

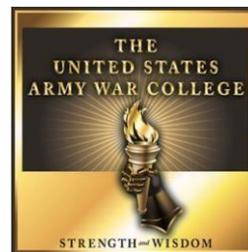
Strategy Research Project

Strategic Development of Army Contingency Contracting Administration Services (CCAS)

by

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Abstract

In the recent past, the Army has found itself woefully underprepared to conduct contingency contracting operations, requiring substantial augmentation from outside Agencies and Services. The Army is directed to add Contingency Contracting Administrative Services (CCAS) to its capabilities, relying on Army Contracting Command to assume full transition of responsibilities in January, 2016. This paper will exhibit that CCAS is essential to future military operations and when failure to ensure sufficient CCAS operations has occurred, astronomical loss has ensued. It will provide an operational framework recommending strategic changes to enhance Army contracting capabilities commensurate with providing adequate, responsible and sustained contracting services for future operations. The time has come that the Army expand its efforts and treat contracting administration services as a core competency by resourcing, training and equipping ACC for future contractor heavy contingency operations.

Strategic Development of Army Contingency Contracting Administration Services (CCAS)

What is Contingency Contracting Administration Services (CCAS) and what are the unique challenges of administering contracts in a contingency environment? How has the Army conducted CCAS over the past decade within the most prevalent national focus of Central Command's (CENTCOM) Area of Responsibility (AOR)? Are there any consequences for poor contract administration and should the United States (US) Army care? Can the Army expect to be supported in conducting CCAS responsibilities as it has in the past? If the Army chooses to augment its contingency plans with substantial civilian contractor support, is the Army in the position to conduct responsible and sustained contract administration? Although these are serious questions, what is even more important in addressing CCAS is the root question of is the Army currently doing enough to mitigate contract risk realizing the imminent execution of future contingency missions: To what extent should the Army be preparing to perform CCAS missions in the future?

Since the beginning of this nation, government contracting has been part of contingency operations. A historical look at the revolutionary war indicates government contracting being "irretrievably interwoven into the national fabric".¹ However, although woven, there has been vulnerabilities. Benjamin Franklin himself put it, "There is no kind of dishonesty into which otherwise good people more easily fall, than that of defrauding the government."² Deliveries of spoiled meat, axes without heads, one-quarter size blankets, and shoes and saddles that fell apart were commonplace.³ During the Civil War and Indian uprisings throughout the eighteenth and nineteenth centuries, similar practices were observed as well. In short, nepotism, favoritism, kick-backs and shady

business practices are not new concepts. Moreover, these very concerns exist even today three hundred years later. With that understanding, despite the persistent recurrences of fraud, not all contractors were or are dishonest and industry provides critical support to the United States (US) armed forces. Since the early years of Eli Whitney's contract for ten-thousand muskets during the revolutionary war⁴, Colt and Remington manufactures providing arms throughout the Civil War⁵, Ford Motor Company providing vehicles and engines during both World War I and II⁶ and thorough modern day where contractors on the battlefield outnumber military personnel⁷, defense contracting provides and has provided necessary arms, equipment, services and construction for our national defense.

The purpose of this paper will exhibit that CCAS is essential to future military operations and that failure to ensure adequate professionals are available to provide contracting administrative services within a contingency environment has led to astronomical loss of property, equipment and national treasure in the form of both dollars and life. Furthermore, more specifically, over the course of the wars in both Iraq and Afghanistan, there has been extraordinary fraud and waste due to lack of oversight during contract administrative execution even though the administrative shortcomings have been completely and thoroughly predicted; the associated problems are not a surprise. This paper will also highlight other challenges facing Army contracting and provide strategic recommendations for the Army in preparation for the next imminent contractor heavy contingency environment. With such strategical importance of a known threat, the time has come that the Army expand its efforts and treat contracting administration services as a core competency by resourcing, training and equipping

Army Contracting Command, and the total force at large, for future contractor heavy contingency operations.

What is CCAS and What Are the Challenges?

