training to Contracting Officer's Representatives in each Military Department prior to any military operation.¹ The DoD is developing a broad program of instruction for operational military leaders, both officer and enlisted (across all grades), on management of contractors deploying with forces. In addition, the Department is developing Programs of Instruction on contingency acquisition for the Military Departments' Staff Colleges and Senior Military Service and Joint Staff Schools to more formally train senior planners and leaders on roles and responsibilities of planning and managing contracts and contractor personnel in forward areas. This training will focus all leaders on determining requirements, translating them into statements of work, and then overseeing that work.

The DoD Acquisition Workforce Fund (FY 2008 NDAA section 852) is available to finance future training and education programs. The fund was established to ensure that the DoD acquisition workforce has the capacity, in both personnel and skills, to properly perform its mission, oversee contractor performance, and ensure that DoD receives the best value for the funds expended. The USD(AT&L) is working collaboratively with the DoD Comptroller and the Office of the Under Secretary of Defense (Personnel and Readiness), as well as the Military Departments and Defense Components to establish DoD enterprise initiatives. The Department has mapped more than 80 proposals into 22 enterprise initiatives that address three focus areas: recruiting and hiring, workforce development and training, and retention of acquisition personnel. These initiatives will position the Department to address strategically our acquisition workforce shortfalls.

D. Plans for Implementing the Commission's Recommendations for Armed Forces other than the Army

1. Initial Implementation

Three entities have been vital to the initial implementation efforts described in this report: Steering Committee, DoD Task Force for Contracting and Contracting Management in Expeditionary Operations, and ACCP TF. Among the Steering Committee's achievements are the formal, in-depth analyses of the Commission report, assessment of applicability to Armed

¹ The Defense Acquisition University course on contingency contracting, CON 234, was first available in 1997. Recently, the course has been significantly updated to include the Contingency Contracting Handbook.



Forces other than the Army, and development of implementation plans. The following paragraphs summarize the achievements of the Task Force and ACCP TF.

Task Force on Contracting and Contract Management in Expeditionary Operations

The USD(AT&L) established the Task Force on Contracting and Contract Management in Expeditionary Operations to address specific Commission recommendations and to integrate activities responding to the Commission's recommendations with the many other relevant activities already underway within the DoD. For near-term improvements, the Task Force is relying on teams working specific issues. These teams use a Defense Acquisition University (DAU) knowledge center portal to share and archive information. The teams have preserved Task Force documentation in a consolidated, secure location (access is reserved for authorized users only), providing a one-stop resource to support ongoing and future implementation and assessment efforts. This site will also support the Comptroller General with the forthcoming review of the Department's implementation efforts, pursuant to the requirements of paragraph (c) of section 849.

Army Contracting Campaign Plan Task Force (ACCP TF)

The A/USA established the ACCP TF, charging it with continuing the ongoing efforts to identify and implement improvements in doctrine, organization, training, leader development, materiel, personnel, and facilities, as well as to define and defend the resources required for success. In part, the ACCP TF's mandate is to ensure that the Department of the Army meets the congressional reporting requirements detailed in the FY 2008 NDAA. The Secretary of the Army's report to Congress in response to NDAA Section 849, Appendix G, provides more detail on the ACCP TF.

2. Path Forward: Driving to Completion

To ensure timely and effective completion of the initiatives related to, and responding to, the Commission's recommendations, the Department has assigned responsibility for each initiative to a senior leader in the Department. The Program Acquisition and Contingency Contracting (PACC) organization within DPAP has established a dedicated, collocated workforce focused exclusively on this effort.

Going forward, the assigned leaders for each initiative will provide quarterly status updates and identify any obstacles to success to the Task Force's Steering Committee. DPAP/PACC will provide executive leadership for the coordination and oversight of these implementation activities. The Steering Committee will continue to institute positive changes in contracting and contract management in expeditionary operations, as well as to track the progress of the initiatives identified in this report.

Because the Department is committed to a long-range vision for improving the contracting process, with specific, near-term implementations providing demonstrable success, Congress and the American people can expect to see both immediate and lasting results.



The Department’s initiative leaders have developed milestones to track key implementation activities for each of the four Commission recommendation areas and to ensure forward progress as the Department institutionalizes improvements. Figures 8 through 11 summarize the milestones for the four overarching recommendations for improvement identified in the Commission report.



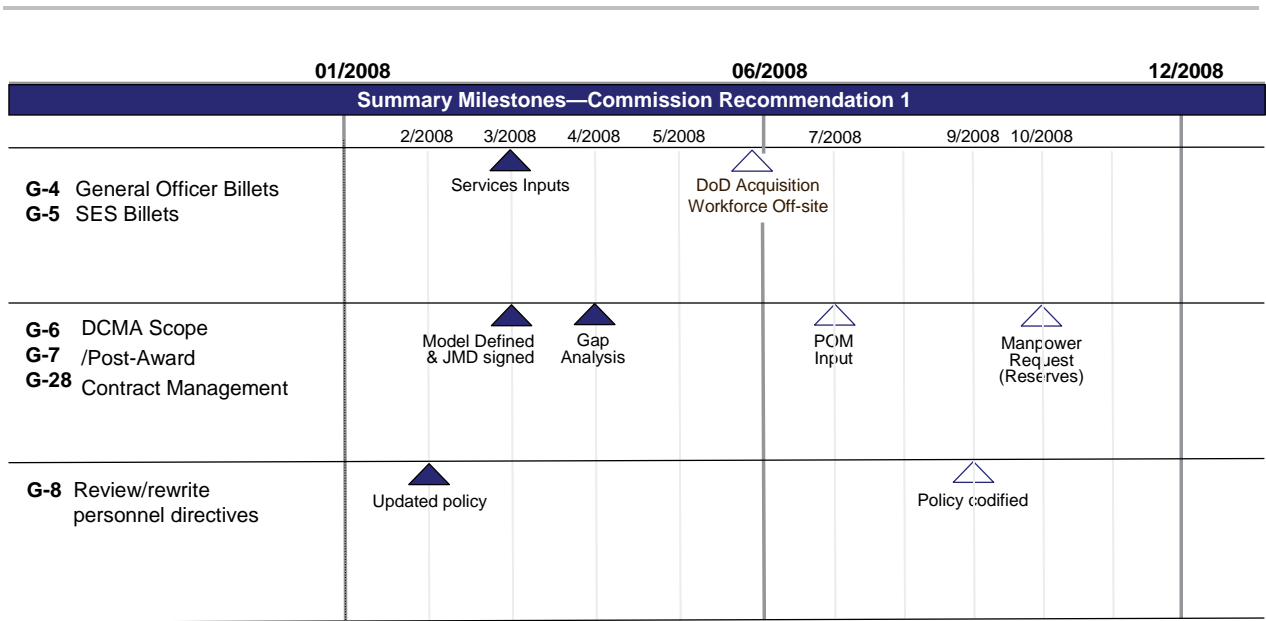


Figure 8. Summary Milestones for Commission Recommendation 1

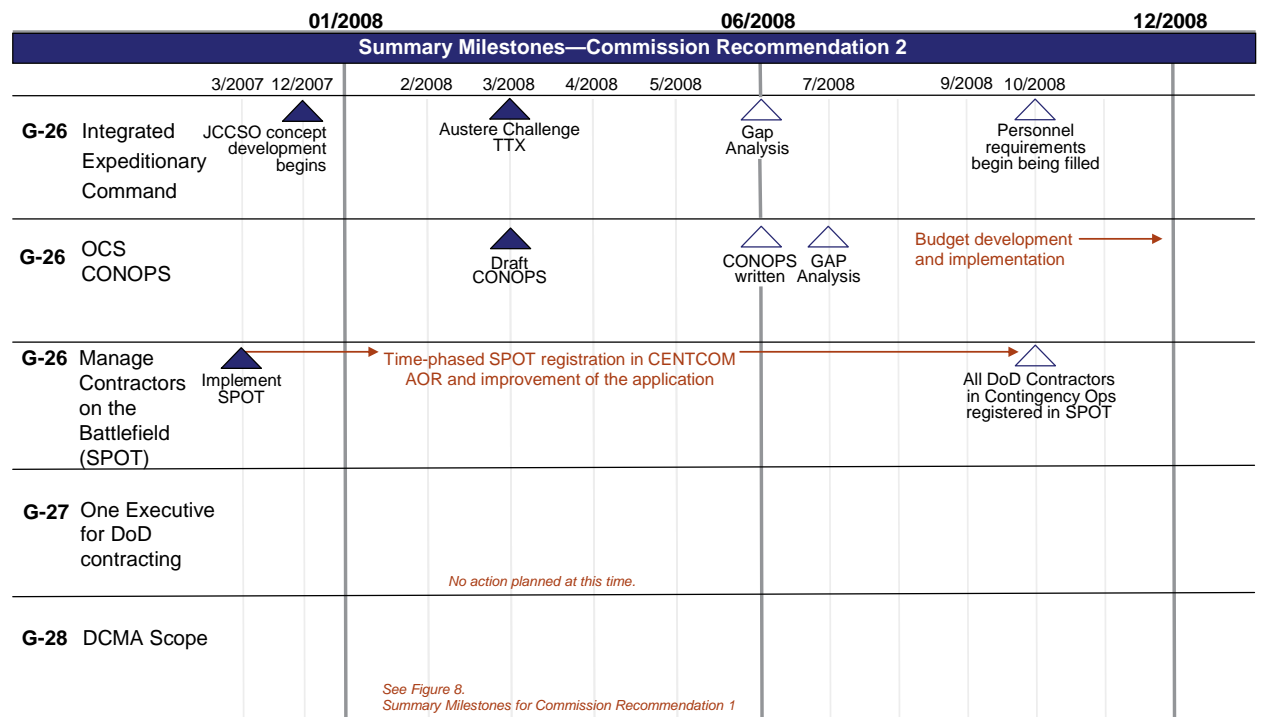


Figure 9. Summary Milestones for Commission Recommendation 2



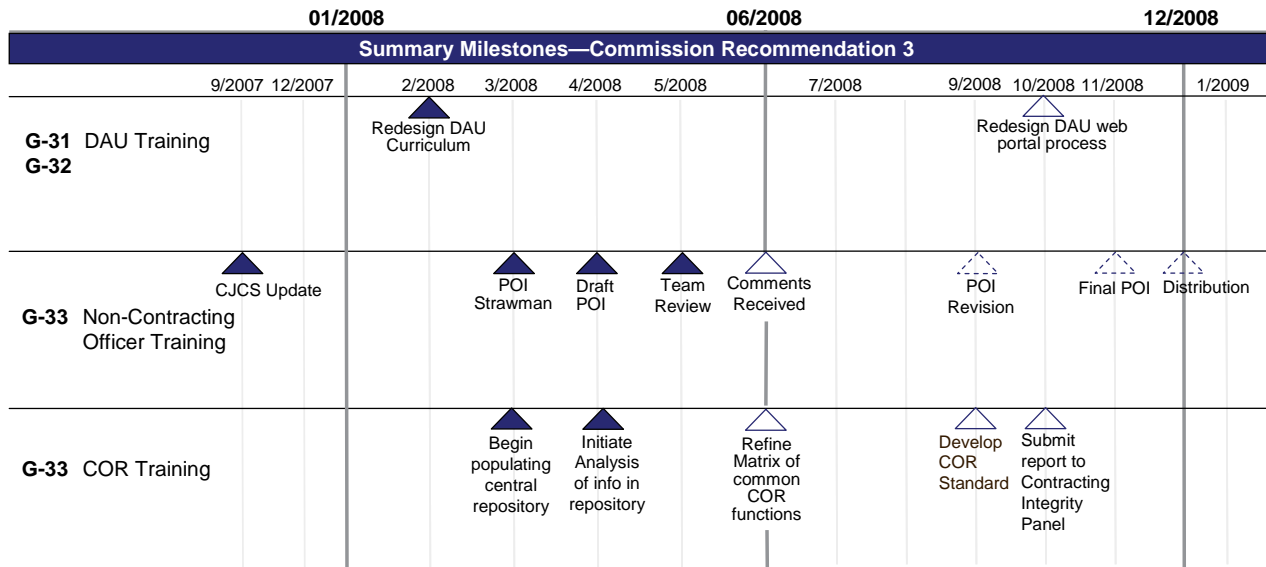


Figure 10. Summary Milestones for Commission Recommendation 3

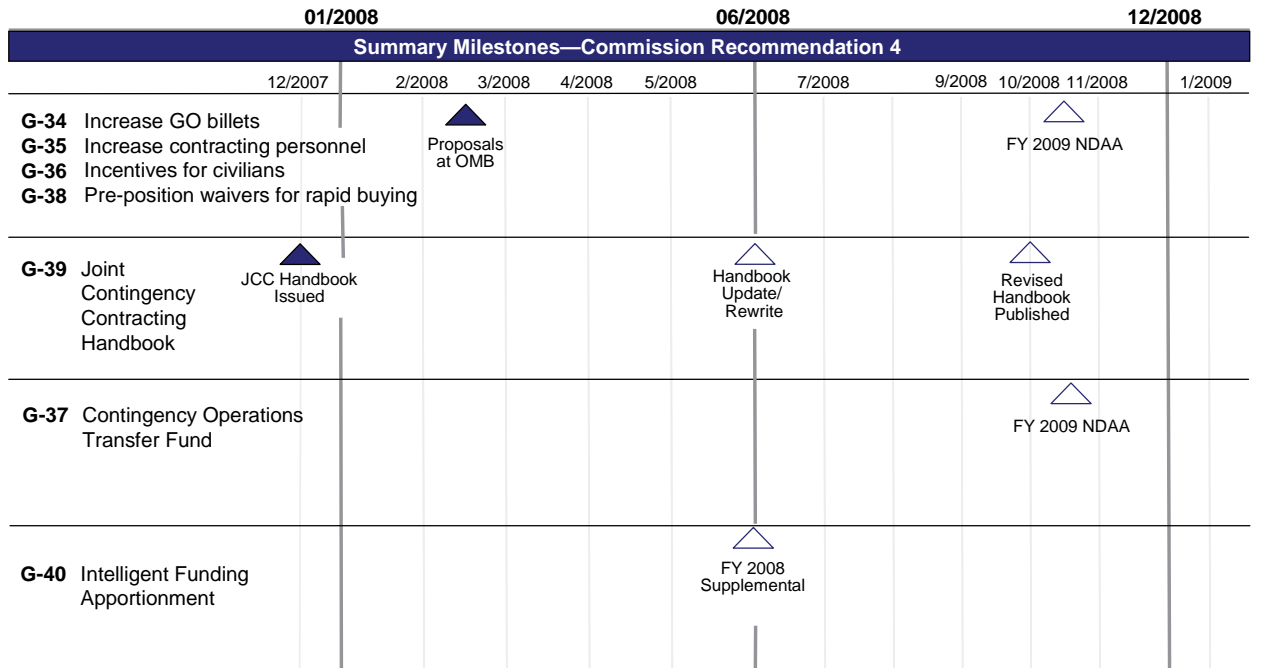


Figure 11. Summary Milestones for Commission Recommendation 4



3. Scorecards

The Department developed a scorecard to provide management visibility and oversight for the Department's responses to the Commission's 40 specific recommendations and to ensure monitoring and measurement of associated improvements. The Task Force provides progress information on the 18 recommendations that are DoD-wide in scope or require legislative, regulatory, or policy enablers; the Department of the Army ACCP provides progress information on the 22 recommendations that are specific to the Army. The Task Force management integrates both sets of progress data to assemble an integrated DoD scorecard that provides a comprehensive overview of status and progress across the Department.

