



NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

MBA PROFESSIONAL REPORT

**Analysis of Army Contracting Officer Representative Role
in Contingency Operations**

**By: Marc Nguyen
December 2011**

**Advisors: Janie Maddox
Scott Nestler**

Approved for public release; distribution is unlimited

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 DEC 2011		2. REPORT TYPE		3. DATES COVERED 00-00-2011 to 00-00-2011	
4. TITLE AND SUBTITLE Analysis of Army Contracting Officer Representative Role in Contingency Operations				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S)				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School, Monterey, CA, 93943				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 This project provides a review and analysis of procurement fraud committed by Army Contracting Officer Representatives (CORs) during Operation Iraqi Freedom (OIF) and Operation Enduring Freedom (OEF), assesses the subsequent Army response, examines the behavioral model behind the Gansler Commission of fraud, and identifies the elements of a contingency environment which are conducive to fraud. Case analysis of procurement fraud is presented to illustrate the types of fraud that are committed and provide the basis of procurement fraud. Based on the research findings, the author highlights the ineffectiveness and shortcomings of the current COR training program for the purpose of providing education and training recommendations to the Army acquisition workforce.					
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			

THIS PAGE INTENTIONALLY LEFT BLANK

REPORT DOCUMENTATION PAGE			<i>Form Approved OMB No. 0704-0188</i>
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, 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, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington DC 20503.			
1. AGENCY USE ONLY (Leave blank)	2. REPORT DATE December 2011	3. REPORT TYPE AND DATES COVERED MBA Professional Report	
4. TITLE AND SUBTITLE Analysis of Army Contracting Officer Representative Role in Contingency Operations		5. FUNDING NUMBERS	
6. AUTHOR(S) Marc Nguyen		8. PERFORMING ORGANIZATION REPORT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000		10. SPONSORING/MONITORING AGENCY REPORT NUMBER	
9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A		11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. IRB Protocol number: N/A.	
12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release; distribution is unlimited		12b. DISTRIBUTION CODE A	
13. ABSTRACT (maximum 200 words) This project provides a review and analysis of procurement fraud committed by Army Contracting Officer Representatives (CORs) during Operation Iraqi Freedom (OIF) and Operation Enduring Freedom (OEF), assesses the subsequent Army response, examines the behavioral model behind the Gansler Commission of fraud, and identifies the elements of a contingency environment which are conducive to fraud. Case analysis of procurement fraud is presented to illustrate the types of fraud that are committed and provide the basis of procurement fraud. Based on the research findings, the author highlights the ineffectiveness and shortcomings of the current COR training program for the purpose of providing education and training recommendations to the Army acquisition workforce.			
14. SUBJECT TERMS Contracting officer representative, wartime contracting, Gansler Commission, Army Expeditionary contracting			15. NUMBER OF PAGES 81
			16. PRICE CODE
17. SECURITY CLASSIFICATION OF REPORT Unclassified	18. SECURITY CLASSIFICATION OF THIS PAGE Unclassified	19. SECURITY CLASSIFICATION OF ABSTRACT Unclassified	20. LIMITATION OF ABSTRACT UU

THIS PAGE INTENTIONALLY LEFT BLANK

Approved for public release; distribution is unlimited

**ANALYSIS OF ARMY CONTRACTING OFFICER REPRESENTATIVE ROLE
IN CONTINGENCY OPERATIONS**

Marc Nguyen, Major, United States Army
B.S., University of California, Irvine, 1994

Submitted in partial fulfillment of the requirements for the degree of

MASTER OF BUSINESS ADMINISTRATION

from the

**NAVAL POSTGRADUATE SCHOOL
December 2011**

Authors:

Marc Nguyen

Approved by:

Janie Maddox, Lead Advisor

Scott Nestler, Support Advisor

William R. Gates, Dean
Graduate School of Business and Public Policy

THIS PAGE INTENTIONALLY LEFT BLANK

ANALYSIS OF ARMY CONTRACTING OFFICER REPRESENTATIVE ROLE IN CONTINGENCY OPERATIONS

ABSTRACT

This project provides a review and analysis of procurement fraud committed by Army Contracting Officer Representatives (CORs) during Operation Iraqi Freedom (OIF) and Operation Enduring Freedom (OEF), assesses the subsequent Army response, examines the behavioral model behind the Gansler Commission on fraud, and identifies the elements of a contingency environment that are conducive to fraud. Case analysis of procurement fraud is presented to illustrate the types of fraud that are committed and provide a basis of procurement fraud. Based on the research findings, the author highlights the ineffectiveness and shortcomings of the current COR training program for the purpose of providing education and training recommendations to the Army acquisition workforce.

