USAWC STRATEGY RESEARCH PROJECT

TARGETABLE LOGISTICS: CONTRACTORS IN ZONES OF CONFLICT - BACKBONE OR UNDERBELLY?

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This SRP is submitted in partial fulfillment of the requirements of the Master of Strategic Studies Degree. The U.S. Army War College is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools, 3624 Market Street, Philadelphia, PA 19104, (215) 662-5606. The Commission on Higher Education is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation.

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CARLISLE BARRACKS, PENNSYLVANIA 17013

Report Documentation Page

Form Approved
OMB No. 0704-0188

Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

1. REPORT DATE **18 MAR 2005**	2. REPORT TYPE	3. DATES COVERED **-**
4. TITLE AND SUBTITLE **Targetable Logistics Contractors in Zones of Conflict: Backbone or Underbelly?**		5a. CONTRACT NUMBER 5b. GRANT NUMBER 5c. PROGRAM ELEMENT NUMBER
6. AUTHOR(S) **Steven Mitchell**		5d. PROJECT NUMBER 5e. TASK NUMBER 5f. WORK UNIT NUMBER
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) **U.S. Army War College,Carlisle Barracks,Carlisle,PA,17013-5050**		8. PERFORMING ORGANIZATION REPORT NUMBER
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)		10. SPONSOR/MONITOR'S ACRONYM(S) 11. SPONSOR/MONITOR'S REPORT NUMBER(S)
12. DISTRIBUTION/AVAILABILITY STATEMENT **Approved for public release; distribution unlimited**		
13. SUPPLEMENTARY NOTES		
14. ABSTRACT **See attached.**		
15. SUBJECT TERMS		

16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT	18. NUMBER OF PAGES	19a. NAME OF RESPONSIBLE PERSON
a. REPORT **unclassified**	b. ABSTRACT **unclassified**	c. THIS PAGE **unclassified**		**27**	

Standard Form 298 (Rev. 8-98)
Prescribed by ANSI Std Z39-18

ABSTRACT

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TITLE: Targetable Logistics: Contractors in zones of conflict - Backbone or Underbelly?

FORMAT: Strategy Research Project

DATE: 18 March 2005 PAGES: 29 CLASSIFICATION: Unclassified

This paper focuses on the growing military dependency on contractors for support. It will examine the Department of Defense (DOD) approach to outsourcing as an option to fill voids in logistics force structure. I will evaluate DOD's policy regarding military employment of civilian contractors within zones of conflict. I will focus on the rift growing between current contracting policy and reality in Iraq identifying trends pointing to unseen vulnerability with potential to promote failure if policy is not reformed. I will also analyze how DOD policy addresses vulnerabilities associated with contractors performing essential military support functions, compare it to practice in Iraq and propose categories of vulnerability and associated screening criteria for a consideration in a future contracting risk assessment model that DOD should develop.

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TARGETABLE LOGISTICS: CONTRACTORS IN ZONES OF CONFLICT - BACKBONE OR UNDERBELLY?

Outsourcing has become a necessity in the conduct of United States (U.S.) Military operations around the globe. The most prominent examples are current operations in Iraq and Afghanistan, but the scope is not limited to these high profile combat zones. Contractors bring both advantage and vulnerability to zones of conflict. Over the past ten years, the U.S. Military has increasingly depended upon contractors. Mainly a logistics phenomenon, dependency is growing bringing new challenges resulting from the blending of soldiers and civilians within reach of an agile enemy like Iraqi insurgents or Al-Qaeda terrorists. Likewise, economies of force structure draw combat capable soldiers toward more dangerous tasks while the contractor back-fills strategic, operational, and base support functions connecting fighters to the American industrial and technology base. Leaders must become fully aware of vulnerabilities embedded in complex inter-relationships presented by contracted services and Department of Defense (DOD) policy must change to reflect the importance of this new challenge.

Today the civilian contractor, in greater abundance on the battlefield, is a symbol of American logistics might and a lucrative enemy target. Contractors will likely continue to accompany the force in greater numbers than ever before. They offer the ability to provide almost any service. Logistics functions represent the most prominent or dominant employer of outsourced support. Private military companies, capable of combat tasks have also emerged in the modern commercial sector but the U.S. Government does not condone contracted conventional combatants and this type of overt employment is far from becoming a U.S. strategic method. Regardless of their function, contractors are capable of replacing many aspects of military force structure. Department of Defense contracting policy retains the view that contractors only augment the force and resists a replacement theme. How far the DOD will push inevitability of replacement into the future is a question for another study and will depend upon pending force structure decisions. Right now, contractors represent a significant part of the backbone of strategic and operational logistics supporting the U.S. Central Command Theater of operations, especially in Iraq.