Figure 12 is the DoD scorecard with information that is current as of the date of this report, and Figure 13 is the Army scorecard from their Report to Congress.



DoD Scorecard: Commission Recommendations					
Recommendation 1: Increase the Stature, Quantity, and Career Development of the Army's Contracting Personnel					
G #	Lead	Description of Commission's Recommended Actions	Implemented	Status	Comments
4	OSD	Authorize 10 additional General Officers for contracting positions	Alternate Solution	Alternatives in Progress	DoD Office of Legislative Counsel # 307(2) at @ OMB as of 3/24/08
5	OSD	Maintain existing civilian SES contracting authorizations, plus 1 new SES	Initiated	In Progress	Received input from Services
6	OSD	Assign DCMA the role of all base, post, camp, and station contract management	Alternate Solution	Alternatives in Progress	Agree with intended outcome of enhanced post award contract management, DoD taking alternate approach to achieve this outcome.
7	OSD	Adequately resource DCMA for this expanded role, and have the required training	Alternate Solution	Alternatives in Progress	Agree with intended outcome of enhanced post award contract management, DoD taking alternate approach to achieve this outcome. POM input 5/2008
8	OSD	Require a complete review and rewrite (as necessary) of each applicable personnel directive impacting civilian personnel involvement in military operations	Initiated	Initial Review Complete	Review resulted in policy Memo issued Feb 12, 2008. Memo to be incorporated in DODI 1400.32 by September 2008; Continuous reviews necessary to stay current
Recommendation 2: Restructure Organization and Restore Responsibility to Facilitate Contracting and Contract Management					
G #	Lead	Description of Commission's Recommended Actions	Implemented	Status	Comments
26	OSD	Create an Integrated Expeditionary Command in-theater for each major operation	Initiated	In Progress	Austere Challenge TTX conducted in 3/08 to test the concept
27	OSD	Make one executive reporting directly to the USD(AT&L) responsible and accountable for DoD contracting	Initiated	Review Complete	No action planned at this time
28	OSD	Redefine DCMA's scope	Alternate Solution	Alternatives in Progress	Agree with intended outcome of enhanced postaward contract management, DOD taking alternate approach to achieve this outcome. Scope decision on 3/2008
Recommendation 3: Provide Training and Tools for Overall Contracting Activities in Expeditionary Operations					
G #	Lead	Description of Commission's Recommended Actions	Implemented	Status	Comments
31	OSD	Focus DAU to train and educate the civilian and military acquisition, logistics, and contracting workforce for expeditionary operations	Initiated	In Progress	CON 234 deployed 2/28/2008; training gaps identified; single training plan of instruction
32	OSD	Provide DAU the necessary resources for the through-put it will experience to accommodate the Army's migration to emphasizing Level 1 certification earlier in careers	Initiated	In Progress	Section 852 of FY2008 NDAA provides potential funding source for acquisition workforce initiatives
33	OSD	Provide training to Contracting Officer's Representatives in each Service, prior to any military operation	Initiated	In Progress	Draft POI to provide non-contracting personnel contract awareness training out for review, comments due 6/2008. DoD standard for COR certification being developed under Section 813 Panel on Contracting Integrity
Recommendation 4: Obtain Legislative, Regulatory, and Policy Assistance to Enable Contracting Effectiveness					
34	OSD	Increase General Officer billets for Contracting and Joint Contracting (with "fencing" for contracting professionals)	Initiated	In Progress	Services provided input
35	OSD	Increase contracting personnel (Army military by 400, Army civilian by 1,000, and 583 to fill DCMA billets for Army support)	Alternate Solution	Alternatives in Progress	Agree with intended outcome of enhanced post-award contract management; DoD taking alternative approach to achieve this outcome; See # 13 (Army); See # 7 (OSD)
36	OSD	Legislate to provide incentives for civilian contracting personnel to "pre-volunteer" for expeditionary operations	Initiated	Review Complete	(See 36a through 36g breakout) DOD proposals submitted to OMB; OMB submitted 3 proposals to Congress
37	OSD	Legislate to pre-position funding flexibility through an adequately resourced contingency operations transfer fund	Initiated	In Progress	Request Congress to increase investment threshold to improve funding flexibility.
38	OSD	Legislate to pre-position waivers of small business and US labor provisions, Buy American, Berry Amendment, Specialty Metals to allow rapid, local buying for expeditionary operations	Initiated	Review Complete	(See 38a through 38l breakout); DOD submitted legislative proposals to OMB; OMB submitted 4 proposals to Congress
39	OSD	Establish an Expeditionary Contracting Handbook	Initiated	Completed	Issued JCC Handbook in 12/2007 / will update annually
40	OSD	Ensure policy and practice support intelligent funding apportionment for expeditionary operations	Initiated	In Progress	After review of OMB apportionment data Task Force determined OMB apportionments did not impact Contracting Officers
GRAND TOTAL					
GRAND TOTAL - Completed Actions				5	
GRAND TOTAL - In Progress Actions				13	
GRAND TOTAL - All Actions				18	



BACK-UP		DoD Scorecard: Commission Recommendations			
Breakout of Personnel and contracting Legislative Initiatives (G36 and G38)					
G #	Lead	Description of Commission's Recommended Actions	Implementation	Status	Comments
36	OSD	Legislate incentives for civilian "pre-volunteers"	Initiated	Review Complete/ In Progress	(See 36a through 36g below)
36a	OSD	Life Insurance		In Progress	DoD Office of Legislative Counsel # 298; allows civilians to change life insurance on deployment; SASC Bill section 1105
36b	OSD	Death Gratuity		Complete	In NDAA 08; \$100k or 1x Annual Salary (Military death gratuity is \$100k)
36c	OSD	Eliminate Pay Cap		In Progress	DoD Office of Legislative Counsel # 300; Manages the pay cap; SASC Bill section 1108; HASC Bill section 1101
36d	OSD	Establish tax-Free status		Review Complete	No new action if pay cap is lifted
36e	OSD	Make Medals avail		Complete	2 new medals approved; Civilian GWOT medal on 8/9/07 and Defense of Freedom Medal 9/27/2001
36f	OSD	Long-Term Medical Care		Complete	DoD policy clarification Sep 2007 re: civilian use of military evacuation and workers comp
36g	OSD	Expedited Hiring Authority		In Progress	DoD Office of Legislative Counsel # 297; provides expedited hiring authority for acquisition positions; SASC Bill sections 851 & 1103; HASC Bill section 811
G #	Lead	Description of Commission's Recommended Actions	Implementation	Status	Comments
38	OSD	Leg. pre-position waivers (SB/BuyAm/Berry)	Initiated	Review Complete/ In Progress	(See 38a through 38l below)
38a	OSD	Buy American Act (BAA) FAR 25.103 and 105 Exceptions and Cost Reasonableness		Review Complete	Agency Head determination
38b	OSD	Buy American Act (BAA) FAR 25.202 Excpetions		Review Complete	Agency Head determination
38c	OSD	Trade Agreements (TA) FAR 25.401(a)(2)		Review Complete	USTR Waiver
38d	OSD	Balance of Payments Program (BOPP) DFARS 225-7501©		Review Complete	SecDef Waiver authority
38e	OSD	Automatic express option for GAO protests		In Progress	DoD Office of Legislative Counsel # 294 @ Congress 5/09
38f	OSD	Berry Amendment (10 USC 2533a) - exception(s)		In Progress	DoD Office of Legislative Counsel # 296 @ Congress 5/09
38g	OSD	Specialty metals (10 USC 2533b) - exception(s)		In Progress	DoD Office of Legislative Counsel # 186 @ Congress 2/14 (FY 09 DoD leg pkg)
38h	OSD	Pre-position "contingency contracting country first" authority		In Progress	DoD Office of Legislative Counsel # 295 @ Congress on 4/25
38i	OSD	CICA stay provision		Review Complete	Services have authority
38j	OSD	Small business provisions - waiver		Review Complete	provisions reviewed; no further legislation being proposed
38k	OSD	US labor provisions - waiver		Review Complete	provisions reviewed; no further legislation being proposed
38l	OSD	Other such provisions - waiver/exception		Review Complete	provisions reviewed; no further legislation being proposed

Figure 12. DoD Scorecard



Army Scorecard: Gansler Commission Recommendations					
G #	Lead	Description of Commission's Recommended Actions	Implementation	Status	Comments
Recommendation Overarching (ARMY Lead): Implement the Commission's Recommendations Rapidly and Measure Success					
1	ACCP TF	Charter a Special Task Force	Initiated	Complete	ACTF - Urgent need (Aug 2007 - Feb 2008); ACCP TF - long term Army implementation
2	ACCP TF	Implement key recommendations w/in 6 mo; all w/in a yr	Initiated	Ongoing	ACTF - Urgent actions implemented; now implementing more complex actions that require more time
3	ACCP TF	Review progress periodically with the Commission	Initiated	Ongoing	Conducted 1st 2 Quarterly Updates (1/23 & 5/8/08); follow-on updates every 90 days
Recommendation 1 (ARMY Lead): Increase the Stature, Quantity, and Career Development of Contracting Personnel					
9	ASA(ALT)	Establish "contract planning" (requirements definition) positions	Initiated	In Progress	Initial phase complete. Logistics planners embedded in Kuwait operations; continuing ACCP-TF analysis to expand concept to all Army organizations; Contracting Support Element (CSE) for Army Commands
10	ASA(ALT)	Establish a separate Army Contracting Promotion board	Alternative Solution	Complete	Intent more effectively met w/special instructions to existing Promotion Boards
11	GOMO	Fence the 5 Army General Officer billets to SECAR	Initiated	Complete	Army-level action complete. OMB denied initial request. Army/OSD appeal forwarded to OMB on 5/20/08. Army supporting OSD action in this area
12	ASA(ALT)	Establish a MG Deputy for Cont and Dir of the Army Contracting Corps	Alternative Solution	Complete	Army-level action complete; pending Army/OSD appeal action to OMB for GO billets - See G11; Army needs best met through existing Acquisition Corps which includes contracting
13	ACCP TF	Increase the contracting workforce by 400 military and 1,000 civilians	Initiated	In Progress	622 Mil / 1,314 Civ increase identified (as of: 5/8/08); POM10-15 analysis ongoing to resource
14	USAASC	Ensure that Army mil contracting personnel start their career earlier	Initiated	Complete	Army policy in place to accelerate accession by 2-3 yrs.
15	ALT-IO	Capture expeditionary contracting lessons learned	Initiated	Ongoing	Lessons learned being collected; incorporated in classroom instruction; new/revised doctrine & exercises
16	ASA(ALT)	Establish a separate, centrally managed Contracting Corps	Alternative Solution	Complete	Army needs best met by ensuring contracting expertise shared across all Acquisition Corps disciplines
17	USAASC	Establish a skill identifier and manage military contracting personnel	Initiated	Complete	Established contracting skill identifier "51C" for Officers and NCOs; utilization improvements ongoing
18	ASA(ALT)	Adequately fund contracting career planning, ed & train, and internships	Initiated	In Progress	Sec 852 funding reprioritized; Rqmts for POM 10-15 being evaluated; increasing contracting Interns
19	USAASC	Ensure that expeditionary contracting deployment is not first assignment	Initiated	Complete	Army policy restricts expeditionary contracting deployment as a first assignment. CONUS training for RC
20	ARMY G1	Change environment to foster civilian participation in expeditionary ops	Initiated	In Progress	Army supporting OSD/OPM legis & policy changes for direct hire auth, life/health insurance, pay cap, medical
Recommendation 2 (ARMY Lead): Restructure Organization and Restore Responsibility					
21	ASA(ALT)	Establish a MG Deputy for Contracting and realign the current DASA	Initiated	Complete	Army action complete pending appeal (OSD/OMB) - See G11; realigning DASA P&P with both GO and SES
22	AMC	Establish a 2-Star ACC and realign the current Dep for AMC Contracting	Initiated	In Progress	Provisional Stand-Up of new 2-Star ACC - 3/13/2008; Final approvals expected by 6/30/2008
23	AMC	Establish a 1-Star ECC under the ACC, and create a new SES position	Initiated	In Progress	Provisional Stand-Up of new 1-Star ECC - 3/13/2008; Final approvals expected by 6/30/2008
24	AMC	Establish a 1-Star ICC under the ACC, and realign ACA	Initiated	In Progress	Provisional Stand-Up of new 1-Star ICC - 3/13/2008; Final approvals expected by 6/30/2008
25	USACE	Establish a 1-Star chief of contracting for USACE with a SES deputy	Initiated	Complete	Army action complete; pending appeal to OMB - See G11; USACE contracting SES in place
Recommendation 3 (ARMY Lead): Provide Training and Tools for Overall Contracting Activities in Expeditionary Operations					
29	ALT-IO	Train as we fight: exercise for rapid acq, log & contracting in exped ops	Initiated	In Progress	Urgent Action Complete: 16 courses already updated with Theater contracting lessons learned; incorporating realistic contracting scenarios as part of combat training center and other exercises
30	ALT-IO	Develop and field the contract tools needed for the expeditionary forces	Initiated	In Progress	Urgent Action Complete: Army worked w/OSD - distributed 5,000 Joint Contingency Contracting Handbooks; Continuing efforts to develop automated IT tools to support contracting operations
Recommendation 4 (OSD Lead / ARMY Support): Obtain Legislative, Regulatory and Policy Assistance to Enable Contracting Effectiveness					
34	OSD / ARMY	Increase General Officer billets (5 Army 5 Other)	Initiated	Complete	Army-level action complete. OMB denied initial request. Army/OSD appeal forwarded to OMB on 5/20/08. Army supporting OSD action in this area
35	OSD / ARMY	Increase contracting Workforce (400 Military, 1000 civilians, 583 DCMA)	Initiated	In Progress	Army supporting OSD action in this area
35	OSD / ARMY	Legislate incentives for civilian "pre-volunteers"	Initiated	In Progress	Army supporting OSD action in this area
37	OSD / ARMY	Legislate to pre-position funding flexibility	Initiated	In Progress	Army supporting OSD action in this area
38	OSD / ARMY	Legislate to pre-position waivers	Initiated	In Progress	Army supporting OSD action in this area

Figure 13. Army Scorecard



4. Questions

Direct any questions regarding this report to the Director, Defense Procurement and Acquisition Policy point of contact, Ms. Jill Stiglich (jill.stiglich@osd.mil or 703-695-8567).