THIS PAGE INTENTIONALLY LEFT BLANK

TABLE OF CONTENTS

I.	INTRODUCTION.....	1
	A. BACKGROUND	1
	B. OBJECTIVES OF THIS RESEARCH.....	2
	C. SCOPE AND LIMITATIONS	2
	D. RESEARCH METHODOLOGY	3
	E. ORGANIZATION OF THE REPORT.....	3
	F. SUMMARY	4
II.	CONTRACTING IN CONTINGENCY OPERATIONS.....	5
	A. ARMY EXPEDITIONARY CONTRACTING.....	5
	1. Reliance on Contractors in Conflicts	5
	2. The Role of the COR in Contingency Operations.....	9
	B. GANSLER COMMISSION RECOMMENDATIONS	11
	C. CONTRACTING IN CONTINGENCY OPERATIONS CHALLENGES THAT CONTRIBUTE TO FRAUD.....	12
	D. SUMMARY	16
III.	PROCUREMENT FRAUD IN OPERATION IRAQI FREEDOM/OPERATION ENDURING FREEDOM.....	19
	A. WHY DO PEOPLE COMMIT FRAUD?.....	19
	B. PROCUREMENT FRAUD INVESTIGATIONS.....	20
	C. CASE ANALYSIS CONVICTIONS.....	21
	D. SUMMARY	24
IV.	CONTRACTING OFFICER REPRESENTATIVE TRAINING AND EDUCATION	25
	A. BACKGROUND	25
	B. EXISTING COR TRAINING PROGRAMS	26
	C. ETHIC REGULATIONS AND STATUTES	28
	D. CURRENT TRAINING REQUIREMENTS AND CERTIFICATION FOR ARMY CONTRACTING OFFICER REPRESENTATIVES	30
	E. SUMMARY	33
V.	CONCLUSIONS AND RECOMMENDATIONS.....	35
	A. CONCLUSIONS	35
	B. RECOMMENDATIONS.....	36
	C. AREAS FOR FURTHER RESEARCH.....	38
APPENDIX A.	COR DUTIES AND RESPONSIBILITIES	41
APPENDIX B.	LIST OF GAO AND DOD IG REPORTS.....	43
APPENDIX C.	COR TRAINING MODULES.....	45
APPENDIX D.	LIST OF GENERAL COMPETENCIES FOR COR	49
APPENDIX E.	LIST OF TECHNICAL COMPETENCIES FOR COR.....	51

APPENDIX F.	COR TYPE A	53
APPENDIX G.	COR TYPE B	55
APPENDIX H.	COR TYPE C	57
LIST OF REFERENCES		59
INITIAL DISTRIBUTION LIST		65

LIST OF FIGURES

Figure 1:	Importance of Contracting: A Historical Perspective.....	6
Figure 2:	Cumulative Obligations on Contracts (\$B) Performed in Iraq, Afghanistan, Bahrain, Kuwait, and Qatar	8
Figure 3:	Army Contract Spending by Category, 1990–2010.....	9
Figure 4:	Insufficient Army Contracting Personnel to Address the Workload	14
Figure 5:	Behavior Red Flags During Fraud SchemeFigure	20
Figure 6:	Major Procurement Frauds in OIF/OEF	21
Figure 7:	Training Time to Fully Accomplish COR duties.....	28
Figure 8:	COR Certification Requirements	38

THIS PAGE INTENTIONALLY LEFT BLANK

LIST OF TABLES

Table 1. Summary of COR Responsibilities10
Table 2. Number of Procurement Positions by Year15
Table 3. Corruption Perceptions Index 201029
Table 4. COR Duties and Responsibilities.....41