Contract Administration (CA), regardless if done within contingency or non-contingency locations, is a subset and skill of the contracting profession that includes efforts to ensure supplies, services and construction projects are delivered in accordance with the terms, conditions and standards agreed to within any government entered contract. Contract administration is the oversight function, from contract award to contract closeout, performed by contracting professionals and designated non-contracting personnel.⁸ Contract administration is composed of more than ninety 90 functions, described in Federal Acquisition Regulation (FAR) sub-part 42 and Defense Federal Acquisition Regulation (DFAR) 242, including monitoring contract compliance, administering property, and quality assurance.⁹ Contract administration during contingency operations is referred to as Contingency Contract Administration Services (CCAS) and presents multiple challenges due to the nature of typical contingency operations.

There are multiple contract administration challenges in high-risk areas. Although the importance to document all transactions within the administrative function of a contract always holds true, the importance within a contingency environment cannot be over stressed. With the nature of the contingency in mind, typical processes and electronic administration tools might not exist before, during and after the contingency, therefore greater emphasis must be placed upon the contract administrators to ensure due diligence in staying organized and maintaining hard-copy contract files with proper documentation to “tell the story” of the respective acquisition¹⁰. It is without question that

auditors, inspectors general (IGs), and external agencies like the government Accountability Office (GAO) will request paperwork and other sources of contract data during inspections, investigations, or audits during the contingency or soon thereafter.¹¹ As such, contract administration within a contingency environment is important because of the very unique circumstances that a contracting officer will face that otherwise would present difficulties during typical acquisition processes within the Continental United States (CONUS). With this in mind, there are at least 6 areas of concern that the Department of Defense (DoD) recognizes that should be emphasized while performing CCAS operations.¹²

The first area is the difficulty is obtaining detailed documentation from contractors. In many overseas and contingency operations, the vendors within the region will operate on a cash and carry basis and will not be accustomed to maintaining receipts, invoices or records in general. The second area of risk is the use of Field Ordering Officers (FOO). FOOs are appointed representatives of the contracting officer that carry procurement obligation authority at the micro-purchase threshold (up to \$3000 in a contingency environment), typically constrained to immediate needs with purchases reconciled monthly. Although this practice does provide important flexibility, it also increases the risk of fraud given the delegated authority to minimally-contracting trained personnel. The third emphasized risk area deals with Blanket Purchase Agreements (BPAs). BPAs are not contracts, but are rather “agreements” that set a pre-agreed to price by quantity in order to expedite the acquisition process. Although an excellent contracting vehicle, risk does appear when the BPA becomes a sole-sourcing function which limits competition, drives prices upward making them unfair/unreasonable and

places too much reliance on individual contractors (appearance of unfairness between competing contractors). The next risk area is typically not found anywhere else in the contracting profession; relief in place/transfer of authority (RIP/TOA). The occurrence when one military unit replaces another military unit in place is perhaps one of the single greatest stressors of good document protection and contract administration functions being unique to military contingency operations. When military units replace each other during the RIP/TOA process, the contracting office must coordinate with the incoming and outgoing forces to ensure all operational contracting assignments are turned over to the new unit.¹³ When this is done simultaneously with the RIP/TOA of the administrative contracting office, the results can be calamitous. The fifth increased area of contract administrative risk within a contingency environment are advance payments. A common practice within CONUS, it does not take too much of an imagination to understand that in a contingency environment, providing cash in advance of receiving contracted goods, services or minor-construction is extremely risky and difficult to recoup should the contractor fail to meet their obligation. Finally, and also unique to military contingency operations, is the concept of redeployment and demobilization. Similar to RIP/TOA, depending on the timing and operational plans, performing contract administration during this period can be uniquely difficult with overwhelming associated risk.

Although there are specific risk areas while conducting contract administration during a contingency operation, effective contract administration and a healthy awareness of certain contracting risks can help prevent problems, now and in the future. The establishment of effective administrative procedures, audit capabilities, and

maintenance protocols early in a contingency situation can greatly enhance supportability and minimize potential fraud, waste, and abuse problems.¹⁴

How Has CCAS for the Army Been Performed in the Past?