Section II: Evaluation and Implementation of Commission Recommendations

As mentioned in Section I, Figure 2, the Commission identified four overarching recommendations, which are comprised of three improvement areas: Personnel; Organization & Responsibility; and Training & Tools and an area of Legislative, Regulatory and Policy Enablers. Within these four overarching areas, the Commission identified 40 specific actions. 18 of these specific recommendations are considered DoD-wide in scope, or are legislative, regulatory, or policy enabling actions. The Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) is leading the Department's actions in response to these 18 recommendations. This section of the report provides the results of the Department's assessments and evaluations of these recommendations. We have organized the section by discussing the 18 specific recommendations within the Commission's overarching categories of Personnel; Organization & Responsibility; and Tools & Training.

The Commission's remaining 22 specific actions are focused on implementation by Department of the Army (Army), and the Army Contracting Campaign Plan Task Force is leading the related responsive actions. In addition, in accordance with the requirements of the FY 2008 NDAA section 849, the Army is providing a report on the analysis and implementation of the Commission's recommendations for the Department of the Army, Appendix G.

This section includes a discussion of the assessments performed by the Departments of the Navy and the Air Force of the applicability of the Commission's recommendations for the Army to the other Military Departments. Appendices C and D provide these assessments in full text.

A. Structure for Discussion of Recommendations

The Commission assigned an identifying number (G-#) to each of the 40 specific recommendations. Table 1 aids in navigation of this section by providing an overview of the 4 overarching categories; the 18 specific recommendations discussed in this section; and the page numbers associated with each discussion.

To facilitate discussion, related recommendations and actions are discussed together.



Roadmap for Section II of this Report

Recommendation 1: Increase the Stature, Quantity, and Career Development of the Army's Contracting Personnel		
G #	Description of Commission's Recommended Actions	Page
4	Authorize 10 additional General Officers for contracting positions	31
5	Maintain existing civilian SES contracting positions, plus one new SES	
6	Assign DCMA the role of all base, post, camp, & station contract management	33
7	Adequately resource DCMA for this expanded role, and have the required training	
8	Require a complete review and rewrite (as necessary) of each applicable personnel directive impacting civilian personnel involvement in military operations	36
Recommendation 2: Restructure Organization and Restore Responsibility to Facilitate Contracting and Contract Management		
G #	Description of Commission's Recommended Actions	Page
26	Create an Integrated Expeditionary Command in-theater for each major operation	40
27	Make one executive reporting directly to the USD(AT&L) responsible and accountable for DoD Contracting	44
28	Redefine DCMA's Scope	33
Recommendation 3: Provide Training and Tools for Overall Contracting Activities in Expeditionary Operations		
G #	Description of Commission's Recommended Actions	Page
31	Focus DAU to train and educate the civilian and military acquisition, and contracting workforce for expeditionary operations	46
32	Provide DAU the necessary resources for the through-put it will experience to accommodate the Army's migration to emphasizing Level 1 certification earlier in careers	
33	Provide training to Contracting Officer's Representatives in each Service, prior to any military operation	49
Recommendation 4: Obtain Legislative, Regulatory, and Policy Assistance to Enable Contracting Effectiveness		
G #	Description of Commission's Recommended Actions	Page
34	Statutorily authorize an increase in General Officer billets	31
35	Increase contracting personnel (Army military by 400, Army civilian by 1,000 and 583 to fill DCMA billets for Army support)	33 & 57
36	Legislate to provide incentives for civilian contracting personnel to "pre-volunteer" for expeditionary operations. Eliminate the pay cap; establish "tax-free" status; make medals available; assure life insurance and long-term medical coverage	57
37	Legislate to pre-position funding flexibility through an adequately resourced contingency operations transfer fund	62
38	Legislate to pre-position waivers of small business and US labor provisions, Buy American, Berry Amendment, and Specialty Metals to allow rapid, local buying for expeditionary operations	63
39	Establish an Expeditionary Contracting Handbook	67
40	Ensure that policy and practice support intelligent funding apportionment for expeditionary operations	62
TOTAL DoD-WIDE ACTIONS, INCLUDING ENABLERS:		18

Table 1. Roadmap for Section II of this Report



B. Summary of Evaluation and Implementation

Each of the discussions provided in this Section is presented in the following format:

- A. Summary of Commission Findings and Recommended Actions – including reference to one or more of the 18 specific actions to be addressed.
- B. DoD Evaluation of Recommended Actions– a description of effort undertaken by the Department to evaluate the specific actions for Department-wide implementation and develop an implementation plan that would best fulfill the intent of the recommended action.
- C. Plan for Implementation – a discussion milestones and timelines for undertaking efforts to implement the specific actions being addressed.



**Recommendation 1:
Increase the Stature, Quantity, and Career Development of the Army's Contracting Personnel**

The Commission recommended several improvements to address the stature, quantity, and career development for contracting personnel. Five of these recommended actions have Department-wide implications or require legislative enablers and are included in this section of the report.

There is a related action, G-28, Redefine DCMA scope, identified by the Commission within Recommendation 2, that is included in the DCMA discussion in this section.

In addition, two associated legislative enablers identified by the Commission in Recommendation 4 for improving the stature, quantity, and career development for contracting personnel are addressed in this section.

To facilitate discussion, related actions are grouped together in this section as follows:

Actions relating to General and Flag Officer and SES Billets, discussed on page 31

- G-4, Authorize 10 additional General Officers for contracting positions
- G-5, Maintain existing civilian SES contracting positions, plus one new SES
- G-34, Increase General Officer billets for contracting and joint contracting

Actions relating to the Role of DCMA, discussed on page 33

- G-6, Assign DCMA all contract management
- G-7, Resource DCMA for new role
- G-28, Redefine DCMA scope
- G-35, Increase contracting personnel

Actions relating to civilian personnel policies, discussed on page 36

- G-8, Review civilian personnel policies



Recommendation 1: Increase the Stature, Quantity, and Career Development of the Army's <u>Contracting Personnel</u>			
Actions Relating to General and Flag Officer and SES Billets			
G #	Description of Commission's Recommended Actions	Implementation Status	Estimated Completion
4	Authorize 10 additional General Officers for contracting positions	Alternatives In Progress	FY 09 NDAA
5	Maintain existing civilian SES contracting positions, plus one new SES	In Progress	FY 09
34	Statutorily authorize an increase in General Officer billets	In Progress	FY 09 NDAA

A. Commission Findings and Recommended Actions:

The Commission found that despite the increased importance of contracting capability to the operational military's performance, the skill and experience required to execute those capabilities has not been valued by the institutional Army. The Commission recommended that the key to solving this problem within the structure and culture of the Army is for Congress to authorize additional 10 General Officers (5 for the Army and 5 for Joint Commands) and an SES billet and specifically assign the 5 Army billets to the Secretary of the Army so that they may only be assigned to acquisition and contracting billets as the Secretary specifies. These General Officers would, through normal Army staffing assignment policy, drive the training, development, and assignment of the necessary officer, enlisted, and civilian personnel to populate this critical area.

B. DoD Evaluation of Recommended Actions:

Each of the Military Departments reviewed the population and assignment history of flag and general officers in Contracting positions, and the trends identified by the data in Figure 14. The Department of the Army has committed to pursue 5 additional General Officer billets for contracting positions; the Department of the Navy has agreed to pursue 4 Flag Officers in contracting positions and has exceeded that count; and the Department of the Air Force has agreed to pursue reallocating 2 General Officers into contracting positions. Furthermore, the Department is proceeding to obtain 4 additional Joint General Officer billets for contracting positions including the Commander, DCMA, JCCSO, DCMA International, and an experienced contracting General Officer in DLA. The Department is pursuing a 3-star General Officer billet to head DCMA. Based on the historical information provided in Figure 14, the Air Force Senior Acquisition Executive has initiated a review of the Air Force General Officer billets for contracting positions, and is expected to provide further analysis and recommendations soon after submission of this report.



Count of DoD Acquisition Flags/SES with Contracting Breakout

FLAGS AND SES(ES) - Follow-up Submission (April 21, 2008)(with Service inputs from SASC staff follow-up request)															
FY	Total DoD				Acquisition										
	Total DoD Flag	%Acq of DoD Flag	Total SES (ES)	%Acq of DoD SES (ES)	Total DoD Acq		Total Army Acq		Total Navy Acq		Total Marine Acq		Total AF Acq		* Other DoD
					Flag	SES	Flag	SES	Flag	SES	Flag	SES	Flag	SES	SES
FY90	1,054	unk	1,458	unk	unk	unk	unk	unk	unk	unk	unk	unk	unk	unk	unk
FY95	851	10.2%	1,277	31.1%	87	397	20	112	26	116	1	2	40	87	80
FY00	871	11.9%	1,241	34.5%	104	428	17	139	39	128	1	2	47	78	81
FY05	874	10.1%	1,207	37.6%	88	454	18	155	34	161	1	2	35	62	74
FY07	899	8.1%	1,255	33.1%	73	415	16	140	32	141	1	3	24	49	82

FLAGS - Follow-up Submission with Contracting Breakout (April 21, 2008)(with Service inputs from follow-up request)															
FY	Total DoD				Acquisition Flags/GOs										
	Total DoD Flag	%Acq of DoD Flag	Total Flag Con	%Con of Acq Flags	Total DoD Acq Flags		Total Army Acq		Total Navy Acq Flags		Total Marine Acq		Total AF Acq Flags		* Other DoD
					All Acq	Con	All Acq	Con	All Acq	Con	All Acq	Con	All Acq	Con	SES
FY90	1,054	unk	unk	unk	unk	unk	unk	3	unk	unk	unk	unk	unk	unk	unk
FY95	851	10.2%	5	5.7%	87	5	20	0	26	3	1	0	40	2	
FY00	871	11.9%	9	8.7%	104	9	17	4	39	4	1	0	47	1	
FY05	874	10.1%	8	9.1%	88	8	18	* 2	34	5	1	0	35	1	
FY07	899	8.1%	7	9.6%	73	7	16	* 0	32	6	1	0	24	1	

Note: There are Flags/GOs that have significant contracting experience, but that are now serving in other acquisition functional positions
*Flags/GOs counted as in Military Services numbers

SES (ES) - Follow-up Submission with Contracting Breakout (April 21, 2008)(with Service inputs from follow-up request)															
FY	Total DoD				Acquisition SES (ES)										
	Total DoD SES (ES)	%Acq of DoD SES (ES)	Total CON SES (ES)	%CON of Acq SES (ES)	DoD Acq SES (ES)		Army Acq SES (ES)		Navy Acq SES (ES)		Marine Acq SES (ES)		AF Acq SES (ES)		Other DoD Acq SES (ES)
					All Acq	Con	All Acq	Con	All Acq	Con	All Acq	Con	All Acq	Con	All Acq
FY90	1,458	unk	unk	unk	unk	unk	unk	unk	unk	unk	unk	unk	unk	unk	unk
FY95	1,277	31.1%	53	13.4%	397	53	112	13	116	17	2	1	87	10	80
FY00	1,241	34.5%	41	9.6%	428	41	139	10	128	13	2	0	78	8	81
FY05	1,207	37.6%	49	10.8%	454	49	155	20	161	13	2	1	62	6	74
FY07	1,255	33.1%	46	11.1%	415	46	140	16	141	13	3	1	49	6	82

Figure 14. Count of DoD Acquisition Flags/SES with Contracting Break-out

C. Plan for Implementation:

Actions Completed to Date: Based on the data collected above, the overall acquisition workforce for both flag/general officer as well as SES have been reduced over the past decade. This information continues to be evaluated with each of the military departments to understand the data and develop a path forward that provides more balance for leadership of workload requirements and workforce available to include expeditionary contracting roles and responsibilities.

These Commission recommendations are under assessment. All Military Departments are actively engaged in developing the path forward.

Ongoing Actions:

At the time of submission of this report, the Department is considering 15 General Officer billets with contracting expertise. The Department believes that a key element of strengthening the contracting career path for officers is the establishment of general officer billets for contracting positions. Furthermore, a pool of deployable general officers with strengths in contracting and contract management is essential for successful contracting support for future contingencies and expeditionary operations.



Recommendation 1: Increase the Stature, Quantity, and Career Development of the Army's <u>Contracting Personnel</u>			
Actions relating to the Role of DCMA			
G #	Description of Commission's Recommended Actions	Implementation Status	Estimated Completion
6	Assign DCMA the role of all base, post, camp, & station contract management	Alternatives In Progress	Oct 08
7	Adequately resource DCMA for this expanded role, and have the required training	Alternatives In Progress	Oct 08
28	Redefine DCMA's Scope	Alternatives In Progress	2012
35	Increase contracting personnel (Army military by 400, Army civilian by 1,000 and 583 to fill DCMA billets for Army support)	Alternatives In Progress	FY 09 NDAA

A. Commission Findings and Recommended Actions:

The Commission recommended redefining the scope of the Defense Contract Management Agency (DCMA) so that it would be responsible for all base, post, camp, and station contract management – for both peacetime and expeditionary operations - in order to develop a contract management center of excellence. The Commission also recommended that DCMA be adequately resourced and have the required training for this expanded role, specifically providing 583 Army contracting personnel to staff new DCMA billets.

In addition, the commission inferred that DCMA should expand their current Contingency Contract Administration Services (CCAS) operation in theater in order to be able to administer not only the Logistics Civil Augmentation Program (LOGCAP) and the Air Force Contract Augmentation Program (AFCAP) contracts, but contracts being executed in the CENTCOM AOR. To address this increase in responsibility, the Commission recommended that DCMA adequately resource its total force (civilians, military and reserves) and request additional funding to cover this increase.

B. DoD Evaluation of Recommended Actions:

DCMA does not currently provide contract administration for contracts for services in general, and does not do so for base, post, camp and station contracts for services. The Commission's recommended approach to achieving the outcome of enhanced post-award contract administration is not integrated with the Department's strategy to improve administration for contracts for services being developed in response to the GAO High Risk Area: Contract Management. The GAO points out, and the Department concurs, that post-award administration of contracts for services is an area in need of improvement in DoD's day-to-day operations.



The Department intends to achieve the intended outcome of the Commission's recommendations for improving contract management by enhancing DoD's overall contract management capabilities within the Military Departments. The Department intends to develop the ability to meet contract management requirements during peacetime while training and developing the deployable personnel to meet contract management requirements during contingency and expeditionary operations. The alternative under consideration addresses the Department's concern that the Military Departments need the ability to deploy in operations of all sizes; scalability of operations is important, and that we train the way we fight. While DCMA has assumed total responsibility based on delegated authorities from JCC-I/A, for theater-wide contract administration currently, long term, DCMA's role would be focused on Contract Management leadership, oversight, and enhancing core capabilities in systemic analysis of contractor performance. The Military Departments will assume the majority of theater-wide contract administration and quality assurance responsibilities long term with DCMA retaining responsibility for retrofit contract administration. DCMA will assist the Military Departments through Contract Management Reviews in assessing the adequacy of base, post, camp, and station contract management, quality assurance, and Contracting Officer's Representative (COR) functions and training. This process will additionally facilitate capturing best practices and standardizing procedures when appropriate.