THIS PAGE INTENTIONALLY LEFT BLANK

LIST OF ACRONYMS AND ABBREVIATIONS

ASI – Additional Skill Identifier

CO – Contracting Officer

COI – Conflict of Interest

COR – Contracting Officer’s Representative

CPARS – Contractor Performance Assessment Reporting System

CPT - Captain

CR – Cost Reimbursement

CW3 – Chief Warrant Officer 3

DoD – Department of Defense

DPAP – Defense Procurement Acquisition Policy

FAR – Federal Acquisition Regulation

FY- Fiscal Year

GFP – Government-furnished Property

IGCE – Independent Government Cost Estimate

JER – Joint Ethics Regulation

LH – Labor Hour

MAJ – Major

MFR – Memorandum for the Record

MSG – Master Sergeant

OCI – Organizational Conflicts of Interest

OFPP – Office of Federal Procurement Policy

PCI – Personal Conflicts of Interest

PCO – Procurement Contracting Officer

POC – Point of Contact

PWS – Performance Work Statement

QASP – Quality Assurance Surveillance Plan

SIGIR – Special Inspector General for Iraq Reconstruction

SIGAR – Special Inspector General for Afghanistan Reconstruction

SOO – Statement of Objectives

SOW – Statement of Work

SPOT – Synchronized Pre-deployment Operational Tracker

SSG(P) – Staff Sergeant Promotable

T&M – Time and Materials

USC – United States Code

USG – United States Government

WO1 – Warrant Officer 1

I. INTRODUCTION

A. BACKGROUND

The recent wars in Iraq and Afghanistan have taught the Department of Defense (DoD), and particularly the United States Army, lessons in many areas, one of which is the need for surveillance and oversight of contractor's performance. The contracting process in the contingency operations is multifaceted and includes cumbersome functions that provide major sources of support to the warfighter on the battlefield. Prior to these two wars, the majority of wartime contracting actions involved simplified acquisition procedures that are "low dollar threshold items with little complexity and minor construction" (Gansler et al., 2007, p. 26). However, these procedures have now evolved to include the procurement of complex services, and major construction efforts and operation in a joint environment. This dramatic transition requires contracting personnel to function in a complex environment, often while exposed to life-threatening danger and under pressure to meet deadlines—in addition to adapting to the cultural norms of the host country. Contracting personnel must learn and adapt to new contracting procedures, practices, regulations and innovative technologies while fulfilling the urgent requirements of uniformed personnel on the battlefield. Numerous reports from the Government Accountability Office (GAO), Department of Defense Inspector General (DoD IG), and other oversight agencies have documented shortcomings across the procurement continuum, including requirement identification, contracting, payment and funds control, equipment receipt, property accountability, and surveillance and oversight of the contract (GAO, 2010). The GAO and DoD IG began reporting formally on those areas, categorized as high-risk in the wartime contracting process, in order to reduce procurement weaknesses in government operations that were vulnerable to fraud, waste, and abuse or mismanagement.

The Army is faced with a myriad of challenges to effectively and efficiently conduct coordinated contracting operations that meet the U.S. Central Command Commander's objectives in Iraq and Afghanistan, while keeping pace with dramatic changes in the austere environment. In addition, the Army needs to balance the increased

reliance on contractors with work done by Soldiers to provide operational supports in contingencies and assist with the contracting process. The Army is aware of systemic issues in the contracting process, as well as the deficiencies in the procurement integrity framework, which have resulted in fraud investigations and convictions of contracting personnel, including Contracting Officer Representatives (CORs). According to Secretary of the Army Pete Geren in a statement on November 1, 2007, “The Army acquisition workforce has not been properly sized, trained, structured, or empowered to meet the needs of our warfighters, in major expeditionary operations” (Gansler, 2007, p. 2). He added, “We also need to do a better job in training our commanders on their responsibilities for requirements definition and contractor performance” (McMahon & Sheftick, 2007). Of the procurement fraud investigations involving Army contracting personnel in Operations Iraqi/Enduring Freedom (OIF/OEF), 23 percent indicate deficiencies with the Army’s existing procurement integrity framework (Fontaine & Nagl, 2010, p. 17).

B. OBJECTIVES OF THIS RESEARCH

This project aims to capture lessons learned from the Gansler Commission recommendations on the requirements for the COR program and instances of procurement fraud committed by Army CORs in OIF/OEF. This may provide Army acquisition leaders with some objective guidance, based on these lessons, for incorporation in development of COR training plans in an effort to reduce future procurement integrity violations in contingency operations. Reducing instances of procurement fraud directly impacts the appropriate utilization of taxpayer funding and the operational readiness of the warfighter, as well as enhances the reputation and standing of the Army.

C. SCOPE AND LIMITATIONS

This project provides a review and analysis of the procurement fraud committed by Army CORs during OIF/OEF, assesses the subsequent Army response, examines the behavioral model of fraud behind the Gansler Commission Report, and identifies the

elements of a wartime environment that are conducive to fraud. In addition, a case analysis of procurement fraud is presented to illustrate the types of procurement fraud committed by Army CORs.