In 2007 the Secretary of the Army established an independent commission on Army acquisition and program management within expeditionary operations. The purpose of this commission was to review various lessons learned in contingency environments and to provide innovative recommendations to ensure future military operations achieve greater effectiveness, efficiency and transparency.¹⁵ The commission was comprised of five distinguished members chaired by Dr. Jacques S. Gansler (who served as Under Secretary of Defense for Acquisition, Technology and Logistics from 1997 through 2001). The other five multi-disciplined members were General (Ret.) David Maddox, who represented the Army's operational community; General (Ret.) Leon Salomon, who represented the Army's acquisition community; Rear Admiral (Ret.) David Oliver, who provided alternate Service representation; and two very senior Department of Defense civilians David Berteau and George Singley.¹⁶ The overarching purpose of this commission was to evaluate the status of Army contracting, particularly problems plaguing *Operation Iraqi Freedom* (OIF) and *Operation Enduring Freedom* (OEF). Dr. Gansler's report back to the Secretary of the Army was disturbing. In short, the Army, for various reasons that included budget cuts, poor managerial decisions and cultural influences had taken the professionalism of Army contracting, which should be a core capability of the Army, and treated it as an operational and institutional side issue.¹⁷ In fact, the acquisition workforce as a whole was decreased by 25 percent from 1996 through 2000 and at the time of the report, there were zero General Officers within the Army contracting community. Moreover, this decline

continued after 9/11 despite a seven-fold workload increase in contracting actions resulting from massive increases in DoD spending at the onset of the *War on Terrorism*.¹⁸ All of these issues vastly impacted and resulted in the range of contract related issues within the CENTCOM AOR. In 2010, Dr. Gansler provided updated testimony to the Commission on Wartime Contracting in Iraq and Afghanistan titled *Update Urgent Reform Required: Army Expeditionary Contracting*. Within this testimony, Dr. Gansler indicated that much had been accomplished, but “The pace in which the Army has approached this challenge makes acquisition appear to be of precarious value to the organization. While the Army is taking positive steps to grow its contracting personnel, it is not clear that there is sufficient momentum to make this timely.”¹⁹ Specifically called into question was the Army’s ability to conduct CCAS operations effectively, noting that poor CCAS execution was a major root cause identified three years earlier during his commission’s findings. Following the Dr. Gansler’s report of 2007, Section 849 of the National Defense Authorization Act (NDAA) for Fiscal Year 2008 directed the Department of Defense to adequately resource and for the Army to assume full CCAS abilities by 2012; the Defense Contract Management Agency (DCMA) had been providing this service to date.²⁰ However, in Dr. Gansler’s testimony in 2010, he noted that the Army, due to resource shortfalls, asked for and obtained an extension to the requirement because the Army couldn’t adequately resource this directive until 2015 at a minimum.²¹ Furthermore, although the Navy and Air Force were able to staff CCAS requirements at 100 percent within the CENTCOM AOR, the Army has only met 80 percent of its personnel requirements (after its commitment was *reduced* to reflect the Army’s inability to staff Army positions), which

continues to create a strain on the other Services, particularly the Air Force.²² In short, this means that DCMA and other Services would need to continue supporting the Army's CCAS efforts through 2015 although the Army continued to rely heavily on civilian contractor support to execute their contingency operations; at the time of the 2010 report, there were 270,000 contractors in Iraq and Afghanistan.²³

Another key acquisition professional providing testimony to the 2010 Commission on Wartime Contracting was Mr. Charlie E. Williams who was at the time the Director for the DCMA, the organization as indicated bearing the overwhelming majority of CCAS responsibilities for the Army. In his testimony, Mr. Williams explained that in support of CCAS, the Agency had a total deployed workforce of 356 members distributed throughout the CENTCOM AOR: 174 in Afghanistan; 151 in Iraq; and 31 in other locations.²⁴ The preponderance of DCMA unit fill and Service provided Individual Augmentees (IAs) were military (predominantly Air Force) and civilian acquisition professionals who perform such duties as Administration Contracting Officers (ACOs), Contract Administrators (CAs), Quality Assurance Representatives (QARs) and Property Administrators (PAs). Additionally, DCMA leveraged the technical support of Service provided subject matter experts (predominantly Air Force) in fields such as building construction, petroleum, water, plumbing, electrical, fire protection, air traffic control and hazardous material.²⁵ Mr. Williams went on to outline the monumental efforts from hiring, incentivizing, training, funding, partnering, equipping and planning in order to support the Army within the CENTCOM AOR. DCMA at the point of testimony in 2010 would be required to continue its efforts for the Army due to the Army's internal resource shortfalls of qualified personnel through 2015 providing the Army five

additional years to build the requisite personnel and qualifications that DCMA had been performing all along.

Are There Consequences for Poor CCAS?