Iraq is the current proving ground for the latest developments in military concepts and technology. Outsourcing is one of those developments. To date, contractors in support of military operations in Iraq represent the most impressive display of commercial-military partnership since World War II. However, realities of DOD policy has failed to keep up with the changes occurring on the battlefield. The U.S. Military is now dependant upon contractors in many essential services in Iraq. As a result of shrinking U.S. force structure, a leaner form of

warfare has appeared on the horizon. Military logisticians answered the call of reduced combat service support structure by leveraging the commercial contractor, asked to perform functions that a once deeper military was capable of. As a result of the union of contractors and Soldiers, capability remains intact, but the face of the force is changing. The contractor currently fills the gap between force structure voids and growing global military engagement signaling an alarming potential for dependency. This makes the American contractor a target, especially in Iraq. Lately, the biggest bang for the Al-Qaeda buck is the life of an American. Any way to multiply that effect is undoubtedly under constant scrutiny. The thesis for this study orients on unseen vulnerability resident in the increasing scope of the role of contractors supporting military operations. As the U.S. Military grows increasingly dependant upon contracted services, how much more vulnerable will we become to enemy attack?

Force structure limitations will always bring tension to campaign planning. Sometimes there simply will not be enough. Contracted service solutions, although responsive, will never come without additional risk. This paper will examine the tension experienced by the DOD regarding the reality of employing civilian contractors, in lieu of maintaining force structure to perform essential sustainment functions. My analysis will contrast DOD's published guidance oriented on potential vulnerabilities of employing civilian contractors in essential support functions to actual practice in Iraq today. I will argue in this paper that, on a theater scale, issues regarding integration of contractors are going un-noticed by leaders; hence, vulnerabilities may lie exposed to enemy effects. I will identify categories of vulnerability with potential to degrade capability (core functions) and distill these into criteria that may aid in construction of a future risk assessment model for use in sustainment planning where contractors make up the preponderance of support structure.

A BRIEF HISTORY

History records prolific use of contracted services during war, mainly in the areas of support or sustainment. During the War for Independence, America's "…Continental Congress [1776] concluded that contracting with commercial firms was necessary to provision and outfit the military forces…"[1] With the arrival of the American Civil War, national assets were producing war materiel but forces still relied on commercial contractors to provide general staples and other supplies. "Unsatisfactory contractor performance prompted the creation of the Quartermaster, Subsistence, Medical and Ordnance Bureaus of the Army Staff in the1820s."[2] Realization of the danger of dependency, and the need to guarantee adequate support to fighting forces, prompted national leaders to induce force structure changes to meet America's

need for a strong, reliable military. Logistics force structure increased. Recently, it seems, the opposite occurred. Force structure decreased as outsourcing exponentially grew.

"From the end of the Civil War until the turn of the century, the Army continued to supplement its own resources with private contractors to provide subsistence and transport."[3] As American forces engaged in zones of conflict throughout the 20th century, frequency of contracted services in support of military operations grew steadily. The Korean War, Vietnam and other small wars of the time saw America experience less significant mobilization pangs and again, a growth of commercial services for hire, profiting from the phenomena of conflict. The latter part of the 20th century birthed small-scale contingencies in which a growing American Nation flexed its muscles to stabilize specific regions in the preservation of national interests. Again, as in past occurrences, commercial warriors with business interests found profit in serving military needs in times of federal force structure reduction.

There are few accounts of contract performance failure leading to the demise of U.S. Military campaigns. This positive track record may have contributed to force structure changes in the long run. Since the end of the Cold War, U.S. Armed Forces experienced a sixty percent reduction in force structure.[4] Limited resources and the tidal nature of national will to fund a large standing military, greatly affected capability and responsiveness. Over the past decade, logistics force structure was the hardest hit. A measure to preserve responsive support has been to selectively outsource.[5] This growing business practice has preserved military logistics efficiency while presumably reducing over-all costs.

The past decade reveals a developing dependency on contracted support for U.S. Military operations. The contractor was an important force enabler in the first Persian Gulf War (1990). Reports indicate over 5200 U.S. civilians supported the liberation of Kuwait. This figure does not include host nation support personnel. With over 540,000 troops deployed, this represents a 1:100 U.S. civilian to soldier ratio.[6] The Government Accounting Office (GAO) estimates are higher. "…[I] n addition to 5,000 U.S. government civilians, there were 9,200 contractor employees deployed in support of…maintenance for high-tech equipment in addition to water, food, construction and other services."[7]

The ratio of contractors to soldiers significantly increased with the U.S. Balkans and Afghanistan engagements. United States troop strength contribution to the Balkins conflict was upwards of 20,000.[8] As a small-scale contingency operation, this conflict, and its ensuing peace operation, created angst in the Joint military logistics planning community of how to support long-term presence within international force caps and other requirements to preserve combat power for other possible contingencies. Not surprisingly, to abide by military force cap

restrictions, and still get the job done, contractor presence approached a 1:1 ratio.[9] By the end of the 1990s, the American military had courted, and proposed to, the concept of contractor dominated support in specific functions with little or no thought to a pre-nuptial agreement in the form of inter- or intra-service doctrine derived from deliberate study.