Building upon the DCMA model in theater and working with the Military Departments, the Department looked at several different options for forward deployment and in garrison training. No one model will fit all contingencies as they are dependent upon numerous factors including the level of contracting complexity, joint environment, country or area existing business base, size of operation and lead service. We therefore proposed a model combining current skill sets with a scalable Contract Administration model for future contingencies. This approach continues the structure in which DCMA provides senior leadership, oversight, and performs contract management reviews of contract administration. Military personnel, who have been assigned in their service to, and learned post, camp station contracting as they do today, will also receive assignments in DCMA. These personnel would subsequently be assigned to senior leadership positions at DCMA.

The Department is pursuing a 3-star General Officer billet to head DCMA. We are striving to ensure the most efficient, effective contract management support for future contingencies. The DoD believes the Department should be positioned to be able to respond to the full range of contingencies, from those requiring very little contracted effort to those requiring a great deal. We must have scalable processes. The Army and Marine Corps are in the process of developing the changes they believe will enable this approach. In addition, DCMA will have a leadership role in establishing the training requirements, and performing oversight of adherence to those requirements, for contracting officer and quality assurance representatives (CORs/QARs). It is anticipated that DoD and the Military Departments will transition from the current approach to the future model over the course of the next few years, with full implementation by 2012.

Near Term Actions

In November 2007, OSD directed DCMA to immediately expand its contract management mission in the CENTCOM AOR to administer all contracts delegated by the Joint Contracting



Command for Iraq and Afghanistan (JCC-I/A). DCMA moved swiftly to expand the CCAS mission in Iraq, Afghanistan, and Kuwait in theater to be augmented by a DCMA joint manning document (JMD) sourced by The Military Departments. In concert with the JCC-I/A and DCMA's command in theater (DCMA-I/A), DCMA developed a concept of operations (CONOPS) to outline the procedures for the delegation of theater wide contract administration, covering the full range of contracts being executed in theater, including Theater, External Support, and Systems Support type contracts.

C. Plan for Implementation:

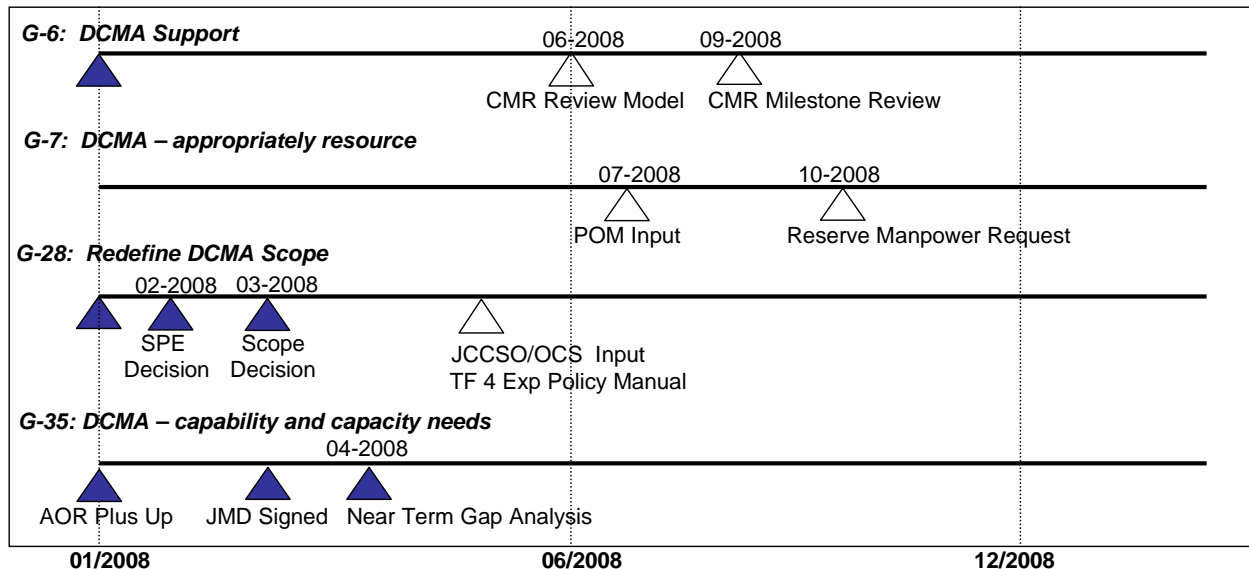


Figure 15. Timeline for DCMA Contract Management and Oversight

Actions Completed to Date:

- DCMA provided input to the OCS CONOPS to provide a scalable, post award contract administration model.
- Gap Analysis identifying both personnel (Total Force) and skill set shortfalls.
- Initial Program Objective Memorandum (POM) inputs to adequately resource DCMA for its near-term expanded mission until the Military Departments can start to assume more responsibilities and eventually all except contract administration leadership and oversight by 2012 (both civilian personnel and training funds).

Ongoing Actions:

- Additional training requirements – either on the job training or Defense Acquisition University (DAU)-supported
- Approval of additional reserve personnel billets
- Completion of Emergency Essential civilian hires – on going
- Develop concept of Contract Management Reviews for base, post, camp, and station and start concept pilots in November 2008



Recommendation 1: Increase the Stature, Quantity, and Career Development of the Army's Contracting Personnel			
Actions Relating to Reviewing Civilian Personnel Policies			
G #	Description of Commission's Recommended Actions	Implementation Status	Estimated Completion
8	Require a complete review and rewrite (as necessary) of each applicable personnel directive impacting civilian personnel involvement in military operations	Initial Review Complete	Sep 08

A. Commission Findings and Recommended Action:

The Commission included the general recommendation to review and rewrite civilian deployment directives and instructions to provide incentives for civilian contracting personnel to volunteer for expeditionary operations.

B. DoD Evaluation of Recommended Action:

In October 2006, prior to the formation of the Commission, the Department began a review of current deployment policies to align them with 21st century workforce requirements, including the need for a greater expeditionary capability in the DoD civilian workforce. In November 2007, the Deputy Under Secretary of Defense for Civilian Personnel Policy launched an effort to build an expanded expeditionary capability in the DoD civilian workforce – one that is ready, trained, cleared, and can assimilate rapidly into new environments. Alongside our military men and women, civilians have long served in support of combat operations, expanding Security, Stabilization, Transition, and Reconstruction (SSTR) operations, humanitarian operations, and emergency and other contingency-type operations around the globe. A “whole of government” approach to these escalating operations demands a more agile and expanded expeditionary capability within the civilian workforce. Further, the Department must be able to fully access the range of talent within the DoD civilian community in order to quickly and efficiently serve complex mission operations. The Department’s new model will insure increased reliance on our civilian employees as the primary sourcing solution for requirements that demand non-war fighting capabilities.

In this regard, the new model proposes to:

- Expand the current position-based model to include all complex mission operations and identify a larger universe of positions that are pre-identified to support these missions
- Create an expanded ability for employees to voluntarily identify critical capabilities
- Create a new capability for retired employees to voluntarily identify critical capabilities, leveraging the Department’s reemployed annuitant authority and
- Create phased position/employee response capability – deployable within 30 days, deployable within 30 – 60 days, and deployable within 60 – 90 days.



To ensure and enhance accountability for a ready, trained, and cleared workforce, the model proposes to:

- Create a Civilian Deployment Readiness Index to determine the state of readiness of the Expeditionary Workforce, consisting of training, fitness, and clearance;
- Create a Deployment Index to determine the Expeditionary capability within designated career groups
- Assign DoD Functional Community Managers the responsibility to ensure the readiness (competencies and capabilities) of the civilian workforce for deployment and other mission critical requirements; and
- Establish a new DoD organizational unit to ensure the readiness of the civilian workforce to meet mission requirements.

The proposed model will ensure increased reliance on the Department's civilian employees as the primary sourcing solution for requirements that demand non-war fighting capabilities. The model seeks to overcome important weaknesses in the current method of sourcing deployment requirements. It includes recommendations for:

- Appointment of the DUSD(CPP) on the Joint Sourcing Board to represent DoD-wide civilian requirements and capabilities (action completed)
- Active engagement of civilian human resources experts at the Combatant Command level in planning theater operations, including development of planning documents and manning requirements
- Assigning to the new organizational unit within the DoD Civilian Personnel Management Service, the responsibility to identify and source DoD expeditionary requirements
- Streamlined process for organizations to access any special funding for deployments, such as GWOT Supplemental funding
- Central fund for civilian GWOT readiness requirements, e.g., training, backfill requirements, equipment, etc.

Finally the model includes a restructured approach to benefits and incentives, with the goal of helping to ensure that all Federal civilian personnel working side-by-side on the same missions in high-threat places have the same benefits and incentives. Focus groups and survey data from DoD and other Federal civilians, DoD military and civilian supervisors, and others will be utilized by the Benefits Design Team, with the assistance of Rand, to determine the appropriate incentives and human capital policies that will be needed to build an Expeditionary Workforce.

The Department is currently developing the framework and associated policy issuances in order to meet a target initial implementation by September 2008. The Gansler Report was provided to the design teams as background information to inform their thinking.



C. Plan for Implementation:

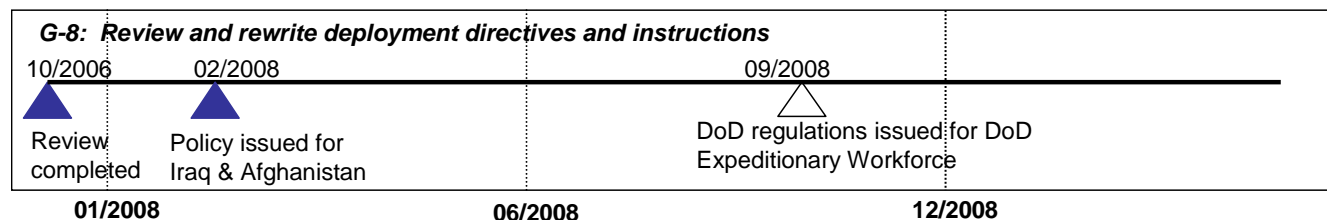


Figure 16. Timeline for reviewing and rewriting civilian personnel directives

Actions Completed to Date:

- On February 12, 2008, the Under Secretary of Defense for Personnel and Readiness issued a memorandum entitled “Building Increased Deployment Capacity.” This memorandum provides guidance and interim policy to promote opportunities for DoD civilian employees to contribute their talent to DoD’s mission. The memorandum specifically addresses requirements for authorizing and documenting deployment, the entitlement for deployed employees to return to pre-deployment positions, career enhancement and performance evaluation considerations, requirements for pre- and post-deployment health assessments, and requirements for Component support for deployees.

Ongoing Actions:

- The Department targets September 2008 to issue revised DoD directives and instructions to institutionalize its Expeditionary Workforce policies. This will provide time to complete the current review of deployment policies to align with 21st century workforce requirements, including the need for a greater expeditionary capability in the DoD civilian workforce.



**Recommendation 2:
Restructure Organization and Restore Responsibility to Facilitate Contracting and Contract
Management**

The second recommendation relates to organization and responsibility. Virtually every specific action in this area is directed to the Army. We have included a brief overview of the Army's reorganization in Section I of this report and a summary of their activities in Paragraph B of this Section. More detail is provided in the Army's Report to Congress, Appendix G.

There are, however, three specific actions within Recommendation 2 that are Department-wide or involve legislation:

- G-26, Create an Integrated Expeditionary Command in-theater for each major operation, discussed on page 40
- G-27, Make one contracting executive report to USD(AT&L), discussed on page 44
- G-28, Redefine DCMA scope; this action was previously discussed on page 33



**Recommendation 2:
Restructure Organization and Restore Responsibility to Facilitate Contracting and Contract Management**

Actions Relating to Creating an Integrated Expeditionary Command

G #	Description of Commission's Recommended Actions	Implementation Status	Estimated Completion
26	Create an Integrated Expeditionary Command in-theater for each major operation.	In Progress	Oct 08

A. Commission Findings and Recommended Action:

The Commission recommended creating an Integrated Expeditionary Command in-theater for each major operation. This recommendation is being addressed primarily by a pre-existing OSD initiative to develop and establish the Joint Contingency Contract Support Office (JCCSO). Concept development for the JCCSO was already underway in response to section 854 of the FY 2007 National Defense Authorization Act (NDAA) and a series of Government Accountability Office (GAO) reports on the management of contractors on the battlefield.

B. DoD Evaluation of Recommended Action:

Based upon a host of lessons learned, independent studies, reports by the U.S. Government Accountability Office (GAO) and the Special Inspector General for Iraq Reconstruction (SIGIR), and at the direction of Congress, the DoD launched several major initiatives that are strengthening our management of contractors and contractor personnel accompanying our military forces.¹ The JCCSO is one of these initiatives and serves to address the commission's recommendation for an integrated expeditionary command in theater for each major operation. The U.S. Joint Forces Command (USJFCOM) is developing a concept for the JCCSO that, in peacetime, will: develop doctrine and training; have a synchronizing effect for the contingency mission of the other acquisition support agencies; and, ensure that operational contract support planning is consistent throughout the Combatant Commands (COCOMs) from a doctrine and policy standpoint. As determined necessary by doctrine and theater CONOPS, during contingency and stability operations, the JCCSO will deploy contingency program management, planning, and acquisition experts to support Combatant Commanders with the management of contractor support, and a Joint Contracting Command Commander who will act as head of contingency contracting.. The draft of this concept was previously reported to Congress in a report required by section 854 of the FY 2007 NDAA (Appendix E). Figure 17 illustrates the initial JCCSO concept.

¹ For a more detailed discussion of the initiatives to improve oversight and management of contractors during contingency operations see *Department of Defense Program for Planning, Managing, and Accounting for Contractor Services and Contractor Personnel during Contingency Operations*, Report to the Congress of the United States, April 2008.