For more than the past 10 years, the Department of Defense, and in fact our nation, has been inundated by various independent reports outlining the tremendous shortcomings in regards to failures of contract administration within the contingency environment. Some of those reports include the *2007 Gansler Commission Report on Wartime Contracting*, commonly referred to as the “Gansler Report”, the Government Accountability Office (GAO) *2010 Report to Congressional Committees: Contingency Contracting – Improvements Needed in Management of Contractors Supporting Contract and Grant Administration in Iraq and Afghanistan*, the final commission on wartime contracting in Iraq and Afghanistan report to congress *2011 Transforming Wartime Contracting – Controlling Costs, Reducing Risks* and the 2015 DoD Inspector General (IG) report *Contingency Contracting: A Framework for Reform* to name a few. Throughout every report, some of which took several years of exhaustive investigation and data collection, described a bureaucratic system that remains disturbingly inundated with countless cases of waste, fraud and abuse – and in some cases, has led to the loss of life.

“At least \$31 Billion, and possibly as much as \$60 Billion, has been lost to contract waste in America’s contingency operations in Iraq and Afghanistan.”²⁶ This was the opening line of the executive summary for the 2011 commission on wartime contracting final report to Congress in *Transforming Wartime Contracting*. Sobering, but yet possibly conservative, this estimated \$60 Billion loss equates to the Gross Domestic Product (GDP) of virtually half of the world’s countries any given year and

mathematically equates to the loss of approximately \$16.5 Million a day for the past ten years.²⁷ The report goes on to indicate that much of the contingency contract waste could have been avoided if contract administration efforts had been adequate and provides a number of recommendations. Understanding that this report is not focused solely on the Department of Defense (DoD), and therefore not implicating the US Army as the sole or main culprit of mismanagement, the report rather takes a holistic interagency view of waste in several different forms, and of the recommendations within the report, half are administrative in nature. Although staggering, waste is not the only area of risk when CCAS is poorly executed.

Contingency contract fraud undermines defense, diplomatic and development missions. At any given time, the most inept researcher via casual search on the Internet will discover that fraud associated with federal government contracts within the CENTCOM AOR over the past decade has been widespread, particularly within the early stages of both conflicts when oversight, processes and procedures hadn't had time to mature. Contract fraud undermines programs, diverts money and undermines public confidence in the US government's fiduciary duty to spend taxpayer money. Contract fraud is, but not limited to, kickbacks, undelivered products and services, defective or counterfeit products, false claims, and various conflicts of interests, gratuities, bribery, improper billing, bid rigging, collusion and so forth. It is estimated by the Commission for Wartime Contracting that a 5 percent to 9 percent fraud rate would indicate that between \$10.3 Billion and \$18.5 Billion spent for contingency contracts and grants over the past decade has been lost to fraud alone.²⁸ This estimate is consistent with the estimate of the Association of Certified Fraud Examiners report, which has

reported that 7 percent of commercial revenue is typically lost due to fraud within any industry as a whole²⁹ In real terms, the Defense Criminal Investigative Service (DCIS) has investigated a total of 500 cases involving 1,503 subjects for fraudulent activities associated with overseas contingency operations between 2005 and 2011, the majority being within the area of public corruption, indicating kick-backs during the contract administration process.³⁰ Although culturally within both Iraq and Afghanistan bribery and kickbacks are a way of doing business, ACOs must manage foreign contractors, many whom have no prior experience in working for the US government, which would require an intense level of training to do so properly.³¹ Finally, in the 2015 Department of Defense Inspector General's (IG) report *Contingency Contracting: A Framework for Reform*, the review of 21 random fraud cases uncovering criminal offenses committed during the administration phases, all resulted in prison sentences, fines, restitution and criminal and civil settlement agreements; an indication that more needs to be done specifically in the CCAS area.³²

Contractor abuse within a contingency environment is another area where specialized training is required while administering contractor performance by the ACO. This abuse involves decisions made for personal financial gain, or gains by an immediate or close family member or business associate. Outside the abuse in trafficking persons, which does violate US law, other forms of abuse does not always involve a law violation at all.³³ In some instances, contractor abuse may include withholding pay, not providing adequate shelter and protective gear, excessively long working hours, substandard living conditions, confiscation of passports and other various human rights violations. The following substantiated examples of abuses are a

few contained within the report and provide clear indication where abuse may have been avoided if proper CCAS was being performed:

Example 1: A Ugandan security guard working for Triple Canopy at Forward Operating Base Delta committed suicide by shooting himself in the head. The guards at this base were often ill-equipped and without basic cold-weather gear such as gloves.³⁴ Example 2: Within one contract providing a power generator for guard towers was required. However, there was no requirement to ensure they were operable, and they actually sat idle during most of the frigid weather.³⁵ Example 3: The SABRE International prime contractor paid the Ugandan guards an average of \$700 per month, but the government paid SABRE \$1700 per month for each guard. This \$1000 difference exceeds the most generous indirect contract costs.³⁶

As indicated, the post-award of a government contract, and the obligatory CCAS operations that follow, must be performed with integrity, respect and moral compassionate oversight in order to prevent such occurrences from taking place. US contingency contractors, opportunistic labor brokers and international criminal organizations take advantage of these type environments and the easy flow of people, money, goods and services to capitalize on this source of revenue and profit.³⁷ The globalization of the world economy has resulted in the flow of low skilled workers from poorer countries, some legally and some illegally, and are easily to be exploited for forced labor, slavery and sex.³⁸ When CCAS is not properly executed and performed, any number of abuses may and do occur.

Outside the monetary loss within waste and fraud, and in addition to the moral outrage when contractor abuse occurs, improper CCAS oversight can and has led to death. In January 2008, an Army soldier in Iraq was electrocuted while showering. Although DCMA (responsible for Army's CCAS requirements) had previously issued the prime contractor responsible (Kellogg Brown and Root – KBR) a Level III Corrective Action Request (CAR), DCMA's most stringent criticism reserved for extraordinary

contractor failures, KBR had failed to implement a proper and timely Corrective Action Plan (CAP) which, after investigation, confirmed that KBR had been negligent and responsible for the circumstances that led to the death of the soldier.³⁹ In Afghanistan, an investigative report found that a program designed to contract for the placement of 2500 culvert denial systems (metal grates) to cover irrigation culverts that ran underneath Highway 1 (a circular roadway in Afghanistan that connects various provinces and is frequently used by commercial and military transportation units) in an attempt to decrease the number of Improvised Explosive Devices (IEDs) by denying insurgents access to the culverts, became a sham contract where it is unclear if any grates were actually emplaced at all. In fact, after the contract was awarded, instances of IEDs *increased* and certainly led to the deaths and injuries of many US and International Soldiers; two men (a contractor and sub-contractor) were subsequently arrested and charged with fraud and negligent homicide.⁴⁰ These are 2 examples, but there are many others.

After 10 years of contingency contracting in both Iraq and Afghanistan, the root causes for waste, fraud and abuse continue with the tremendous loss of money, property and life. In a significantly large portion of instances, investigation after investigation revealed that proper CCAS would have enhanced ability to mitigate associated risks within the execution of those contingency efforts. This has had strategic implications for the Army and as such, the Army should look towards strategic solutions.

Can the Army Expect CCAS to be Supported the Same in Future Operations?

Army Contracting Command (ACC) is a fairly new command stood up only after the 2007 Gansler report was published. At the time of the report, only 3 percent of Army

contracting personnel were active duty military, and of those, only 56 percent of the military (and 53 percent of the remaining civilian workforce members) were career certified in their current positions.⁴¹ Furthermore, although the “Executive Agent” for contracting in Iraq and Afghanistan was the Army, the Army was unable to fill both military and civilian billets in either quantity or qualification. In fact, more than 67 percent of the Army billets at the time were being filled by Air Force personnel, to include the commander, an Air Force Two Star General.⁴² Since that time, and with the recommendation of the Gansler report, the Army has 5 General Officer contracting positions currently filled, has stood up ACC (with 2 subordinate commands, Expeditionary Contracting Command (ECC) and Mission and Installation Contracting Command (MICC)), in addition to various subordinate Contracting Support Brigades (CSBs) and Contracting Battalions (CBNs) structures located throughout the world. With all the emphasis and increases on stature, quantity, capability and management, the Army can expect that it will be required to organically support and execute CCAS operations in the future.