D. RESEARCH METHODOLOGY

Literature reviews were conducted in the area of procurement fraud, specifically in wartime operations, via applicable GAO and DoD IG reports, in addition to the Gansler Commission report. The author examined the training requirements for CORs in contingency operations courses offered by Defense Acquisition University (DAU) and the Army's training programs, and other educational courses that focused on contingency operations for CORs—such as CLM 003 overview of acquisition ethics, CLC 106 COR with mission focus, CLC 222 COR resident training course and CLC 206 COR in a contingency environment—to identify how CORs are educated on the subject of fraud to prepare them for their critical roles in the procurement process (DAU, 2010b). In addition, the author analyzed the OIF/OEF procurement fraud data and reviewed the Army's response to the problems brought to light.

E. ORGANIZATION OF THE REPORT

The project includes five chapters. Chapter I is an introduction that provides a background on contingency operations. This chapter describes the objectives, scope and methodology for conducting the research. Chapter II, Wartime Contracting, presents information on contracting in a wartime environment, the changes that have taken place over the past decade, and the crucial role contracting plays in the reconstruction efforts. This chapter also provides factors that contribute to procurement fraud and the Gansler Commission recommendations. Chapter III, Procurement Fraud in OIF/OEF, describes the Fraud Triangle—a model used to detect and deter fraud, and to understand why people commit fraud—and presents some examples of procurement fraud cases committed by Army CORs. Chapter IV, Contracting Officer Representative Training and Education, discusses the education, skill and knowledge requirements of CORs, as well as the ethical and statutory framework. Chapter V, Conclusion and Recommendations, concludes the research and discusses whether the current education and training program

for CORs can be improved upon, based on the Gansler Commission recommendations as well as other studies. This chapter also provides manning and resource recommendations for the Army and other areas for further research.

F. SUMMARY

Systemic issues and dramatic changes in wartime contracting, combined with an increased number of investigations leading to convictions of procurement fraud in OIF/OIF, have compelled the Department of Defense and the Army to examine the existing wartime contracting practices, procedures and trainings. Based on literature reviews from sources such as the GAO and DoD IG reports, in addition to the Gansler Commission report, recommendations are suggested to enhance the current wartime contracting process, emphasize additional education and hands-on training, and fill gaps in the warfighter's capabilities. The end results will be to reduce future procurement fraud, waste and abuse, and above all, demonstrate to the public that the Army's CORs and acquisition workforce are able to efficiently and effectively perform their duties during contingency operations.

II. CONTRACTING IN CONTINGENCY OPERATIONS

A. ARMY EXPEDITIONARY CONTRACTING

Expeditionary contracting has become more complex and demanding, and faces ongoing challenges. The Department of Defense (DoD) spends hundreds of billions of dollars each fiscal year on contracts to acquire goods and services to support military operations in the full spectrum of armed conflict and peace support operations (PSO), humanitarian assistance (HA), or natural disasters, both domestic and overseas. A myriad of policies, procedures, rules and practices are in place to contract for goods and services from suppliers that are vital to sustain the warfighters in the fast-paced and changing battlefield. Wartime contracting provides services and goods in support of the warfighter in austere environments and overseas locations, whether a declared or a non-declared contingency exists.

A declaration contingency has statutory basis under Title 10 U.S.C.13 (a), which states that

A declared contingency may be designated by the Secretary of Defense when members of the armed forces may become involved in military actions against an enemy of the United States, and/or declared by the President or the Congress when members of the uniformed forces are called on active duty under Title 10 U.S.C. or any provision of law during a declared war or national emergency. (DPAP, 2008, p. 103)

1. Reliance on Contractors in Conflicts

The military has been dependent on contractors for their support and expertise on the battlefield since the Revolutionary War; dependence has increased over time, reaching a one-to-one military-to-contractor ratio in the Balkans (Fontaine et al., 2010). There are numerous GAO reports and DoD IG audits on the DoD's "growing reliance on contractors to perform combat support and combat service support (CS and CSS) functions" (Young, 2009). In addition, the Commission on Wartime Contracting concludes, "Because the heavy reliance on contractors has overwhelmed the government's ability to conduct proper planning, management, and oversight of the

contingency-contracting function, the government is over-reliant on contractors” (Thibault et al., 2011, p. 3). Figure 1 and the adjoining text depict and explain a historical perspective of contracting.