Joint Contingency Contract Support Office (JCCSO)

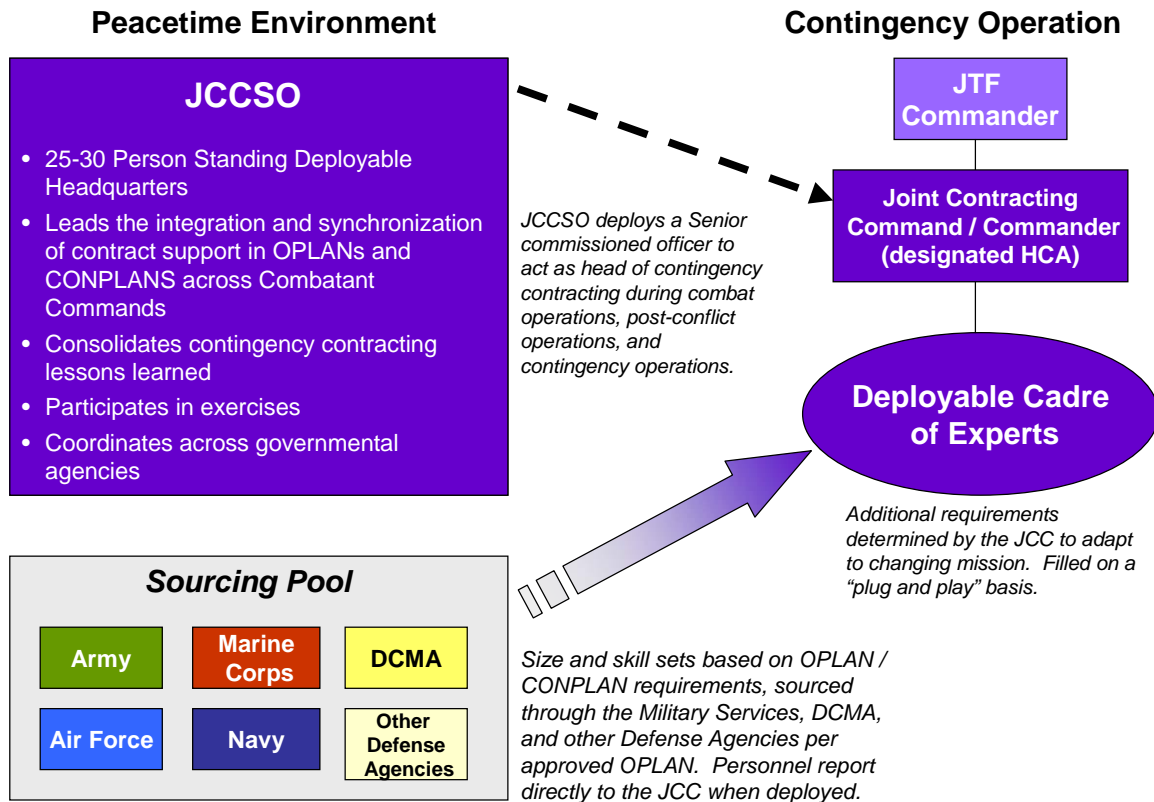


Figure 17. Joint Contingency Contract Support Office Initial Concept of Operations

The DoD has placed a priority on improving the functional oversight and control of the vast number of contractors who accompany the U.S. Armed Forces. In January, 2007, the OSD designated the Synchronized Predeployment and Operational Tracker (SPOT) as the joint data base for contractor tracking and administrative accountability. The SPOT program provides a web-based automated system to track contractor personnel movements within the forward area and a basis for validating individual contractor personnel associated with specific contracts, their authorization for access to specific DoD facilities, and their individual eligibility for specific DoD support services. By providing information on contractor location, training, and capabilities, SPOT improves the ability of the current civilian and military acquisition workforce to conduct program management activities relative to combat support, reconstruction, or other aspects of contingency operations.

OSD, in conjunction with the Joint Staff, is developing an Operational Contract Support (OCS) Concept of Operations (CONOPS). The purpose of this CONOPS is to describe, in broad terms, how OCS should be executed across the range of military operations in 2009–2016. It examines the future operational context and the characteristics of the future joint force in order to characterize required OCS capabilities. It focuses on the risks and implications associated with planning and executing OCS tasks. The OCS CONOPS is intended to support capabilities and gaps analyses through Capabilities-Based Assessments. These assessments will be used as a



road map to identify specific doctrine, organization, training, materiel, leader development/education, personnel and facilities (DOTMLPF) solutions within the Department of Defense. This CONOPS is intended to give direction to near-term and future joint and Service OCS programs and policies, while also influencing related science and technology efforts. The Navy has raised issues relating to reporting arrangements that will be included in the discussions that are part of the development process.

The DoD recognizes that while it is improving interagency integration and coordination within the department, it must also achieve more effective coordination of contractor operations across U.S. government agencies. To that end, a draft memorandum of understanding (MOU) regarding matters relating to contracting for Iraq or Afghanistan is currently under review by the Secretary of Defense, the Secretary of State, and the Administrator of the Agency for International Development. Once signed, the MOU will be implemented through DoD, State, and USAID policies and regulations.

C. Plan for Implementation:

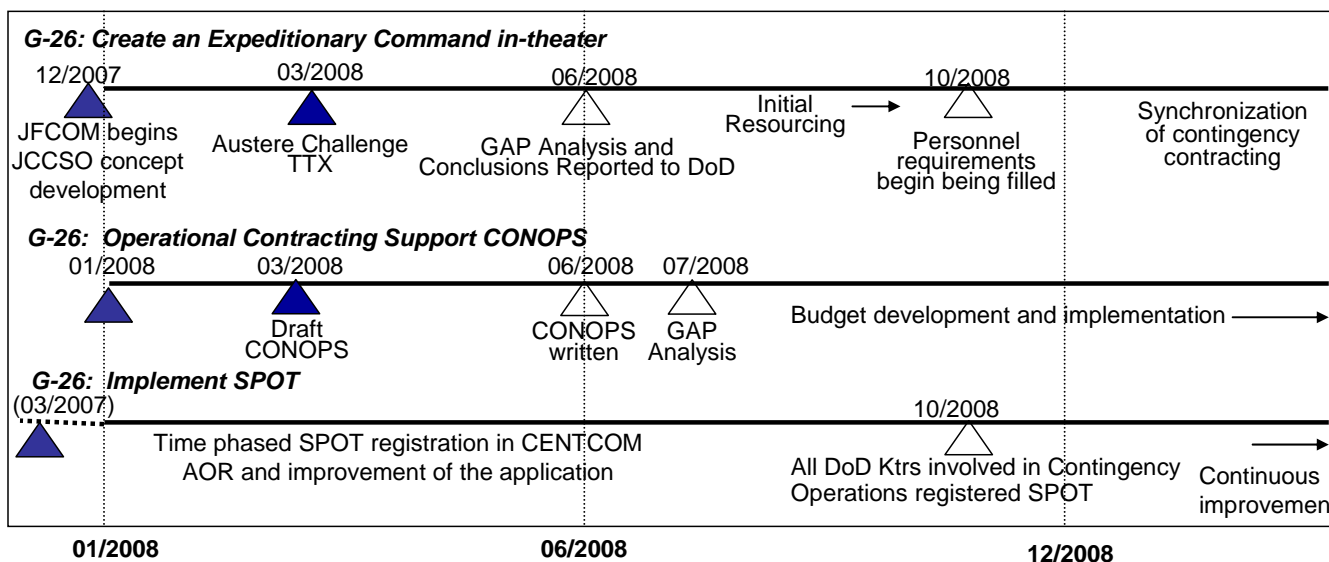


Figure 18. Timeline for Creating an Expeditionary Command In-Theater

Actions Completed to Date:

- USJFCOM has developed a draft concept and conducted a pilot implementation of the JCCSO concept during a major exercise in the U.S. European Command (USEUCOM).
- The Operational Contract Support Concept of Operations is in final coordination.
- Approximately 67,500 DoD contractors working in the USCENTCOM AOR and 830 companies have been registered in SPOT



In process Actions:

The expectation is that:

- Approved personnel requirements for the JCCSO standing organization will begin being filled by the end of FY 2008 and that the JCCSO will begin initial standup by the end of the first quarter FY 2009.
- The OCS CONOPS will begin being used as a basis for future sourcing decisions.
- All contractors employed on DoD-funded contingency contracts being performed in the United States Central Command (CENTCOM) Area Of Responsibility (AOR) will be registered in SPOT by 1 August, 2008 and contractors employed on DoD-funded contracts being performed in support of contingency operations anywhere in the world will be registered in SPOT by 30 September, 2008.²

² In accordance with the Defense Procurement and Acquisition Policy memorandum, "Implementation Guidance for the Synchronized Predeployment and Operational Tracker (SPOT) to Account for Contractor Personnel Performing in the United States Central Command Area of Responsibility (AOR)," signed January 28, 2008.



**Recommendation 2:
Restructure Organization and Restore Responsibility to Facilitate Contracting and Contract Management**

Actions Relating to Contracting Executive Reporting to USD(AT&L)

G #	Description of Commission's Recommended Actions	Implementation Status	Estimated Completion
27	Make one executive reporting directly to the USD(AT&L) responsible and accountable for DoD Contracting.	Review Complete	No action planned

A. Commission Findings and Recommended Action:

The Commission recommended one executive reporting directly to the USD(AT&L) should be responsible and accountable for DoD contracting policy, education, training, and readiness.

B. DoD Evaluation of the Recommended Action:

One executive, DUSD (A&T) reports to the USD (AT&L) today with those responsibilities. No further action is being considered at this time.



**Recommendation 3:
Provide Training and Tools for Overall Contracting Activities in Expeditionary Operations**

The bulk of the specific actions in the third recommendation area—training and tools—were assigned to DoD for analysis. There are three recommended actions within Overarching Recommendation 3 that are Department-wide. To facilitate discussion, related actions are grouped together in this section as follows:

Actions related to DAU, discussed on page 46:

- G-31, Improve DAU training
- G-32, Provide DAU resources

Actions related to COR training, discussed on page 49:

- G-33, Provide COR training

We also have undertaken some business system initiatives that go beyond the report, in order to provide military and civilian personnel with tools and support appropriate for the fast-paced operations tempo of a contingency environment. These actions are discussed on page 53.



**Recommendation 3:
Provide Training and Tools for Overall Contracting Activities in Expeditionary Operations**

Actions Relating to the Defense Acquisition University (DAU)

G #	Description of Commission's Recommended Actions	Implementation Status	Estimated Completion
31	Focus DAU to train and educate the civilian and military acquisition, and contracting workforce for expeditionary operations.	In Progress	Oct 09
32	Provide DAU the necessary resources for the through-put it will experience to accommodate the Army's migration to emphasizing Level 1 certification earlier in careers.	In Progress	Continuous

A. Commission Findings and Recommended Actions:

The Commission recommended that DAU train and educate the civilian and military acquisition, logistics, and contracting workforce for expeditionary operations, in addition to training for weapons systems contracting. Training for expeditionary contracting operations should be more “applied” and should cover both military and civilian contracting personnel. The Commission also recommended that DAU be provided the necessary resources for the through-put it will experience based on the Commission’s recommendation that, prior to an Army military contracting professional’s initial deployment in support of expeditionary contracting operations, he or she obtain Level I certification through DAU.

B. DoD Evaluation of Recommended Actions:

In February 2007, DAU began researching past contingency deployments and lessons learned from missions in the US European Command, the US Africa Command, and the US Central Command theaters of operations. This research included an assessment of the skill level of personnel and an assessment of the success of deployed Contingency Contracting Officers (CCOs). After release of the Commission’s report, the Department incorporated DAU’s earlier research into information gathered specifically to address the report’s findings. The Department has also able to leverage information gleaned from DAU’s discussions/interviews with: current and past CCOs who have been/are now assigned to the JCC-I/A; and CCOs who supported operations in Africa and Eastern Europe. The scope of the interviews included discussions with both senior-level leadership and journeyman-level personnel on the relevancy of DAU’s classroom training and Military Department-specific training programs for contracting officers.

The DoD found a significant gap in the level of contracting knowledge required on the ground versus that obtained via Military Department-specific, in-house training or from DAU’s curriculum. A standard contingency contracting training/certification program was not evident across the Military Departments. Nor had all deployed contracting personnel completed DAU’s contingency contracting training. The lack of a standard baseline of knowledge created confusion among deployed personnel that was further exacerbated by their unfamiliarity with sister



Military Department-specific procedures. Deployed contracting personnel need: a joint perspective on contingency contracting; practical knowledge in pre-deployment planning; more hands-on practical experience in writing contingency contracts; special emphasis on ethics and fraud indicators with respect to contingency contracting, participation in military exercises (both Military Department-specific and joint) to practice contingency contracting through scenario-based exercises; a greater level of cultural awareness; and, ready access to guidance specific to contracting in support of contingency operations.

The Department will place strong emphasis on contracting and contingency readiness. Readiness should be determined by assessing a candidate’s education, training, demonstrated skills, and most of all experience. Experience is important throughout all phases represented in an expeditionary environment. Highly skilled and experienced contracting professionals make the best CCOs and are better equipped to make good business decisions under pressure. The Department will ensure that all individuals assigned responsibility as contingency contracting officers are properly trained.

Although still undergoing analysis, DAU does not believe they need additional resources for an increased number of students caused by the Commission’s recommendation that Army military contracting professionals obtain Level I certification prior to their initial deployment. Current plans are for the Army to provide the necessary contracting training to its active component military personnel at the Army Logistics Management College (ALMC). However, this is still under review as the Army anticipates training most of its reserve component military at DAU rather than at ALMC. Additional resources will be required in support of ongoing/new efforts with respect to Level II courses (additional CON 234 courses and the development of the Advanced CCO course), gaming simulations and the development of the Immersion Training Experience. It is anticipated additional requirements will be funded with resources diverted to DAU via section 852 of the FY 2008 NDAA.

C. Plan for Implementation:

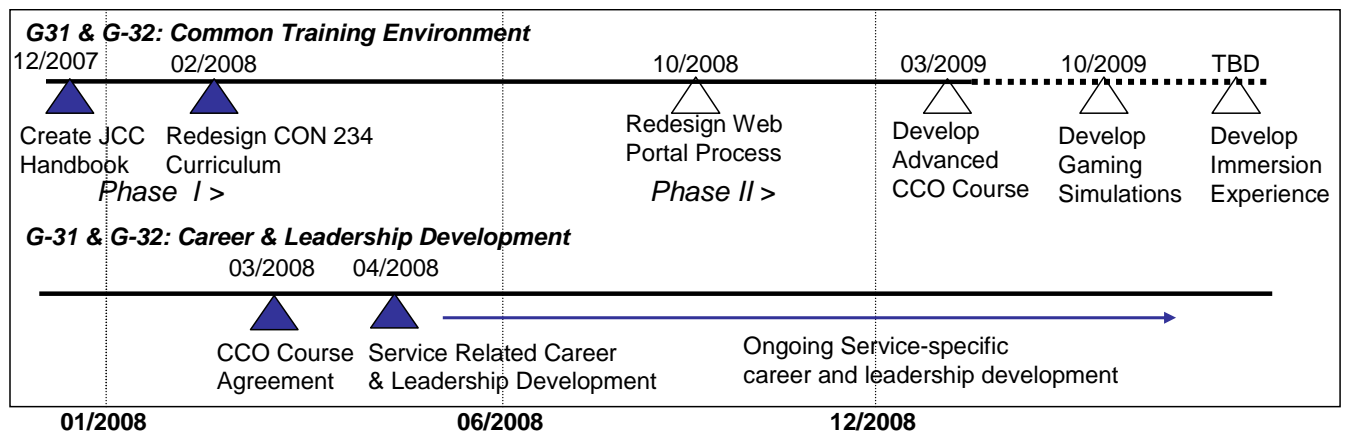


Figure 19. Timeline for Contracting Training & Workforce Development



Actions Completed to Date:

- Created a Joint Contingency Contracting Handbook & accompanying DVD – Task completed December 2007. Integrated easy to use e-tools (DVD or CD-ROM) for personnel on the ground. Required DAU to incorporate the Joint Contingency Handbook in their contingency contracting curriculum. The Department plans to update this Handbook annually.
- Redesigned DAU’s contingency contracting curriculum (CON 234) to train a journeyman-level contingency contracting officer, with experience, to be deployable worldwide and immediately effective upon arrival to support the mission. CON 234 was completed in January 2008. A DAU pilot course was completed in December 2007 and the first course completed February 2008.