Notwithstanding the various extensions, requests for revalidation and continued requests from the ACC for continued DCMA support, the Army Materiel Command (AMC), the higher Four Star headquarters of ACC, with coordination with the Three Star Director of DCMA, under the initial direction by the Under Secretary of Defense for Acquisition, all agreed to complete all CCAS transition from DCMA to ACC no later than 15 January, 2016.⁴³ As indicated, the Army will need to be prepared to provide structure, organization, training and tools unlike the past in order to meet the future expectations in conducting proper and responsible CCAS operations.

Is the Army Currently Prepared to Provide Responsible CCAS Operations?

The Army is not prepared to provide adequate, responsible and sustained CCAS operations. Since 2008, the Army has been engaged in enhancing, institutionalizing and in many cases creating standard practices for Army contracting for both “Pre” and “Post” award contract operations. With respect to the horrific shape the Army found itself within operational contracting as a whole outlined in detail by the Gansler commission report, further described in the 2010 Gansler commission report update and reinforced by numerous outside agency investigative reports and findings, particularly within the CENTCOM AOR, the Army and Army Contracting Command (ACC) has been essentially assembling an aircraft while in flight. That is, ACC over the past eight years has been conducting worldwide operational contracting support operations while simultaneously building its workforce, practices and procedures; a monumental task. Although there are numerous examples of professional nuances that would be found today within any existing and established branch of the Army (Infantry, Quartermaster, Aviation, etc), Army contracting is not an established branch, and as such, does not organically maintain a history of practices. Doctrine, certification, career path, Unit Status Reporting (USR), training and so forth are areas that are relatively new to ACC. This pattern of figuring out compliance and procedures while executing a large number of ongoing support missions continues now during the CCAS transition from DCMA to ACC.

ACC CCAS tools, training and concepts are still being developed, finalized and validated at the time of this research project.⁴⁴ This is not the fault of ACC, but rather an institutionalized problem the Army maintains in recognizing and responsibly resourcing contracting operational support. This cultural view was first noted within the 2007

Gansler report, and reinforced during the 2010 update indicating that “The pace in which the Army has approached this challenge makes acquisition appear to be of precarious value to the organization [Army]”⁴⁵; “An effort that should be an Army core competency [Infantry, Armor, Artillery, etc] is being treated as a side issue.”⁴⁶

Understanding that contract administration is composed of more than 90 functions including monitoring contract compliance, administering property, and quality assurance⁴⁷, along with the significant direct support examples that Mr. Williams (Director of DCMA 2010 – 2014) indicated that DCMA had provided the Army in support of CCAS operations within the CENTCOM AOR, it is questionable that the Army is now fully prepared to responsibly execute full CCAS responsibilities given its current strength and individual qualifications. In a memorandum from Brigadier General (BG) Hoskin, Commander, ECC, subordinate command of ACC and organization responsible for the CCAS transition from DCMA, dated June 2015 requesting Force Management Level (FML) increase within Afghanistan, indicates that DCMA has historically been the responsible agency for CCAS, and his contingency contracting offices have historically been responsible for “less complex, fixed priced contracts utilizing Contracting Officer Representatives (CORs).”⁴⁸ This is a mere six months before his command is required to assume and be responsible for all CCAS operations, to include large and complex contracting efforts. Furthermore, in a report authored by Major (MAJ) Robert Massey, Team Leader, 726th Contracting Team, a team within ECC currently executing this transition, *The Role of the 51C in CCAS Support Environment*, MAJ Massey acknowledges that military Army contracting members develop their skills within the pre-award arena and that there are shortfalls within the CCAS mission, specifically within

the quality assurance and property management arenas, which is, by all reports, investigations and accounts fundamental to CCAS.⁴⁹ There is little doubt that ACC is working hard to execute the required responsibility, however, intent, motivation and enthusiasm does not necessarily equate to responsible and desired results.

History shows that whatever threats the Army next faces will be different from the last, but they are likely to be expeditionary and likely to involve high numbers of contractor personnel.⁵⁰ Therefore, timely and efficient contracting for materiel, supplies and services in support of expeditionary operations, and the subsequent management of those contracts, are and will be a key component of our achieving success in future military operations.⁵¹ If the Army continues to augment its capabilities and forces with contractors, and all indications are that it will, then Army contracting, and its roles in both the areas of “Pre” and “Post” award, should be treated, resourced and positioned within the Army as any other fundamental core competency that the Army is responsible to execute.

What Should the Army do to Prepare for the Future?