Today, contracted assets perform significant construction, base support, distribution and subsistence functions at huge logistics hubs in Iraq. They also perform at the systems level providing critical maintenance, service and consulting support to combat, combat support and service support assets. On an operational scale, combinations of Host Nation and Prime U.S contracts perform a litany of sustainment, support and distribution functions throughout both theater and strategic lines of communication. In general terms, if the task does not require a gun, most likely, a contractor is performing it. This new force quickly bonded itself to military force structure and effectively replaced eroded troop strength that succumbed to force reduction initiatives, other contingencies or effects of transformation.

Throughout the continuum of conflict, combat zones have grown increasingly more complex. The threat developed and adapted along with it. Ratios of contractors to soldiers drew closer from WWI to WWII approaching one contractor to every seven Soldiers. The linear nature of the World War battlefields afforded natural protection for rear area operations, which is predominately where contractors worked. With U.S. engagement in the Balkans, the battlefield structure, and how the threat fought upon it, significantly changed from a layered, linear structure to a fluid, non-contiguous construct that dissolved the concept of the secure rear and increased the threat to softer assets supporting the war fighter. The contractor in the Balkans, approaching a 1:1 ratio, was exposed to high probabilities of direct attack, requiring military force protection and distracting combat power from killing the enemy.

Figure 1 presents this transitionally important issue in graphic form and facilitates an appreciation for the vulnerability presented by rising dependence on contractors; falling force structure ceilings; the increased complexity of logistics tasks and a highly adaptive opponent. It is important to note that such a condition is prevalent in Iraq.

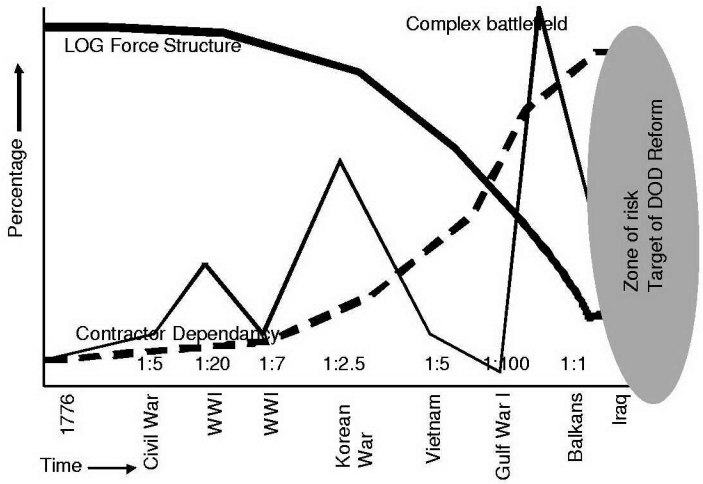

FIGURE 1.

Commercial, civilian enablers are now fully integrated elements of entire campaigns. Most of U.S. Transportation Command troop transport business…and a large majority of sea-lift capability to-from Iraq are accomplished by contract.[10] Military surface deployment and distribution systems employ a commercial contractor to the tune of approximately one third of U.S. military capability. Within the Iraqi theater, contractors are acquiring, moving and delivering large percentages of U.S. Military supplies in Iraq. The impact of absence of contracted support on Operation IRAQI FREEDOM would significantly change the face of our force structure requirements in this zone of conflict. More specifically, logistics mechanisms would draw on military human capital reserves in the neighborhood of 50,000 more servicemen and women.[11] A contracting expert on the Army staff recently suggested this number might be on the conservative side as he observed there are over 92,000 contracted civilians providing combat support and combat service support in the U.S. Central Command area of operations and among the strategic commons.[12]

The combined conditions of global terrorism, a capable, elusive organization of terror (Al-Qaeda) and insurgency in Iraq have radically changed how U.S. leaders think about vulnerabilities to combatants. The contractor is no less affected by new methods of irregular warfare. Couple these conditions with an enormous civilian contract support mechanism linking U.S. combat power to operational and strategic sustainment bases and a recipe for a new Al-

Qaeda targeting strategy begins to form. If Al-Qaeda or insurgent efforts are able to inflict consistent civilian casualties by targeting contracted assets or affecting the corporate roots of commercial support, a new challenge will manifest itself. United States leadership would likely struggle with how to stop it while suffering degradation as force structure contingency plans reacted to failure of essential contracts to perform. This is where DOD contracting policy must focus.