In support of Career and Leader Development, DAU has worked closely with Service representatives to standardize the required contracting courses an individual should take in order to be well-trained and prepared to take on the challenges of a deployed CCO. The result is that this training is about 90% - 95% common across all the Military Departments. The Army and other Military Department representatives agreed that a combination of the following courses would qualify a designated contracting officer as a “Contingency Contracting Officer.” The courses include: **CON 100** – Shaping Smart Business Arrangements; **CON 110** – Mission Support Planning; **CON 111** – Mission Strategy Execution; **CON 112** – Mission Performance Assessment; **CON 120**- Contracting for Mission Support; **CON 234** – Joint Contingency Contracting; **CON 237** – Simplified Acquisition Procedures; **ACQ 101** – Fundamentals of Systems Acquisition Management; **CLC 033** – Contract Structure and Format; **CON 244** – Construction Contracting (optional).

Other aspects of Career and Leader Development—training timelines, on the job experience, timelines for career progression, and so forth—are Military Department component actions to develop and execute. (See Appendix F.)

- DPAP issued a memorandum on 18 March 2008 requiring each military department to provide a Joint Contingency Contracting Handbook training.

Ongoing Actions:

- Develop an advanced Contingency Contracting Course, which would provide “just in time” training to senior level contracting personnel deploying to a management position. Anticipate completion FY 09.
- Develop joint contingency gaming simulations. Anticipate completion early FY 10
- Create a video library of Contingency Contracting topics. Anticipate the first video will start Aug FY08
- Develop a multi-day joint contingency immersion experience – Anticipated completion date is being developed, pending resources.
- Department plans to update the Joint Contingency Contracting Handbook annually.



**Recommendation 3:
Provide Training and Tools for Overall Contracting Activities in Expeditionary Operations**

Actions Relating to Contracting Officer's Representative Training

G #	Description of Commission's Recommended Actions	Implementation Status	Estimated Completion
33	(a) Develop training for non-contracting operational military leaders, officer and enlisted, across all grades on the management of contractors with deployed forces	In Progress	Mar 09
	(b) Provide training to Contracting Officer's Representatives in each Service, prior to any military operation	In Progress	Mar 08

A. Commission Findings and Recommended Action:

Current deployments have stressed the military and civilian non-acquisition workforce and have necessitated the deployment of non-acquisition personnel who have limited experience in the execution of contracts in a contingency environment. Similarly, senior planners, program managers, and operational leaders deployed to the AOR have limited experience in managing the large number of contractors accompanying the force. The Commission recommended that we “train as we fight.” And, since contractors on the battlefield are a reality for future expeditionary operations, operators outside the acquisition community must be trained on the role and importance of contracting and contractors in expeditionary operations.

B. DoD Evaluation of Recommended Action:

In response to section 854 of the FY 2007 NDAA, the Department began assessing non-contracting officer training courses and existing training curricula at DoD and Military Department schools at all levels (basic, intermediate, and senior). Based on this assessment, it was determined there were approximately eighteen separate contracting and acquisition courses currently in existence and being taught to both officer and enlisted non-contracting military personnel. To further enhance and expand the current curriculum, the Department also is developing a broad program of instruction (POI) for operational military leaders, both officer and enlisted, across all grades, on the management of contractors deploying with forces to include programs of instruction (POI) for its Military Departments' Staff Colleges and Senior Military Department and Joint Staff Schools to more formally train our senior planners and leaders on roles and responsibilities of planning and managing contracts and contractor personnel in forward areas. This training will focus all leaders on determining requirements, translating those requirements into Statements of Work and then overseeing that work.

To ensure consistency across all the Military Departments, we have linked the development of joint doctrine for contractor support in contingency operations to the revision of Department of Defense Instruction 3020.41, “Contractor Personnel Authorized to Accompany the U.S. Armed Forces”.



As an additional initiative, the Department is considering a leadership role for Defense Contract Management Agency (DCMA), not limited to times of contingency operations, in establishing the training requirements for contracting officer and quality assurance representatives (CORs/QARs), and performing oversight of adherence to those requirements. The DoD recognizes the significant requirement to train and sustain both a deployable contingency non-acquisition workforce (who may also serve as CORs) and the senior leaders required to manage them. Actions to address these issues pre-date the Commission Report.

In response to section 813 of the FY 2007 NDAA, a DoD Contract Surveillance Subcommittee examined the sufficiency of contract surveillance for contracts for research and services. The Subcommittee specifically assessed training for CORs. As a result of that Subcommittee's assessment, the Department is developing a modular COR training curriculum (on-line training, handbook, etc.) to ensure the COR receives appropriate training based on the complexity, contract type, and dollar value of the contract. To implement this recommendation, the Section 813 DoD Contract Surveillance Subcommittee currently is considering the following:

- Ensure appropriate training is available for personnel assigned COR responsibility regardless of membership in DoD acquisition workforce
- Supplement structured training with one-on-one training between the contracting officer and the COR on contract specific matters
- Require completion of COR training before formal delegation of COR responsibilities
- Include an on-line module for COR supervisors, in order to ensure the COR is allowed necessary time/tools/materials to complete COR responsibilities
- Ensure that contracting officers designate COR training based on specifics of the contract

In concert with the foregoing, the DoD Contract Surveillance Subcommittee also is developing a DoD Standard for COR Certification. This effort will associate COR functions/responsibilities by contract function, type, and complexity, thereby assisting in the validation of the training being developed by DAU by defining COR competencies, mapping COR functions/responsibilities to these competencies, and then identifying minimum training/experience requirements.



C. Plan for Implementation:

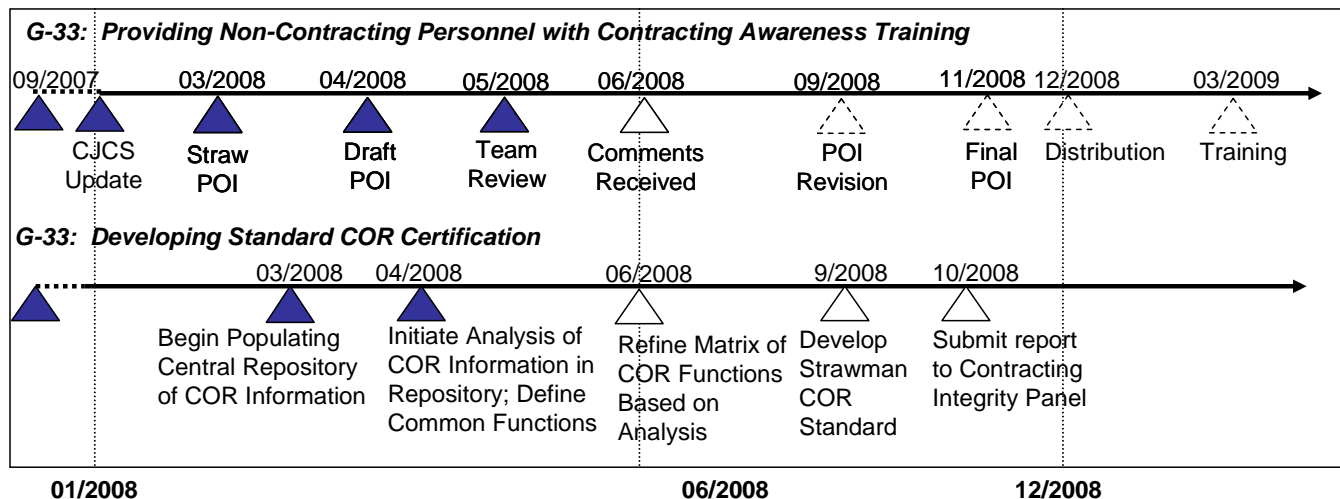


Figure 20. Timelines for Providing Awareness Training to Non-Contracting Personnel, and Standard COR Training Requirements

Actions completed to date:

- Non-contracting officer training courses (FY 2007 NDAA Section 854):
 - Assessment of non-contracting officer training courses and existing training curricula at DoD and Military Department schools at all levels (basic, intermediate, and senior).
 - To further enhance and expand the current curriculum of approximately eighteen separate contracting and acquisition courses currently in existence and being taught to both officer and enlisted non-contracting military personnel, the Department prepared a Program of Instruction for operational military leaders on the management of contractors deploying with US forces. The draft POI was prepared and made available to the Military Departments, Joint Staff, and OSD for internal review, comment, and recommendations the week of April 28, 2008.
- COR functions/responsibilities (section 813 of the FY 2007 NDAA):
 - Organization of a centralized repository of COR information.
 - Review/evaluate information on COR functions/responsibilities and develop a matrix of common functions/responsibilities.



Ongoing Actions:

- Non-contracting officer training courses (section 854 of the FY 2007 NDAA):
 - Comments, recommendations, and suggestions for the POIs are expected to be received from the Military Departments, Joint Staff, and OSD in early June 2008. A comment resolution and coordinated revisions will be developed and completed in the July-August 2008 timeframe. Final POIs, for both students and instructors are expected to be complete in early November 2008 and delivered to DoD educational institutions in December 2008. Training and instruction to students will be possible in early 2009 and should commence no later than March 2009 at all institutions.

- COR functions/responsibilities (section 813 of the FY 2007 NDAA):
 - Identifying categories of contract complexity, defining COR minimum training/experience requirements and developing the standard for COR certification.

 - More information on the ongoing activities associated with Section 813 can be found online at:
http://www.acq.osd.mil/dpap/cpic/cp/docs/panel_on_contracting_integrity_20080107.pdf.



Recommendation 3: Provide <u>Training and Tools</u> for Overall Contracting Activities in Expeditionary Operations			
Actions Relating to Business Systems			
G #	Description of Commission's Recommended Actions	Implementation Status	Estimated Completion
N/A	Not Applicable		

A. Commission Findings and Recommended Action:

Although the Commission did not specify a business system recommendation, the report did mention that expeditionary forces need information technology and eBusiness tools. Some specific electronic tools mentioned in the report include:

- Contract writing systems
- Information systems to track contractor personnel, assets, and performance
- Simple, user-friendly tools for sample documents, such as statements of work, and rules for application are needed on line and on compact disc.

B. DoD Evaluation of Recommended Action:

The DoD has established a business system team that is committed to joining forces across the Department to leverage existing resources and knowledge to quickly provide electronic solutions in theater, ever mindful of bandwidth and similar challenges specific to a contingency environment. The team has the following mission:

“Establish, in consultation with JCC-I/A, the necessary contract management systems that need to be implemented to increase the productivity in an expeditionary contract environment. Identify the necessary resources to develop said systems. Establish an implementation plan to develop said system.”

In pursuit of this goal, the DoD has conducted extensive research and is working in collaboration with JCC-I/A, the Military Departments, and key Defense Agencies. The DoD analyzed the different phases of contingency operations, both war and peace time scenarios, to determine any available contract management systems to address a given phase. Where systems were not identified, the DoD identified the gaps. The DoD determined the following areas need attention to improve in-theater contracting and contract management:

- Requirements generation—use of a tool appropriate to the environment (e.g., handheld)
- Contract writing—use of a tool with user-friendly functionality (e.g., similar to commercially available tax software)



- Invoicing, receipt and acceptance—use of Wide-area workflow (WAWF), a secure web-based system, in support of in-theater operations
- Tools traditionally reserved for small-value items:
 - Purchase cards
 - Simplified process for transacting on-the-spot, over-the-counter purchases (“cash and carry” type transactions), when use of the purchase card is not feasible

The Team has identified notionally the resources required to develop the necessary systems, but implementation is subject to the availability of resources and funding.

In addition to the efforts described above, other applications of information technology and eBusiness tools for the benefit of those in an expeditionary environment have been discussed in previous sections of this report. One example is the expanded implementation of the Synchronized Predeployment and Operational Tracker (SPOT), a joint, web-based system for contractor tracking and administrative accountability to address the lack of functional oversight and control of the vast number of U.S. government contractors supporting contingency operations. A second example is the Department’s Contingency Contracting Community of Practice web-portal.

C. Plan for Implementation

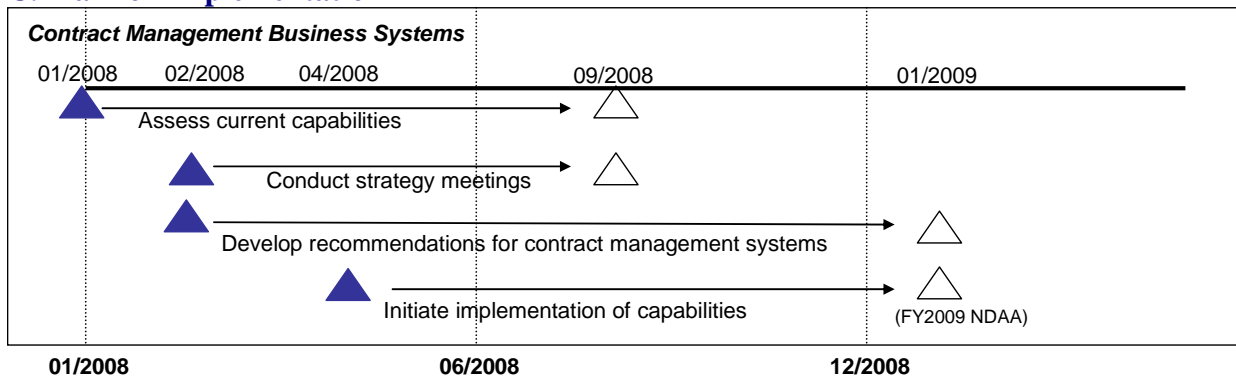


Figure 21. Timeline for Contract Management Business Systems

Actions Completed to Date:

- Conducted analysis of the different phases of contingency operations to identify available contract management systems.
- Conducted gap analysis for contract management systems.
- The Defense Sourcing Portfolio (DSP) governance agreement was signed May 2008, including the Joint Chiefs of Staff, Logistics Directorate (J-4) membership as an advisor on contingency requirements. The DSP governance is co-chaired by the Business Transformation Agency (BTA) and DPAP.



Ongoing Actions:

- Re-design of the DAU Contingency Contracting Community of Practice web-portal.
- Defining data and process requirements for transacting on-the-spot, over-the-counter purchases of supplies and non-personal services (“cash and carry” type transactions).
- DPAP, working with BTA, Army and JCC-I/A, is reviewing and integrating Service input into a business solution that will seek to leverage ongoing and developed phases of business systems into one, end-to-end, process. This will serve to rapidly capture the best of what is available and proven into a consolidated and coordinated business system that will be usable by the warfighter, with transparency and information assurance safeguards, much sooner than a ground-up design and development.



