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Chapter 8 Cultural and Situational Awareness



Key Points

- Contingency contracting officers (CCOs) must be familiar with the statutes, directives, treaties, and agreements that will affect contracting operations when they are deployed.
- Much of the business conducted by contractors overseas is by negotiation. Therefore, negotiating for lower prices should be considered a normal business practice.
- CCOs should be aware of antiterrorism countermeasures and security.
- CCOs should maintain information operations security during all activities.
- CCOs must be aware of the risks associated with contracting in an austere or contingency situation.

Introduction

As a CCO, you will travel to many places around the globe. With that in mind, this chapter provides an understanding of foreign acquisitions, business advisor considerations, antiterrorism and security, antiterrorist countermeasures, and operations security (OPSEC) issues that are inherent in doing business in a foreign country.

Cultural Awareness

Cultural awareness. CCOs should try to learn as much as possible about the country to which they will be deployed. Cultural orientation modules are available at <http://fieldsupport.dliflc.edu/lp/co.html>. CCOs should perform the following:

- Make an effort to understand the culture and customs.
- Try to understand the business environment and infrastructure.

- Recognize that an informed visitor is a safer visitor.
- Recognize that other nations might not have lifestyles and habits similar to those of the United States. Resist the temptation to make value judgments.
- Establish a rapport with local nationals, who can forewarn you about suspicious activities, might help ward off impending attacks, and also can prevent you from making grave social errors that offend other local nationals.
- Try to learn as much of the local language as possible, but especially key phrases such as “I need a policeman,” “help,” “fire,” and “I need a doctor.”
- Avoid becoming involved in local politics, and steer clear of civil disturbances.
- Know how to use local telephones, and keep sufficient pocket change on hand to use them.
- Try to blend in with the local environment as much as possible. For example, rather than going to popular restaurants and bars frequented by US personnel, try local establishments suggested by trusted local national friends, avoiding tourist attractions that can become targets.
- If major attractions in the country are experiencing security problems, stay away. Instead, try to keep a low profile by visiting less frequented places.

Ethics. CCOs should always ensure that the appropriate ethics regulations are observed. When ethical or procurement integrity requirements conflict with local practices, CCOs should explain to contractors the restrictions placed on US procurement officials. All personnel should be conscious of the fact that many business cultures

expect kickbacks, finder's fees, exchanges of gifts, or other gratuities that are illegal for US personnel to provide or accept. In addition, many business cultures encourage the use of deceptive techniques during negotiations; the rule of law and corruption levels influence outcomes. Furthermore, in austere areas, contractors might promise more than they can deliver or faster timelines than are actually possible. CCOs should conduct site inspections and view the products whenever possible. CCOs must be vigilant in advising US commanders, requirements personnel, and CCO-appointed representatives about practices that might violate the standards of conduct specified in *DoD Regulation 5500.7-R*, "Joint Ethics Regulation." Personnel should seek the assistance of the legal office to obtain guidance about ethics matters. Additional information on ethics is included in Chapter 1.

Negotiating practices. Much of the business conducted overseas by contractors is by negotiation. When setting the price of an item, CCOs should keep in mind that the first price quoted is usually only a starting position for negotiations. Most of the foreign contractors with whom CCOs deal can be shrewd negotiators. Negotiating for lower prices should be viewed as a normal business practice. Two or three rounds of exchanges might be the most prudent and effective way to reduce the proposed prices. For supplies, services, and construction, experience in the United States Central Command (USCENTCOM) theater has shown that the price drops dramatically whenever discussions are initiated with an offeror. The CCO's bargaining position is enhanced when the product or service is available elsewhere or the requirement is not urgently needed. If these two factors are reversed and the contractor is aware that the product is hard to find or the requirement is urgent, the CCO may be hard pressed to negotiate a better deal.

CCOs must ensure that the government pays a fair and reasonable price. The availability of the needed supply or service in the local marketplace, feasibility of meeting the need from outside the local area,

ability to secure delivery within the requested time frame, urgency of the requirement, and need to build the local economy are all part of the determination of a fair and reasonable price. Because the contingency environment is dynamic, documenting conditions is important to support the determination of fair and reasonable prices. Additional information on negotiating practices is included in Chapter 5.

Oral agreements. The prevalent practice in many countries is to conclude an agreement or contractual understanding with nothing more than a handshake. This approach may be used at the outset of the contingency, humanitarian assistance, or peacekeeping operation, but should be quickly followed with a written contract. Vendors can view contracts written in English with suspicion and sometimes anger. Obtaining a vendor's signature on a contract can become a challenge. When a local businessman or provider refuses to sign contractual documents, the ordering officer (OO), field ordering officer (FOO), and CCO must either document the file with a memorandum for the record or annotate the unsigned contractual document. CCOs, OOs, and FOOs should ensure that another US government official countersigns the document. Once a contract is performed and the contractor is paid, relations between vendors and government representatives (i.e., the CCO and the government team) should improve. CCOs should remember to always keep oral communications simple and straightforward.