ANALYSIS OF DOD CONTRACTING POLICY

Current DOD contracting policy states: "Current or anticipated force structure voids shall be the key determinant in selecting operational functions subject to augmentation by contract support personnel."[13] Due to competing demands, requests for forces to perform sustainment functions, beyond the scope of those apportioned to Combatant Commands, or allocated for contingency operations, have good probability of denial as the Army transforms and Reserve and National Guard Components struggle to meet worldwide and homeland commitments. The support troops are simply not available. To offset shortfalls, contracting has proven to be an acceptable relief valve.

DOD policy asserts that contractors only augment military force structure.[14] In reality, the contractor has begun to "replace" force structure. Most combat service support functions can be legally outsourced. Over time, frequency and scope of contracted support to military operations significantly increased, especially in logistics functions. Since 1990, the civilian to soldier ratios have gradually risen, currently residing around one civilian to every five soldiers in Iraq.[15] This ratio clearly points to developing dependency as previously stated.

WAR/CONFLICT	CIVILIANS	MILITARY	RATIO
Civil War	200,000 (est.)	1,000,000	1:5 (est.)
World War I	85,000	2,000,000	1:20
World War II	734,000	5,400,000	1:7
Korea	156,000	393,000	1:2.5
Vietnam	70,000	359,000	1:5
Persian Gulf War	5,200	541,000	1:100
Balkans	up to 20,000	up to 20,000	about 1:1
Afghanistan	(data unavailable)		
Iraq	185,000 (est.)	92,000	about 1:5 (est.)

Contractor to soldier ratios (over time)[16]

TABLE 1.

While DOD contracting policy reform remains stalled, existing policy shifts responsibility for exploration of the impacts of contracting down to the Services and Combatant Commanders

(CCDRs). If continued positive performance and successful military operations continue, as it likely will, the future may make contractors an inseparable part of DOD sustainment strategy.

The Defense Acquisition Guidebook - Chapter 5.3.3.4 specifically addresses contractor logistics support integration. This document represents the meat of DOD policy regarding contracted services in support of military operations. The bottom line is that the Combatant Commander is responsible to determine, analyze and then integrate the type and quantity of support necessary to meet logistics needs in the theater. Sources of support can be organic, commercial or a blend of both. The guidance specifically given is that JP 4-0, Chapter V, lead Service policies, and law frame the commander's decision to contract for services in the theater.[17] Chapter V requires Combatant Commanders to:

> Identify operational specific contractor policies and requirements, to include restrictions imposed by international agreements.
>
> Include contractor-related deployment, management, force protection, medical, and other support requirements, in the OPORD or a separate annex; and…
>
> Provide this information to the DOD Components to incorporate into applicable contracts. [18]

There are no indicators in DOD policy that point to any premonition of dependence on contract support, nor has the effort to reform DOD contracting policy seen notable results. In 1988, the Inspector General (IG) reviewed DOD contracting policy and found it lacking. Again, in 1991, the IG determined that DOD had failed to comply with previous recommendations regarding policy reform in the area of contracting. In 2003, The GAO completed a study on DOD contracting policy finding first that:

DOD uses contractors to provide U.S. forces that are deployed overseas with a wide variety of services because of force limitations and a lack of needed skills.

DOD uses contractors because either the required skills are not available in the military or are only available in limited numbers and need to be available to deploy for other contingencies.[19]

In light of this, the GAO specifically recommended that DOD "…conduct required reviews to identify mission essential services provided by contractors and include them in planning… [as well as] develop comprehensive guidance and doctrine to help the services manage contractors' supporting deployed forces."[20] In response to this observation, DOD issued Instruction 3020.37 directing CCDRs to provide information regarding essential contracted services. The GAO also observed that the DOD had yet to include contractors in its Human Capital Strategic Plan clearly

pointing to a fractured doctrine that valued contractors as part of the force but failed to address parallel issues resulting from integration.