Recommendation 4: Obtain Legislative, Regulatory, and Policy Assistance to Enable Contracting Effectiveness

The fourth and final area of the Commission's recommendations relates to legislative, regulatory, and policy enablers. This report has discussed other legislative, regulatory, and policy enablers as they relate to recommendations in the appropriate prior sections, so they are not repeated here. The specific actions discussed here are:

Actions relating to Contracting Personnel, discussed on page 57:

- G-35: Increase the number of contracting personnel – This action also is partially discussed under Recommendation 1.
- G-36. Legislate to provide incentives for civilian contracting personnel to "pre-volunteer" for expeditionary operations. Eliminate the pay cap; establish "tax-free" status; make medals available; assure life insurance and long-term medical coverage.

Actions relating to Funding Flexibility, discussed on page 62:

- G-37, Legislate to pre-position funding flexibility through an adequately resourced contingency operations transfer fund
- G-40, Ensure policy and practice support intelligent funding apportionment for expeditionary operations

Recommended action G-38, Legislate to pre-position waivers is discussed on page 63.

Recommended action G-39, Establishing Expeditionary Contracting Manual is discussed on page 67.

Where possible, the Department is availing itself of regulatory and policy improvements to avoid unnecessary legislation. Therefore, the DoD conducted detailed analyses to determine if statutory proposals were necessary. Refurbishing equipment for redeployment at a later date is a separate issue. Our analysis on the topic of statutory relief was conducted by the Defense Procurement and Acquisition Policy Emergency Procurement Committee (EPC), another initiative that antecedes the Commission. Based on the Commission's concerns that existing statutes may inhibit rapid, local buying for contingency contracting, the EPC reviewed multiple areas for possible legislative relief, such as the Small Business Act and U.S. labor provisions. After careful consideration, they ultimately determined legislation is unnecessary, either because the reviewed laws only apply *in* the United States or its outlying areas or because waiving them for domestic emergencies would usurp separate legislation (e.g., the Stafford Act, which is designed to boost a local economy that has been damaged by a natural or other disaster).

After this careful analysis, the Department determined that it was necessary to request statutory action in specific areas. DoD has submitted seven legislative proposals as described under Recommendations G-36 and G-38.



Recommendation 4: Obtain Legislative, Regulatory, and Policy Assistance to Enable Contracting Effectiveness			
Actions Relating to Contracting Personnel			
G #	Description of Commission's Recommended Actions	Implementation Status	Estimated Completion
35	Increase contracting personnel (Army military by 400, Army civilian by 1,000 and 583 to fill DCMA billets for Army support)	Alternatives in Progress	FY 09 NDAA
36	Legislate to provide incentives for civilian contracting personnel to "pre-volunteer" for expeditionary operations. Eliminate the pay cap; establish "tax-free" status; make medals available; assure life insurance and long-term medical coverage.	Review Complete	FY 09 NDAA

A. Commission Findings and Recommended Actions:

The Commission recommended increasing Army contracting personnel by 400 military, 1,000 civilian for a total of 1,400 billets, and an additional 583 to fill DCMA billets for Army support.

The Commission also recommended several specific actions requiring legislation to provide incentives for civilian contracting personnel to volunteer for expeditionary operations. In all cases, the Department either already had received authorizing legislation or had taken action to propose appropriate legislation.

B. DoD Evaluation of Recommended Actions:

The Department is conducting a competency assessment for the entire DoD Contracting Career Field. We anticipate completion of the assessment this summer. Once the competency assessment is complete, along with an analysis of demographics and workload throughput, the Department will be in a position to provide the appropriate number of additional contracting personnel needed.

The Department has proposed legislation to provide the Secretary of Defense expedited hiring authority for Defense acquisition positions, consistent with authority already provided to heads of other Federal agencies. This included the authority to designate any category of DoD acquisition positions as a shortage category that would allow the Department to expedite hiring additional contracting professionals as recommended by the Commission. The Department has also proposed legislation, consistent with Commission recommendations, to allow Federal civilians expanded opportunity to elect or increase life insurance coverage under the Federal Group Life Insurance program, and to provide authority to waive the annual limit on premium pay and the aggregate limit on pay for Federal civilian employees in the U.S. Central Command area. The following paragraphs summarize each legislative proposal.



- **Expedited Hiring Authority for Defense Acquisition Positions. (DoD Tracking #297)**
 - **Purpose:** This proposal would give the Secretary of Defense the ability to expedite the hiring process for DoD acquisition positions and addresses the requirements of section 854 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364): “Joint Policies on Requirements Definition, Contingency Program Management, and Contingency Contracting.”
 - **Status:** OMB cleared legislative proposal on 05/21/2008; SASC Bill Sections 851 and 1103, HASC Bill Section 811.

- **Optional Life Insurance Election Opportunity for Certain Federal Civilian Employees. (DoD Tracking # 298)**
 - **Purpose:** This proposal would allow civilian employees to purchase additional life insurance when they are deployed in support of contingency operations. Federal employees serving in support of military contingency operations could elect basic Federal Employees’ Group Life Insurance (FEGLI) coverage. It also would allow newly-designated emergency essential employees of the Department of Defense and any Federal employees who are being deployed the right to obtain Option A (standard option) coverage, or obtain/increase Option B (additional) coverage, within 60 days of deployment.
 - **Status:** OMB cleared legislative proposal on 05/21/2008; SASC Bill Section 1105.

- **Authority to Waive Annual Limitation on Premium Pay and Aggregate Limitation on Pay for Federal Civilian Employees. (DoD Tracking # 300)**
 - **Purpose:** This proposal would provide a 4-year extension (2009, 2010, 2011, and 2012) to the 2008 National Defense Authorization Act provisions that allow Federal civilian employees working in the United States Central Command Area of Responsibility (CENTCOM AOR) during 2008, in support of a military operation or declared emergency, to be eligible to earn a greater amount of premium pay. The proposal establishes the higher level on premium pay as equivalent to the salary of the Vice President, and would allow these employees to receive payments in the calendar year they were earned. These provisions would ensure that Federal employees who work extended premium hours for extended tours in the CENTCOM AOR are compensated for the important work they perform in support of one of the nation’s highest priorities – prevailing in the Global War on Terrorism, as well as the critical continuation of the reconstruction and stabilization efforts in the CENTCOM AOR. Allowing employees to receive all payments for which they were entitled in the calendar year that they were earned would enable them to invest or earn interest on that income as it is earned, and to file taxes on the income without having those payments deferred to the following calendar year.
 - **Status:** OMB rejected legislative proposal on 05/09/2008. DoD appeal sent to OMB on 5/20/2008; SASC Bill Section 1108, HASC Bill Section 1101.



C. Plan for Implementation:

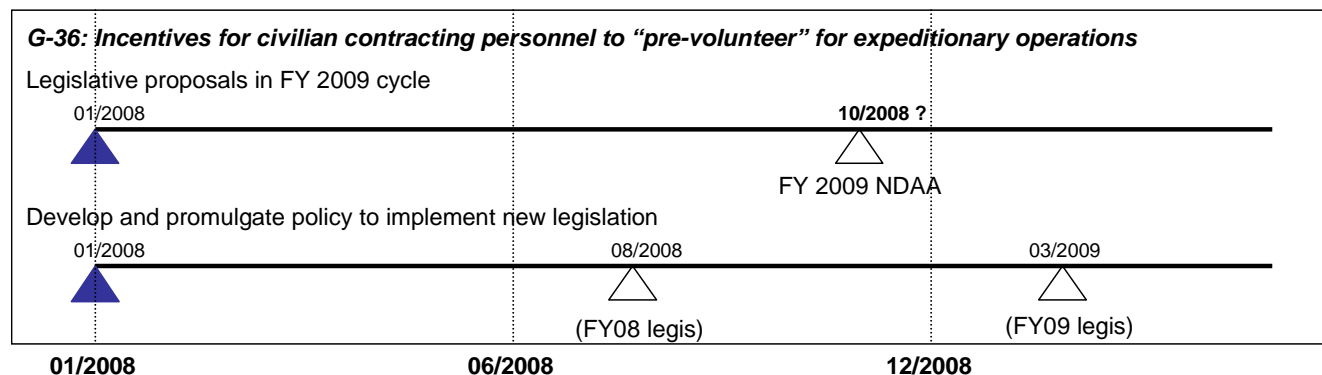


Figure 22. Timeline for providing incentives to civilian contracting personnel in expeditionary operations

Actions Completed to Date:

- In September 2007, the Department issued guidance to emphasize that DoD civilian employees who are injured or wounded, who become ill, or incur diseases while deployed in support of hostilities overseas are eligible for medical treatment in military facilities, and continue to be eligible for medical treatment in a DoD facility or the private sector for conditions compensable under Department of Labor Workers’ Compensation Programs, and receive medical care as long as it is needed. There is no “combat zone” or “war clause” exclusion for workers compensation eligibility. The DoD further confirmed that Federal employee may elect to purchase Federal Long Term Care insurance at any time, and verified that this insurance contains no “war clause” provision that would cause employees to lose elected benefits as a result of injuries or illnesses resulting from duty in a combat zone.
- The Department established a new Global War on Terrorism (GWOT) medal in 2007 to recognize contributions and accomplishments of DoD civilians supporting the Armed Forces to combat terrorism. The unveiling of the medal and presentation to the first recipients occurred on February 26, 2008.
- The Under Secretary of Defense for Personnel and Readiness issued interim guidance and procedures on February 12, 2008, entitled “Building Increased Deployment Capacity”, to address deployment of DoD civilians to Iraq and Afghanistan.
- The Department requested and received new legislative authorities as follows:

Federal Group Life Insurance (FEGLI) (2002): Provides authority for DoD Emergency Essential (E-E) personnel to elect Basic FEGLI coverage within 60 days of the E-E Designation.

Premium Pay Cap (Annually since 2005): Provides authority to raise the premium pay cap for employees assigned to the CENTCOM Area of Responsibility. Current CENTCOM premium pay cap is \$212,100. This authority has been granted by Congress annually, and the Department must request annual renewal. *(Note: The Department’s FY 2009 legislative proposal requests a 4-year authority)*



Personal Vehicle Storage (2008): Provides authority for Federal employees to store personal vehicle while deployed by means of a “Temporary Change of Station.” Temporary Change of Station is granted usually for assignments of 12 months or slightly longer.

Quarters and Lodging (2008): Provides authority to pay for quarters and lodging to Federal employees deployed by means of a Temporary Change of Station.

Relocation Expenses Following Death (2008): Provides authority to pay relocation expenses for family members to return to the former home following the death of a Federal employee in the CENTCOM Area of Responsibility.

Death Gratuity (2008): Provides authority to pay \$100,000 death gratuity to the survivors of Federal employees who die of injuries in connection with service with an Armed Forces contingency operation. Gratuity is reduced by the amount of any other death gratuity payable under the law, e.g., Foreign Service death gratuity of one year’s salary.

Increased Danger Pay and Foreign Post (Hardship) Differential Rates (2005): Provides authority to increase maximum rates for Danger Pay and Foreign Post Differential for Federal civilians from 25 percent of salary to 35 percent of salary – includes Afghanistan and Iraq.

Foreign Service Benefits (2006-2008). Provides authority to grant Federal civilians serving in Iraq and Afghanistan certain Foreign Service gratuities, benefits, and allowances. Includes such benefits as:

- Death Gratuity – equivalent of 1 year’s salary
- Travel and Transportation – relocation expenses in case of death, transportation for rest and recuperation breaks, transportation for home leave
- Home Leave – increased accrual rates

UCMJ Expanded Coverage (2006): Provides UCMJ jurisdiction over DoD civilian employees, contractor personnel and other civilian personnel serving with or accompanying the Armed Forces overseas during declared war or in contingency operations. (DoD implemented policy on March 10, 2008).

- Review and evaluation of Commission recommendations.
- OSD sent legislative package to OMB for clearance review on 03/21/2008.
- OSD revised legislative proposals based on OMB and OPM comments and transmitted revised proposals on 05/01/08.

Ongoing Actions:



- Awaiting OMB action on DoD appeal of pay proposal, and Congressional action on all legislative proposals.



Recommendation 4: Obtain Legislative, Regulatory, and Policy Assistance to Enable Contracting Effectiveness			
Actions Relating to Funding Flexibility			
G #	Description of Commission's Recommended Actions	Implementation Status	Estimated Completion
37	Legislate to pre-position funding flexibility through an adequately resourced contingency operations transfer fund	In Progress	FY 09 NDAA
40	Ensure that policy and practice support intelligent funding apportionment for expeditionary operations	In Progress	No action necessary

A. Commission Findings and Recommended Actions:

The Commission recommended legislation to enable funding flexibility through an adequately resourced contingency operations transfer fund and policy changes to ensure that funding is apportioned so as to not unnecessarily burden the contracting officers in the combat arena.

B. DoD Evaluation of Recommended Actions:

The Task Force recommended that an increase of the investment expenses threshold from \$250,000 to \$500,000 for contingency operations, as proposed in the FY 2009 Department of Defense Budget, will provide the additional funding flexibility intended by this recommendation. This will enable the Operation and Maintenance accounts to fund a wider range of activities thereby providing local commanders with additional flexibility.

The contracting officers in combat areas are not affected by apportionments, therefore this was ruled out as an issue.

C. Plan for Implementation:

Actions completed to date:

- Review and analysis of Commission recommendations.
- Legislative Proposal Provided

Ongoing Actions:

- No further action is required.



Recommendation 4: Obtain Legislative, Regulatory, and Policy Assistance to Enable Contracting Effectiveness			
Actions Relating to Procurement Statutes			
G #	Description of Commission's Recommended Actions	Implementation Status	Estimated Completion
38	Legislate to pre-position waivers of small business and US labor provisions, Buy American, Berry Amendment, and Specialty Metals to allow rapid, local buying for expeditionary operations.	Review Complete	FY 09 NDAA

A. Commission Findings and Recommended Action:

The Commission recommended that the Department propose legislation to provide waivers of small business and U. S. labor provisions, Buy American, Berry Amendment, Specialty Metals and other such provisions to allow rapid, local buying, if required in expeditionary operations.

B. DoD Evaluation of Recommended Action:

The Department has processed several legislative proposals to provide solutions in areas where the Department lacks adequate authority to respond to the Commission's recommendations. The topics include: 1) Allowing agencies, during emergency operations, to request the Comptroller General use the express option to decide protests. 2) Providing exceptions to the requirement to buy items from domestic sources; and 3) Acquiring products and services produced in a contingency theater of operations. The first supports the other specifically mentioned recommendation which would require the express option timeframes to be followed for protests during emergency operations.

- **Requirement for Use of Express Option for Deciding Protests of Contracts and Task and Delivery Orders in Support of Emergency Operations. (DoD Tracking # 294)**
 - **Purpose:** This proposal would require the Comptroller General to expeditiously adjudicate protests on contracts awarded in support of emergency operations.
 - **Status:** OSD sent to Congress on 05/09/2008.