Local business practices. Local business practices in a less-than-stable environment and the contractor's lack of knowledge of DoD payment procedures might require contracting officers to arrange for immediate payment after completion and acceptance of work. Chapter 5 describes payment procedures.

Interpreter services. Often CCOs will be deployed to locations where the local contractors speak little or no English. In these situations, CCOs will need the services of interpreters. The contracting officer, in consultation with the requiring activity, deems some interpreters as

mission-essential contractor employees. These employees are considered to be contractors authorized to accompany the forces (CAAF). Mission-essential interpreters have managerial or technical skills not commonly found in the general population. If CAAF interpreters are not available, CCOs should contact the US embassy for a list of approved interpreters. In the absence of embassy support, CCOs may check with hotels, find a telephone book, or ask bus drivers for tour operations. The CCO will probably be successful in contacting local schools to find interpreters (e.g., teachers, senior students). CCOs should be cautious about using interpreter services from unapproved sources.

Limitations. Deployed CCOs do not have the authority to negotiate or enter into agreements with foreign governments. If an agreement is already in existence, the CCO may obtain authority through the head of the contracting activity (HCA) to work with the host nation support office to write priced delivery orders against the agreement. If a new agreement is needed, the CCO may request the creation of an agreement through the host nation support office.

Multinational programs. It is highly likely that a deployment will involve coalition forces and greater emphasis on multinational perspectives. The CCO should know that the international environment is governed by a myriad of statutes, directives, treaties, and implementing arrangements for conducting transactions. Guidance on these matters should be sought from the host nation support team, combatant command J4 (Logistics), and US embassy. For contingency and exercise operations in a foreign country (and acquisition under provisions of mutual support logistics between the US and the government of eligible countries), options include host nation support agreements, assistance-in-kind agreements, status of forces agreements (SOFAs), and acquisition and cross-servicing agreements. CCOs must understand the role of each of these agreements, their functioning, and their advantages.

Customs and taxes. Many times, SOFAs will address contracting support related to legal obligations (e.g., taxes and customs) and the process and documentation needed for an exemption. If procedures have not been established, the CCO should contact the customs office or US embassy for guidance.

Do's and taboos. The book *Do's and Taboos of Hosting International Visitors* by Roger E. Axtell is an excellent reference when hosting international visitors from other countries or when visiting these countries. In addition, several websites are available to help CCOs become familiar with the host culture, including:

- <https://www.cia.gov/library/publications/the-world-factbook/>
- <http://www.globalbusinessleadership.com/worldsmart.asp>.

Additional guidance on cultural awareness is provided by the following sources:

- The Defense Language Institute Foreign Language Center offers culturally based education in more than 40 languages. The center's website offers downloadable products for predeployment training, deployment use, or refresher training, available at <http://www.dliflc.edu/products.html>.
- The US Marine Corps Center for Advanced Operational Culture Learning (CAOCL) provides information about regional cultures and languages to support planning and operations in a Joint expeditionary environment. The CAOCL website <http://www.tecom.usmc.mil/caocl/> provides specific cultural links related to Operation Iraqi Freedom, Operation Enduring Freedom, United States Africa Command (AFRICOM), United States Pacific Command (USPACOM), United States Southern Command (USSOUTHCOM), and USCENTCOM.
- The Air Force offers sociocultural and language resources, available at <http://www.culture.af.mil/>.

Situational Awareness

Operations security awareness. Awareness of the security fundamentals allows CCOs to focus their attention on the security measures needed during emergencies and in certain peacetime operations. OPSEC is a broad-based security program designed to prevent all types of sensitive information from falling into the wrong hands. Such information can be extremely valuable to adversaries of the United States. It can provide intelligence indicators of daily operations and, more important, future plans and activities.

Definition of operations security. OPSEC is defined as the process of identifying critical information and subsequently analyzing friendly actions attendant to military operations and other activities to accomplish the following:

- Identify those actions that can be observed by adversary intelligence systems
- Determine indicators that an adversary's intelligence operatives might obtain that could be interpreted or pieced together to produce critical information (in time to be useful)
- Select and execute measures that eliminate (or reduce to an acceptable level) the vulnerabilities of friendly actions to adversary exploitation.

The key to successful OPSEC is identifying indicators that are tip-offs of impending activities, such as stereotyped standard operating procedures or, in some cases, observable deviations from normal operations.

Operations security process. OPSEC is a continuous, systematic process involving security and common sense. OPSEC is used to analyze operational plans or programs to detect any weakness that could give useful information to adversaries or potential adversaries. The most important steps in the process are as follows:

- Knowing the unit's mission
- Recognizing the adversary's intelligence threat to the unit
- Being aware of the unit's critical information (essential elements of friendly information)
- Identifying indicators that might disclose or point to this information
- Developing protective measures to eliminate these indicators
- Being constantly alert for vulnerabilities in the unit.