There is no doubt that the Army as a whole requires significant emphasis in the area of contingency contracting operations, from requirements definition through contract closeout, as it continues to grow its reliance on contractor support within contingency operations. CCAS is a significant area that the Army is most vulnerable having mostly relied on other Agencies and Services in the past to substantially augment its efforts. It is irresponsible for the Army to continue its reliance on contractors while avoiding the necessity of developing an Army with contracting as a core competency across the force. Understanding the gravity of the situation with respect to CCAS, the Army should adopt and institute, at a minimum, three strategic changes:

Bring enlisted members into the acquisition contracting profession after basic training – creating a Military Occupational Specialty (MOS) at the entry level; Develop specific skill identifiers and certifications for Quality Assurance and Property Management and not simply add these requirements to their existing contracting administrator/officer responsibilities; Ensure adequate time, training and emphasis is provided to all Soldiers at professional development schools at every level from entry (Advanced Individual Training – AIT) through Senior Service (Senior Service College – SSC). In this respect, at a minimum, commensurate with levels of responsibility, emphasis should be placed on requirements definition, performing Contracting Officer Representative (COR) duties, managing CORs and fraud, waste and abuse indicators.

The Army has relied heavily on the Air Force for operational contracting support and DCMA (a predominantly Air Force organization led by an Air Force Three Star General) for CCAS in the past. In 2007, the Gansler commission report found that although the “Executive Agent” for contracting in Iraq and Afghanistan was the Army, the Army was unable to fill both military and civilian billets in either quantity or qualification.⁵² As indicated earlier within this document, more than 67 percent of the Army billets at the time were being filled by Air Force personnel, to include the commander, and Air Force Two Star General.⁵³ Although the Air Force develops both its Officers and Enlisted members for contracting positions at the onset of their service, Officers at commissioning and Enlisted at an eight week “Tech” school prior to their first duty station⁵⁴, the Army only begins to accept members into its Acquisition Corps (AC) around the ten year mark for Officers (Majors) and Enlisted (Staff Sergeants) members alike; in some cases even later. Given that retirement eligibility for the military service is

currently at 15 to 20 years, well over half of a new member's career has already been completed at the time of professional change. One officer interviewed in 2007 during the Gansler commission investigation noted that, "I am assigned to a field grade command with lieutenant qualifications" (Army contracting field grade officer regarding his first acquisition assignment).⁵⁵ An anonymous General Officer who was also interviewed during the same investigation noted, "You don't teach someone to swim by throwing him in the water. Similarly, you should not teach someone contracting skills by throwing him unprepared into a contingency contracting position."⁵⁶ Contracting education, skills and experiences are developed over time, just as Infantry, Armor and Logistics are.

Although those are Army core competencies, along with other areas as well, and have a branch to develop their Soldiers at the entry level, the Army with respect to contracting does not. Furthermore, although an argument can be made that there is substantial benefit of experience in waiting to bring Officers into the contracting profession after a successful company command in order to draw from those experiences while executing operational contracting support, the same presumption cannot be made within the enlisted ranks. The Army, who has relied so heavily on the Air Force in the past, need look no further than its sister Service on how to develop, train and progress enlisted contracting members to support both "Pre" and "Post" contract award operations within a contingency environment. This becomes even more relevant now that the Army is mandated and expected to perform CCAS operations organically with its own members.

Quality Assurance (QA) and Industrial Property Management (IPM) are not core contracting administrator/officer competencies, but are vital to CCAS operations. In fact, within the DoD acquisition work force civilian job series classification, a contracting

administrator/officer is an GS-1102⁵⁷ while a QA job series is GS-1910⁵⁸ and a IPM is GS-1103.⁵⁹ Each of these civilian position series within DoD is classified completely separate, require different and unique qualifications, training and skills. Nonetheless, the Army is choosing through necessity to add these two major, but separate, job skills to the already under qualified and under resourced subordinated contracting command; specifically the individual military 51C contracting members. As a result, ACC is *currently* developing its CCAS Mission Essential Task List (METL) descriptions⁶⁰, guidance and “Battalion CAS Handbook” in an attempt to standardize the responsibility.⁶¹ This is just another example where DoD is assuming risk and is not fully grasping the seriousness and ramifications of poor CCAS support. A measured and responsible course of action would be for the Army to meet this challenge by quickly expanding its military and civilian workforce by adding specific qualified skill identifiers and job series in both the QA and IPM roles to perform future CCAS operations. There should not be serious consideration to simply add these specific skill requirements as “additional duties” to already unqualified members of Army contracting team members.