The last two proposals support the Berry Amendment and Buy American Act recommendations.

- **Exceptions for National Security and Emergency Operations. (DoD Tracking # 296)**
 - **Purpose:** The proposal would retain the fundamental domestic preference requirements of the law; yet would provide the flexibility needed for the Department and its suppliers to better respond to fulfill the needs that arise in cases of national security and in cases that are in direct support of emergency operations, using either competitive procedures, or other than competitive procedures, as may be appropriate.
 - **Status:** OSD sent to Congress on 05/09/2008.



- **Authority to Acquire Products and Services Produced in a Contingency Theater of Operations Outside the United States. (DoD Tracking # 295)**

- **Purpose:** This proposal would authorize DoD to procure goods and services from a foreign country within a contingency theater of operations to support military or stability operations taking place in that contingency theater of operations. This proposal is a logical extension of the authority under section 886, "Enhanced Authority to acquire products and services produced in Iraq and Afghanistan," of the FY 2008 NDAA. It would be a pre-positioned tool that could be used in our national interests and serve as a counterinsurgency initiative in the event the United States were to become engaged in military operations or stability operations (including security, transition, reconstruction, and humanitarian relief activities) in any foreign country other than Iraq or Afghanistan.
- **Status:** OSD sent to Congress on 04/25/2008.

After thorough analysis, the DoD believes that the domestic preference requirements and exceptions at 10 U.S.C. 2533b, "Requirement to Buy Strategic Materials Critical to National Security from American Sources," as amended by section 804 of the 2008 NDAA, are broad enough to address the Commission's recommendation regarding specialty metals for contingency operations, but not for refurbishing equipment for redeployment at a later date. Specifically, the law prohibits the acquisition of: 1) the following types of end items, or components thereof, containing a specialty metal not melted or produced in the United States: aircraft, missile, and space systems, ships, tank and automotive items, weapon systems or ammunition; and 2) a specialty metal that is not melted or produced in the United States and that is to be purchased by the DoD or a prime contractor of the Department.

As provided by the law, these restrictions do NOT apply to: 1) acquisitions outside the United States in support of combat operations or in support of contingency operations, and 2) acquisitions for which the use of procedures other than competitive procedures has been approved on the basis of 10 U.S.C. 2304(c)(2), relating to unusual and compelling urgency of need. What is missing is an unencumbered national security exception to allow us to accomplish refurbishment without jeopardizing readiness for timely redeployment. On February 7, 2008, DoD sent to Congress a legislative proposal to amend 10 U.S.C. 2533b by the incorporation of an unencumbered national security waiver as follows:

- **Applicability of the Restriction on Specialty Metals. (DoD Tracking # 186)**
 - **Purpose:** The proposed subsection of 10 U.S.C. 2533b would provide authority for an exception from the special metal restrictions of this law in those cases where the Secretary of Defense or the Secretary of a Military Department determines in writing that, absent the application of any other exception provided under this law, an exception is in the national security interest of the United States.
 - **Status:** OMB cleared, and OSD sent to Congress on 02/14/2008.

We have reviewed carefully other areas for possible legislative relief, such as the Small Business Act and U.S. labor provisions. The Small Business Act only applies in the United States or its



outlying areas. The Robert T. Stafford Disaster Relief and Emergency Assistance Act, which applies to the continental United States (CONUS), authorizes set-asides for debris clearance, distribution of supplies, reconstruction, and other major disaster or emergency assistance acquisitions to businesses that reside or primarily do business in the geographic area affected by the disaster or emergency. After careful consideration and discussions with various contingency contracting officers, we determined it would not be in the best interest of the United States to either change or waive any portions of the Small Business Act; however, Congress did pass Section 886 of the 2008 NDAA, entitled Acquisition of Products and Services, Other than Small Arms, Produced in Iraq and Afghanistan. This section allows competition to be limited to products or services that are from Iraq and Afghanistan; procedures other than competitive procedures to award a contract to a particular source or sources from Iraq or Afghanistan; or a preference is provided for products or services that are from Iraq or Afghanistan. The department already issued a delegation of authority letter to the JCC-I/A allowing them to use this authority. This will go a long way in helping the economic viability of both countries and providing a stable source of jobs.

The Department also reviewed various U.S. labor provisions to determine if there were any that posed impediments in a contingent environment. After thorough review, we determined it would not be in the best interest of the United States to either change or waive any portions of our labor laws. With regard to the Stafford Act, it appears the intent of this Act was to use federal procurement to help boost a local economy that has been damaged by a natural or other disaster. Cutting wages, safety standards, or other protections, just when people are struggling to rebuild, works counter to this intent. In addition to impeding the ability of local people to rebuild, it would make it harder to recruit U.S. personnel (possibly slowing down the cleanup and other processes) and encourage contractors to bring in migrant labor, which does little or nothing for the local economy. The bottom line – suspending these laws in a domestic contingency would be counterproductive to both the mission and the local economy.

Finally, the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, requested all COCOMS to submit any suggestions for pre-positioned waivers which would help our CCO's hit the ground running.

C. Plan for Implementation:

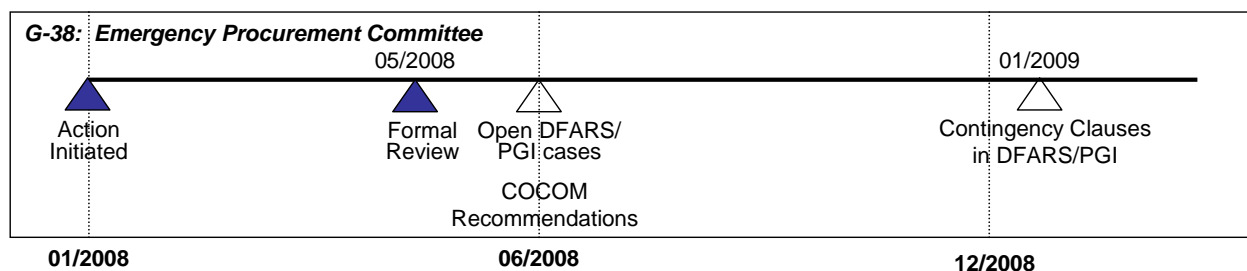


Figure 23. Timeline for pre-positioning waivers to allow rapid local buying for expeditionary operations



Actions Completed to Date

- Analysis of Acquisition statutes for pre-position waivers has been completed.

Ongoing Actions

- After this careful analysis, the Department determined that it was necessary to request statutory action in specific areas. See discussion starting on page 64.



Recommendation 4: Obtain Legislative, Regulatory, and Policy Assistance to Enable Contracting Effectiveness			
Actions Relating to a Establishing Contracting Manual			
G #	Commission's Recommended Actions	Implementation Status	Estimated Completion
39	Establish an Expeditionary Contracting Handbook	Completed	Updated annually

A. Commission Findings and Recommended Action:

The Commission recommended establishing an Expeditionary Contracting Handbook to support the expedited processes and tempo necessary for procuring the support needed in the theater of operations.

B. DoD Evaluation of Recommended Action:

Prior to formation of the Commission, the Department began researching past contingency deployments and lessons learned from missions in U.S. European Command, U.S. Africa Command, and U.S. Central Command theaters of operations. This research included an assessment of the skill level of personnel tasked to complete those assignments and an assessment of the success of deployed CCOs. Initially, the Department's purpose was to gain insights from the experiences of the contingency contracting community to facilitate improvements in DAU's contingency contracting curriculum. After release of the Commission's report, the DoD incorporated DAU's earlier research into information gathered specifically to address the report's findings.

In addition, the Department formed the Joint Contingency Contracting Working Group (JCCWG) to include representatives from the Army, Navy, Marine Corps, Air Force, DCMA, DAU and DLA. The purpose of the JCCWG was to develop joint contingency contracting policy to lay the groundwork for future joint contracting operations. The JCCWG reviewed the current "as is" state to include a review of the current regulations, policies, and guidance. In particular, the JCCWG identified the similarities and differences as well as gaps among the Military Department contingency contracting Defense Federal Acquisition Regulation supplements (DFARS); recommended standardized terminology and procedures; and developed topics to be considered for inclusion into a Joint Contingency Contracting Handbook and DFARS. The JCCWG reviewed individual service approaches to develop CCOs as well as the limited joint training and exercise opportunities. Finally, the JCCWG reviewed the existing Military Department contingency contracting handbooks, journal articles, professional military education papers, DAU courses and Special IG for Iraq Reconstruction: Lessons in Contracting & Procurement report. The JCCWG aforementioned efforts resulted in draft expeditionary contracting policy for future incorporation into DFARS and laid the foundation for the Joint Contingency Contracting Handbook—a handbook developed by CCOs for CCOs.



An early benefit of these efforts was the December 2007 completion of the Joint Contingency Contracting Handbook that now serves as the foundation for contingency contracting training. The handbook includes a DVD which equips Contingency Contracting Officers with the tools they need to operate in a joint contingency environment. The handbook provides a consolidated source of information for contracting personnel conducting contingency contracting operations in a Joint environment, and provides the essential information, tools, and training to meet the challenges they will face, regardless of mission or environment. In February 2008, DAU completed its first course to incorporate the handbook into formal training, and student feedback indicated it was an overwhelming success. The Department has also requested the Military Departments to provide their implementation plan regarding how this handbook will be used in garrison/squadron training.

In addition, the Department has developed a draft Expeditionary Contracting Policy, which provides the foundation for the Joint handbook. This draft policy is in coordination with all relevant stakeholders, and is expected to be published in July 2008.

Independent of its work related to section 849 of the FY 2008 NDAA, the Department has:

- Worked with the Defense Acquisition Regulation Council to write appropriate language into the Defense Federal Acquisition Regulation Supplement (DFARS) requiring the use of Synchronized Pre-deployment Operational Tracker (SPOT) for tracking contractors accompanying the force resulting in DFARS clause 252.225-7040, “Contractor Personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the United States”. The clause implements the January 2007 policy memorandum designating SPOT as the central repository for information on all contractors deploying with forces personnel and associated contract capabilities
- Worked with Joint Contingency Contracting Working Group to develop the Joint Contingency Contracting Handbook. The initial plan called for incorporation of this material into DFARS Part 18 – Emergency Acquisitions. The working group determined that a separate, easily accessible JCC Handbook would better serve warfighter needs. To overcome problems with bandwidth availability in theater, the Handbook includes tools and sample documents on a DVD included in its back pocket. The Department plans on updating this handbook annually. The first JCC working group update is scheduled for 1-6 June 2008 at Maxwell Air Force Base.
- Required each Commander of the Combatant Commands to ensure their respective COCOM Contracting Office establish and maintain a web page listing all prevailing regulations, policies, requirements, host-nation laws, Orders/Fragmentary Orders (FRAGOs), COCOM Commander’s directives, unique clauses and other considerations necessary for soliciting and awarding a contract for performance in or delivery to that COCOM’s AOR.



C. Plan for Implementation:

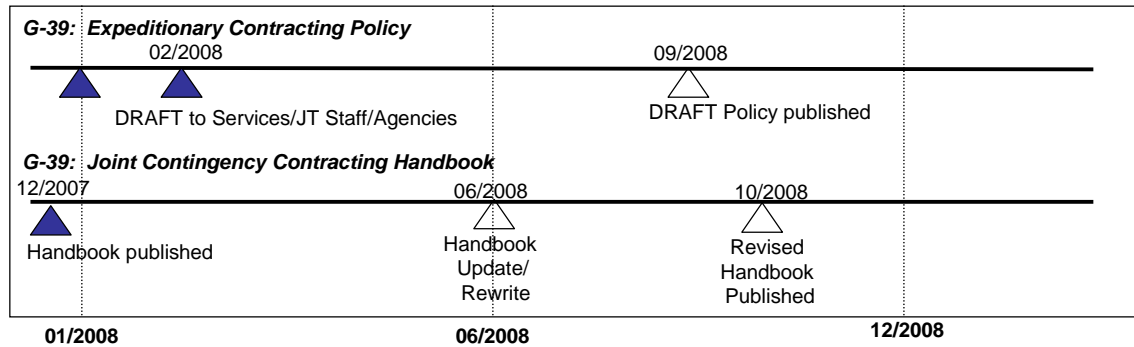


Figure 24. Timeline for establishing an Expeditionary Contracting Manual

Actions Completed to Date

- Joint Contingency Contracting Handbook was published in December 2007.
- DFARS clause 252.225-7040, “Contractor Personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the United States,” published 31 March 2008.

Ongoing Actions

- Publication of draft Expeditionary Contracting Policy in September 2008.



Section III. List of Abbreviations

This report contains the following abbreviations:

A/USA	Acting Under Secretary of the Army
ACC	Army Contracting Command
ACCP TF	Army Contracting Campaign Plan Task Force
ACO/CA	Administrative Contracting Officer/Contract Administration
ADUSD(PS)	Assistant Deputy Under Secretary of Defense (Program Support)
AFCAP	Air Force Contract Augmentation Program
AID	Agency for International Development
ALMC	Army Logistics Management College
AOR	Area of Responsibility
CCAS	Contingency Contract Administration Services
CCO	Contingency Contracting Officer
CENTCOM	U.S. Central Command
COCOM	Combatant Command
CONOPS	Concept of Operations
CONUS	Continental United States
COR	Contracting Officer's Representative
CSB	Contract Support Brigade
DAU	Defense Acquisition University
DCMA	Defense Contract Management Agency
DCMA-I/A	Defense Contract Management Agency–Iraq/Afghanistan
DFARS	Defense Federal Acquisition Regulation Supplement
DLA	Defense Logistics Agency
DoD	Department of Defense
DOS	Department of State
DPAP	Defense Procurement and Acquisition Policy
DUSD(A&T)	Deputy Under Secretary of Defense (Acquisition and Technology)
DUSD(L&MR)	Deputy Under Secretary of Defense (Logistics and Materiel Readiness)
EPC	Emergency Procurement Committee
FY	Fiscal Year



GAO	Government Accountability Office
GWOT	Global War on Terrorism
JCC-I/A	Joint Contracting Command–Iraq/Afghanistan
JCCSO	Joint Contingency Contracting Support Office
JCCWG	Joint Contingency Contracting Working Group
JMD	Joint Manning Document
LOGCAP	Logistics Civil Augmentation Program
MOU	Memorandum of Understanding
NDAA	National Defense Authorization Act
OCS	Operational Contract Support
OMB	Office of Management and Budget
OSD	Office of the Secretary of Defense
PACC	Program Acquisition and Contingency Contracting
POI	Program of Instruction
POM	Program Objective Memorandum
QAR	Quality Assurance Representative
SES	Senior Executive Service
SPOT	Synchronized Pre-Deployment Operational Tracker
U.S.	United States
U.S.C.	United States Code
USAF	U.S. Air Force
USD(AT&L)	Under Secretary of Defense (Acquisition, Technology and Logistics)
USN	U.S. Navy
WAWF	Wide-Area Workflow