> While DOD policy may consider contractors as part of the total force, its human capital strategy does not… DOD has not integrated the contractor workforce into its overall human capital strategic plans. The civilian plan notes that contractors are part of the unique mix of DOD resources, but the plan does not discuss how DOD will shape its future workforce in a total force context that includes contractors. This situation is in contrast to what studies on human capital planning at DOD have noted.[21]

Interpreting this report, the GAO warned that a rift between the importance of contractors accompanying the force and DOD's efforts to reform policy and develop mechanisms of oversight to influence it may present disadvantages to current operations as well as the future force. A partial explanation for sluggish reform may be the fact that contractor performance has been overwhelmingly successful.[22]

Comprehensive, effective contracting policy is essential at the national level, but has not grown as fast as conflict. The Department of Defense has recognized this as an issue since 1988. In an effort to reform contracting policy, DOD, prompted by findings of the Inspector General, began efforts to collect data to address growing issues.[23] The Joint staff followed suit by modifying the "…logistics supplement to the Joint Strategic Capabilities Plan to require the development of a mitigation plan that details transitioning to other support should commercial deliveries and/or support become compromised…"[24] These efforts, continuing as late as 2002, proposed to facilitate a common understanding of the scale and impacts of contracting on Service strategies. It is not clear why DOD did not follow through. Existing DOD policy lacks depth in addressing contractors accompanying the force. The increasing scope of use and a fluid threat environment draw both opponent and U.S. attention to contractors in combat zones more firmly pronouncing the need to address vulnerabilities contractors bring to the fight.

CONTRACTORS PERFORMING ESSENTIAL FUNCTIONS?

The DOD does not formally list essential functions contractors might perform today, despite the intentions of DOD Instruction 3020.37 which required the Services to provide such data. Likewise, there is no clear definition of essential services in DOD contracting publications despite the fact that a contract-dominated sustainment strategy is rapidly developing in Iraq. To help frame a definition of essential services one must address several sources.

Army Materiel Command Publication 715-18 identifies functions that are termed as "inherently governmental," hence, they *cannot* be contracted. They are: "government contracting, command/control of military and government employees, and combat."[25]

Army Field Manual 100-10-2 states the following functions *can* be contracted: "systems support, all supply and field services, transportation support, communications, new facilities and housing in the theater."[26] Regardless of how DOD defines it, contractors are actually performing essential support functions in Iraq.

DOD Instruction 3020.37 indicates contractors are an option when:

> (1) DOD components may not have military or civilian employees to perform these services immediately or
>
> (2) Effectiveness of defense systems or operations may be seriously impaired and interruption is unacceptable when those services are not available immediately.[27]

A clear definition of essential services/functions is an important contracting policy reform ingredient. A possible definition of essential functions could be:

> ...those tasks or capabilities, regardless of scale of performance, that are necessary for the prosecution of military operations and for which there is no available military force structure to perform them.[28]

In essence, an essential function, if performed by a contractor, implies dependency and may require other special attentions. One specific recommendation would be for DOD to clarify this gray area (relationship of essential to dependency) and identify support functions that should be seriously considered for application of force structure as a primary method of execution.

As DOD's executive agent for contracting doctrine, the Army has made progress in the study of outsourcing and the contractors' ability to enhance core competencies of war fighting. Concerns regarding performance failure are addressed in FM 3-100.21 *Contractors on the Battlefield*.

> The primary areas of concern include responsiveness of support, transitioning from peace to war, continuation of essential services, and organic capability... commanders must consider the risk that a contractor poses to the operation, in terms of the potential for sabotage, or other intentional overt or covert action from the contractor's employees.[29]

One should note that the excerpt above is found in a "3" series or "operations" category document. This is an indicator of the operational importance that the Army associates with the concept of contracting military support. The contractor, now a combat multiplier, is no less immune to the new effects of war than the soldier. Regardless of the method, contractors are important, targetable assets that, if affected, can adversely impact combat power.[30] Commanders, as well as contracting plans officers must identify and analyze the potential for such harmful combinations within the rubric of solid national policy, in order to strengthen the

entire team, not just the combat forces. The contractor performing essential functions is inherently vulnerable as he cannot perform the combat related tasks like soldiers with similar skills.

HOW DOES THE LAW FACTOR IN

Contractors accompanying the force are not soldiers. They have unique vulnerabilities that Soldiers do not. These vulnerabilities are rooted in the difference between federally mandated combatants (Service Members) and civilians (contractors). They cannot perform combat tasks.

Legally, the contractor is neither a combatant nor non-combatant. The Geneva Convention (1949) says "… contractors are neither combatants nor non-combatants, but instead are civilians accompanying the armed forces in the theater of operations as authorized member of that force."[31] They are entitled to Prisoner of War status if captured by an opponent.

The contractor has several other legal requirements that pose challenges to military customers. They may carry weapons, but only those provided by the government for self defense. They can only defend themselves, not others around them, without forfeiting their status under the Geneva Convention. The government must provide physical security, emergency medical and dental care to the contractor commensurate with that provided a DOD civilian. Contractors may be defined differently, or not at all, under Status of Forces Agreements presenting difficulties under host nation civil or criminal law.