Communication with Vendors (Elicitation, Espionage, and Subversion)

Over time, CCOs will develop a rapport with most of the foreign vendors with whom they deal. However, CCOs must be wary of statements to even the most trusted of contractors. A CCO might find that contractors are soliciting information of possible intelligence value. For example, a CCO might be asked about the likelihood that an exercise will be conducted soon, number of people on the base, or possibility that additional personnel will arrive soon. CCOs must immediately report any suspicious activities to the Army Criminal Investigation Division (CID), Air Force Office of Special Investigation (OSI), Naval Criminal Investigation Service (NCIS), or local security unit.

CCOs must always be wary of what is said when corresponding with the vendor base, either directly or indirectly, because it could be overheard by someone else. In addition, information in contract requirement documents could disclose operational information (e.g., completion dates, troop movement, and delivery locations).

CCOs should be cautious when using satellite communications, cellular phones, and email. These methods of communication are generally not secure.

Local national contractor security. CCOs must be aware that many contractors live in the local area and that doing business with the US government can be dangerous for them and their families. All precautions must be taken to ensure that a contractor's personal information is protected. In addition, CCOs should consider the possibility that local contractors might need to be billeted on the base to reduce the security risk to themselves and their families, thus changing their status to CAAF. Before publicizing award notifications and other contracting data, CCOs should check the local policy on the information that needs to be posted.

Antiterrorism and Security

Threat factors. CCOs should ask the following eight questions to understand threats in the local environment:

- Do terrorist groups operate in the area?
- Are the terrorist groups violent?
- Do these groups attack US personnel?
- How active are the terrorist groups?
- How sophisticated are these groups?
- How do the terrorist groups operate?
- What is the level of popular support that these groups enjoy?
- Do these terrorist groups use common tactics?

The Department of State publishes annual country reports that identify terrorist groups and describe their actions against US citizens and personnel, available at <http://www.state.gov/s/ct/rls/crt/>. CCOs should ask the relevant intelligence officer or chain of command for information on terrorist groups in the area. CCOs also should monitor stories in the newspaper, on radio, or on television.

If terrorist groups are operating in the area, the CCO needs to know their level of sophistication—whether they use highly targeted, carefully planned attacks or simply explode bombs randomly in public places. Knowing how the terrorist groups operate will enable the CCO to avoid danger spots and detect evidence of an attack before it occurs. For example, some terrorists study their targets for a month or more to carefully plan an attack. If the CCOs know how to detect this type of surveillance, steps can be taken to protect the CCO and report the information to the intelligence officer.

It is important to know whether a terrorist group has local popular support. If not, the local population is more likely to warn US personnel about events leading up to an attack. DoD and agencies of the US government study these factors to increase the protection of US forces. The CCO's personal awareness can contribute to these efforts by the US government. CCOs must always be attentive to their surroundings and be ready to react at the first sign of danger.

Target selection and target identification. A useful exercise for the CCO is trying to take the terrorist's view and determining whether the CCO stands out as a US military official, spends time with large groups of US troops in public, behaves (individually or in groups) in a way that draws attention, or appears to be an important person. Large groups of US personnel can be an inviting target. Terrorists also identify and target specific individuals by name, so personal CCO information must be protected to minimize exposure. Moreover, terrorists might target people who appear to be important, whether those individuals agree with that assessment or not. Before launching an attack, terrorists must perceive the CCO, associates, or location as a target. CCOs must make every effort not to be an easy target.

Personnel Recovery

Definition of personnel recovery. Personnel recovery is defined as the sum of military, diplomatic, and civil efforts to prepare for and execute the recovery and reintegration of isolated personnel.

Isolated personnel. Isolated personnel are defined as US military personnel, DoD civilians, and contractor personnel (and others designated by the President or Secretary of Defense) who are separated from their units (as an individual or group) while participating in a US-sponsored military activity or mission and are (or may be) in a situation where they must survive, evade, resist, or escape.

Personnel recovery requirements. The geographic combatant commander and subordinate commands must plan for the possible isolation, capture, or detention of contractors by adversarial organizations or governments. Contractors must be included in the personnel recovery plan, as demonstrated in the Joint Operation Planning and Execution System (JOPES), subordinate operational orders and plans, and contractor integration plans. Regardless of the threat environment, contracts should require contractors to complete training in personnel recovery; prepare DoD Form 1833, “Isolated Personnel Report (ISOPREP)”; and prepare an evasion plan of action. The contract should also clearly identify the organization and responsibility for (1) ensuring that personnel recovery training is accomplished and ISOPREPs and evasion plans of action are included in the theater personnel recovery plan and (2) recovering and reintegrating isolated contractors.

Joint Publication 3-50, “Personnel Recovery,” provides additional information on personnel recovery planning and on the development of ISOPREPs and evasion plans of action.

Chapter 4 includes additional information on personnel recovery as related to planning.

Website and DVD Materials Related to Chapter 8

- [Chapter 8 PowerPoint Briefing](#)
- [Chapter 8 Test Questions](#)
- [Trainings Related to Chapter 8](#)
- [Scenarios Related to Chapter 8](#)
- [Topical Index Webpages](#)
 - » [Antiterrorist Countermeasures](#)
 - » [Contractors Authorized to Accompany the Force \(CAAF\)](#)
 - » [Cultural Awareness](#)