If growth in government contract administrative personnel is not feasible for competing resource type reasons (personnel force structure), than the Army may need to adopt momentum seen in recent growth within DCMA in concert with DoD acquisition leadership; they need to tell their story better. The 2007 Gansler commission report indicated that, “Its role [DCMA] and staffing should be *expanded* and DCMA should be responsible for all (underlined within the report) post-award contract management for expeditionary operations.”⁶² The report went on to indicate that DCMA should also be led by a Three Star General, not a Two Star; the Agency Director’s rank at the time.⁶³

Since 2008, DCMA has grown its workforce by forty-three (43) percent from 9300 to 13,000 and is now in fact led by an Air Force Three Star General, both recommendations within the Gansler 2007 report. DCMA has, however, been removed in major fashion from the CCAS responsibility leaving the Army to again, “build an aircraft while in flight”.⁶⁴ The appearance is that DCMA was able to capitalize on the 2007 Gansler commission report for personnel increases, funding increases and an additional “Star” at the top, but simultaneously was removed from the CCAS responsibilities from which many of the increases were justified to begin with. Recognizing that the Army is in a position that requires massive contractor support for mission execution to cover capability gaps within its organizational structure, the Army is not in a position to responsibly mitigate the risk associated with this type support utilization. In addition to growing and obtaining the right qualified people for the CCAS responsibility, the Army needs to do more internally in regards to training Soldiers with contract management exposure across the force if it plans to continue such large numbers of contractors within contingency environments.

The Army must spend time training and exposing Soldiers and Army leaders to contracting, and contracting responsibilities within a contingency environment throughout their career. The Army will continue to rely on contractor support, as it does today, well into the future and must train its member prior to mission execution. Major General (MG) Simpson, current commander of ACC, agrees and wrote an article in April of 2015 outlining lessons learned over the past decade. “Combat is not a training ground. This all boils down to training.”⁶⁵ MG Simpson goes on to highlight the importance of CORs and COR management, contractor accountability, requirements

definition and fraud, waste and abuse (specifically human trafficking) awareness.⁶⁶ As basic marksmanship, physical fitness and the ability to navigate are core competencies of every soldier, so should levels of proficiency be to manage contractors performing missions in support of unit operations. Appropriate time should be provided throughout a Soldier's career, particularly within professional developmental education, to develop these necessary skills.

Conclusion

Since the beginning of this nation, government contracting has been part of contingency operations and continues in magnitude today. Contingency contracting can be viewed within two basic components. Those components are "Pre" and "Post" award. Early on within contingency contracting operations in the CENTCOM AOR over the past decade, the Army found itself grossly ill prepared and as a result, tremendous loss and waste ensued, resulting in various reports, investigations and testimony that were very critical of Army contracting. DoD as a whole realized that the Army needed help and augmented the contracting efforts within both component areas with Air Force and DCMA assistance while the Army began to restructure and grow its internal capabilities; that effort continues today. Years later, the Army is now being expected to perform all functions of "Pre" and "Post" award organically without significant outside Agency and Service support; the Army is not properly prepared to do so. This naturally includes CCAS, an area that has been traditionally performed by DCMA. This responsibility warrants the Army at a greater pace grow its contracting, quality assurance and property managers (uniquely different professions) to responsible levels in order to mitigate risk within contract administrative services. To the extent by adopting 3 strategic changes in preparing for future contingency operations, the Army should be

better situated to manage large civilian contractor contributions during future endeavors. These strategic changes are: Bring enlisted members into the acquisition contracting profession after basic training – creating a Military Occupational Specialty (MOS) at the entry level; Develop specific skill identifiers and certifications for Quality Assurance and Property Management and not simply add these specific job skills to their existing contracting administrator/officer responsibilities; Ensure adequate time, training and emphasis is provided at all Soldiers at professional development schools at every level from entry (Advanced Individual Training – AIT) through Senior Service (Senior Service College – SSC). At a minimum, emphasis should be placed on requirements definition, performing Contracting Officer Representative (COR) duties, managing CORs and fraud, waste and abuse indicators commensurate with expected levels of responsibility. If successfully developed and executed, the Army will be prepared for the next imminent contractor heavy contingency operation.

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