Aside from many other specific legal differences that affect the individual employee, tenets of contract law can also greatly influence feasibility of contracted assets.[32] Combat conditions require specific language in statements of work (SOW). Likewise, combat increases costs as risk escalates. Corollary to this are the benefits and entitlements that must also be considered at the DOD level which significantly drive up affordability margins and may bring force structure options back into the range of fiscal consideration.

Department policy on contractors is an issue that must be addressed soon. The sheer volume of legislation requiring review and possible change is perhaps a key ingredient for sluggish policy reform and a resistance to move from a policy of augmentation to one of integration. And even though practice has yet to produce a catastrophic collapse of a military campaign due to failure to perform by a contractor, the chances of it occurring are greater today than ever before. Preventing such an occurrence is possible by aggressively seeking to reform DOD contracting policy now.

CATEGORIES OF VULNERABILITY

What are the vulnerabilities associated with contractors in combat and how can common selection criteria help?

Contractor vulnerability might be divided into three general categories. They are direct action, indirect action and organic tension.[33] These categories characterize the potential sources of risk and serve to provide a framework for screening criteria proposed later in this paper.

Direct action forces degradation or failure by physically affecting the contractor's ability to perform. Contractors, like soldiers are vulnerable to direct action. Direct action can come from external or internal sources, or both. An example of direct action would be an enemy armed attack aimed at destroying a specific asset or general capability or an act of sabotage from within.

Indirect action forces degradation or failure by affecting the environment in which contracted services are performed forcing degradation or failure by denying, preventing or destroying related resources essential for the contractor to perform. Again, contractor performance is susceptible to environmental hazards. An example of indirect action may include loss of communication, operational security compromise or loss of force protection support at the worksite. When resources or other ingredients for task accomplishment are denied, contracted performance degrades and can fail.

Organic tension results from internal or domestic inhibitors that affect the will of the contractor to pursue fulfillment of the contract statement of work. In this case, the contractor, or the government, elects to terminate the contract agreement requiring the military to execute its capability contingency plans. An example of an organic inhibitor might include profit motivated pull-out by the contractor or illegal behavior by the contractor forcing government termination of services.

SELECTION CRITERIA

In order to effectively manage the categories of vulnerability stated above, it would be wise for DOD to establish screening criteria for contractor selection in order to narrow the field of competitors. I propose a list of seven screening criteria to facilitate the selection process of contracting support for military operations. Derived from military principals of logistics and business lexicons, responsiveness, survivability, flexibility, reliability, adaptability, security and experience are important discriminators.[34]

Responsiveness is providing the right support, in the right quantity, in the right place at the right time. The contractor must display an ability to be responsive through either past record of performance or through an undeniably agile framework of organized management, available human capital, appropriate mix of skill sets and sound business practice. The contractor must demonstrate a complete understanding of the military environment and possess asset reserves (either in skill sets or resources) and revenues that reflect redundant capability to perform under harsh or dangerous conditions where direct, indirect or organic tension effects will not cause collapse of capability.

Survivability is the capacity of the organization to prevail in the face of potential destruction.[35] The contractor must demonstrate an ability to resist the effects of war while maintaining an acceptable level of support. A tenet of contracting is that the contractor must perform tasks in a manner such that additional burden is not placed on the soldier he supports. The contractor must demonstrate willingness to take all measures, passive and active within the scope of law, to survive (preserve capability) by not drawing attention to employees such that they are unnecessarily vulnerable to personal risk. This implies that adapting performance to environmental conditions is essential, which has an impact on sub-contracted assets as well.

Flexibility equals successfully reacting to changing situations, missions, and concepts of operation. The contractor must demonstrate an ability to modify routine or practices based on changes in environment and still perform to standard.

Reliability implies trust and speaks to the commitment of the contractor to perform under the most extreme of circumstances. The contractor must demonstrate commitment to meeting an agreed upon standard without fail. Reputations for market competition vice quality performance, histories of poor fiscal practices, relationships with questionable sub-contractors or a strategy of cheap labor practice are just a few of the red-flags often missed in the military need for capability. Conversely, strong management structures, human capital strategies based on quality employees, equipment and training indicate positive reliability potential. Recent lessons include more obscure indicators of unreliability including foreign corporate basing or employment of non-U.S. personnel presenting security and political challenges for both military and corporate objectives.

The contractor must be *adaptive*. The contractor must demonstrate a unique ability to learn and change. The contractor, specifically management or leadership in theater must be intelligent, educated and cognitively equipped to perform. They must actively sense the environment and alter behavior (or performance means) towards predictive versus reactive

learning. Adaptive business practices with an active supervisory structure and a forward-looking customer support strategy are measurable aspects of desirable commercial support.

Security is a top priority before, during and after commencement of combat operations. The contractor must display a complete understanding, down to the employee level, of the importance of physical, informational and operational security. Security screening and clearances for key contract leaders as well as disciplined security protocols are indicators of a secure organization.

The final criterion is *experience*. A proven track record of quality performance or a specifically sound reputation in a particular technology or capability is highly marketable. The contractor must demonstrate existence of an experienced management and employee base.

DOD policy must clearly describe the kind of contractor it wants to support the military and develop means to extend benefits of in-depth analysis to the subordinate service or Combatant Command. Collectively, the criteria presented above will ensure our contracted support is well equipped, capable and equally committed to business objectives as well as the customer. It successfully blends capability with profitability and possesses the depth to remain resilient in the face of hardship or adversity. It believes in the purpose for which is acts and is committed, at the values level, to the ends sought by its customer.

SUMMARY OF ANALYSIS AND RECOMMENDATIONS

Selecting the best means of support is where DOD policy should focus first. Criteria are required. Criteria for selection must be relevant and applicable across the Service spectrum. Criteria should also be comprehensive enough to carry the tenets of policy in complex comparisons at the national or corporate level, but simple enough to aid the tactical commander in selection of contracted capabilities on a smaller scale. The DOD must adopt clear contractor selection standards that will reduce contractor vulnerabilities in the theater.

The DOD needs to renounce its augmentation mentality and accept the reality of contractors becoming an integral part of the force. Policy must reform to reflect a new dimension in combat service support where dependency has potential to become vulnerability if not adequately addressed. Assuming that contracted assets will continue to be a part of military force application, DOD should immediately consider two things.

First, DOD policy must function as the capstone reference from which Services and CCDRs gain a clear understanding of Joint contracting doctrine. Policy regarding contracted assets in support of military operations has the potential to be “re-born” Joint; in fact this is ideal. As the tensions of TITLE X compartmentalize forces along funded service lines, contracting is

one of the few common denominators with potential to enter the Joint operations continuum without being radically re-modeled from Service paradigms.

A second function that the Department must address is that of management and oversight. Again, from a policy perspective, economies realized from consolidating huge prime contract capabilities into Joint packages have potential to undercut waste by economizing across the Service spectrum where redundancy creates cost over-runs. With contracts representing a significant share of DOD military expenditures and as transformation in specific services reduces force structures, the government seeks efficiencies to afford the means to prosecute national security aims. A management body, within DOD, to assemble, analyze and economize the merger with civilian industry (and services) is essential. The Office of the Undersecretary for Acquisition, Technology and Logistics may be the ideal nucleus around which to focus the concept of Joint contracting oversight. Acquisition policy is no longer relegated to just getting stuff.

CONCLUSION

The DOD must change the way it thinks about contractors accompanying the force and address the dangers represented by replacing force structure with civilian combat service supporters. Clinging to a theme of "augmentation" regarding contractor contributions to force structure will impede transformation by affecting core functions, especially in the Army. Civilian contractors aren't just "on the battlefield" any more…they are an integral part of the force at the level where the soldier meets the enemy and the job is getting done. Likewise, the scope of contractor contributions is staggering-and military forces depend upon them. As long as a dependency condition exists, there is risk to the military mission should the contractor fail and contingency plans are inadequate to recover lost advantage. Department policy must pointedly address the danger zone represented by this band of dependency. The merging of civilians and Soldiers is not without pitfall and there are difficult times ahead from both a legal and a policy perspective. But, until force structure is allowed to regenerate logistics beyond transformation levels, the contractor will continue to fill structure voids, performing essential services in support of combat operations far beyond augmentation. Policy must reform to sustain positive effects and preserve the contractor as a force enabler that does not unnecessarily burden the Soldier in the performance of the mission in combat.

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ENDNOTES

[1] Stephen P. Ferris and David M. Kiethly, "Outsourcing the Sinews of War:Contractor Logistics," *Combined Arms Center Military Review* [journal on-line] September - October 2001; available from <http://www.leavenworth.army.mil/milrev/English/SepOct01/ ferris.htm>; Internet; accessed 27 January 2005.

[2] Ibid.

[3] Ibid.

[4] Ian Traynor, "The Privatisation of War, Special investigation," *The Guardian, 10* December 2003 [journal on-line]; available from <http://www.guardian.co.uk/ international/story/ 0,3604,1103566, 00.html>; Internet; accessed 9 January 05.

[5] Stephen P. Ferris and David M. Kiethly, "Outsourcing the Sinews of War: Contractor Logistics," *Combined Arms Center Military Review* [journal on-line] September - October 2001; available from <http://www.leavenworth.army.mil/milrev/English/SepOct01/ ferris.htm>; Internet; accessed 27 January 2005.

[6] Linda Robinson and Douglas Pasternak, "America's Secret Armies," *U.S. News & World Report* 133, 4 November 2002; available from <www.public-i.org> ;Internet; accessed 4 October 2004.

[7] Gordon L. Campbell, *Contractors on the Battlefield: The Ethics of Paying Civilians to Enter Harm's Way and Requiring Soldiers to Depend Upon Them – A Paper Prepared for Presentation to the Joint Services Conference on Professional Ethics 2000*, (Springfield, VA: United States Army Combined Arms Support Command, 27-28 January 2000).

[8] General Accounting Office, "Military Operations: Contractors Provide Vital Services to Deployed Forces But Are Not Adequately Addressed in DOD Plans - Report to the Subcommittee on Readiness and Management Support, Committee on Armed Services, U.S. Senate," June 2003; available from <http://www.gao.gov/new.items/d03695.pdf>; Internet; accessed 3 October 2004.

[9] Ibid.

[10] The ideas in this paragraph are based on remarks made by two speakers participating in the Commandant's Lecture Series.

[11] The ideas in this paragraph are based on remarks made by two speakers participating in the Commandant's Lecture Series.

[12] Randy King <Randy.King2@us.army.mil>, "Contracting Question (UNCLASSIFIED)," electronic mail message to Steven T. Mitchell <smitchell277@sprintpcs.com>, Fri 2/11/2005 2:29 AM.

[13] Army Materiel Command, "Frequently Asked Questions About Contractors and Contracting"; available from <http://dasapp.saalt.army.mil/Contingency%20Contracting%20Site/ ck/ck-prime.htm>; Internet; accessed 9 February 2005.

[14] Department of the Army, *Contractors Accompanying the Force,* Army Regulation 715-9 (DRAFT), (Washington D.C.: U.S. Department of the Army), 15.

[15] Author's note: This ratio is not published but was derived from U.S. Army G4 (Contracting) estimates (92,000) divided by U.S. Military general troop strengths in the Iraqi theater (185,000). A ratio of 1:5 results as a general estimate.

[16] General Accounting Office. Note: the last two rows of this table are added by the author derived from figures provided by Randy King, Army G4 (Contracting). These additional numbers are only estimates, as accurate records are not available.

[17] Department of Defense, "Defense Acquisition Guidebook, Contractor Logistics Support / Contractors on the Battlefield (CLS/COTB) Integration, In-Theater," Chapter 5.3.3.4; available from <http://akss.dau.mil/dag/DoD5000.asp?view=document&doc=1> Internet; accessed on 9 February 2005.

[18] Ibid.

[19] General Accounting Office.

[20] Ibid.

[21] Ibid.

[22] Army Materiel Command.

[23] General Accounting Office.

[24] Ibid.

[25] Department of the Army, United States Army Materiel Command (AMC), *Contracts and Contractors Supporting Military Operations*, AMC–P 715-18 (Alexandria, VA: AMC, June 2000), 40-1.

[26] Department of the Army, *Contracting Support on the Battlefield*, Field Manual 100-10-2, (Washington D.C., Department of the Army, 4 August 1999), 3-1.

[27] General Accounting Office.

[28] Author's proposed definition of "essential functions."

[29] Department of the Army, "Contractors on the Battlefield: Chapter 2 – Planning," FM 3-100.21 (Washington, D.C.: U.S. Department of the Army, 3 January 2003); available from <http://dasapp.saalt. army.mil/Contingency%20Contracting%20Site/ck/ck-prime.htm>;Internet; accessed 10 February 2005.

[30] The ideas in this paragraph are based on remarks made by a speaker participating in the Commandant's Lecture Series. Note: Army Field Manuals focused on logistics are prefaced with the number "4."

[31] Rand L. Allen, Wiley, Rein, and Fielding LLP, "Contractors on the Battlefield: Special Legal Challenges," briefing slides, Carlisle Barracks, U.S. Army War College, 24 August 2003.

[32] Ibid.

[33] Each of the respective categories are derived from the author's analysis and are original ideas.

[34] Joint Chiefs of Staff, *Doctrine for Logistic Support of Joint Operations,* Joint Publication 4.0 (Washington D.C.; U.S. Joint Chiefs of Staff, 6 April 2000), II-1 and II-2. Principals of Logistics: Responsiveness, Simplicity, Flexibility, Economy, Attainability, Adequacy, Sustainability, Survivability.

[35] Ibid.

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