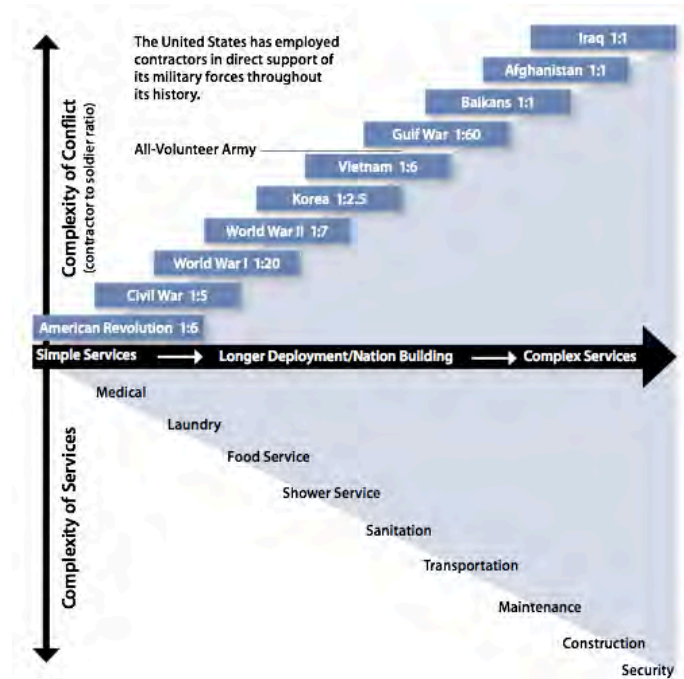


Figure 1: Importance of Contracting: A Historical Perspective
(From Fontaine et al., 2010, p. 9)

The reliance on contractors grew unevenly: There was one civilian worker for every twenty soldiers in World War I, one for every seven in World War II, and one for every six soldiers in the Vietnam War. The end of the Cold War saw a dramatic increase, however, as the American military downsized, contractors filled the gap, and by the first Gulf War defense contractors were edging their way on the battlefield, mostly to maintain weapon systems like M1 Abrams tanks, and patriot missile batteries. (Miller, 2006, p. 75)

The requirement for the military to employ contractors to provide support was significant during the Vietnam War, and an unprecedented number of contractors were utilized during the Afghanistan and Iraq wars. It is constructive, beneficial, and essential to employ contractors, as they possess unique skills and expertise in diversified roles, which enable them to perform and provide a wide array of essential goods and services,

as well as play a vital role in contingency operations. Additionally, they provide assistance with critical tasks such as housing, engineering, and security needs, in addition to fulfilling other important roles that the military not only depends on, but also requires for mission success. The employment of contractors allows the military to maximize its number of combat soldiers in operations where the military force size is constrained. In addition, contractors help to reduce the operational tempo (OPTEMPO) of military personnel, which offsets the burden on the force structure and allows the military to concentrate on its wartime mission. The selection of appropriate and qualified contractors result in increased efficiency and provides continuity while reducing overall costs.

While there are benefits of using contractors, and they are a force multiplier in the battlefield that aid in the mission, there are also risks associated with the employment of contractors. Some of the risks include command and control of contractors on the battlefield due to incompatible communication channels, and mission failure due to contractors' forfeiture and unethical behaviors (Young, 2009). Contractors are not government employees, and they have different contract terms and conditions that define their job requirements. U.S. Federal and DoD Standards of Conduct do not apply to contractors, and they do not have a legal obligation to complete the mission because their performance is monetary driven instead of mission focused.

The numerous ongoing debates, over whether the military should reduce its use of and dependence on contractors for support in conflicts, are outside the scope of this report. The increased reliance on contractors is due to the increased obligations on contracts, as depicted in Figure 2, which caused the increase of high-dollar-value contracts procurements, and the large quantity and complexity of the construction projects. While additional contract management, oversight and surveillance personnel in OIF/OEF was demanded, the Army was unable to meet the demand. During these conflicts, the Army failed to assess and allocate qualified and experienced personnel to fulfill the mission requirement (Gansler, 2007). In addition, the Army failed to fully realize the impact of contractors and the importance of their role in the contracting process, due to the lack of policies, plans to define contractors' roles and functions in

each of their assigned missions, and uniformed personnel to monitor contractor performance. Therefore, deficiencies in the contract management, oversight and surveillance have contributed to procurement fraud, and waste and abuse in contingency operations.

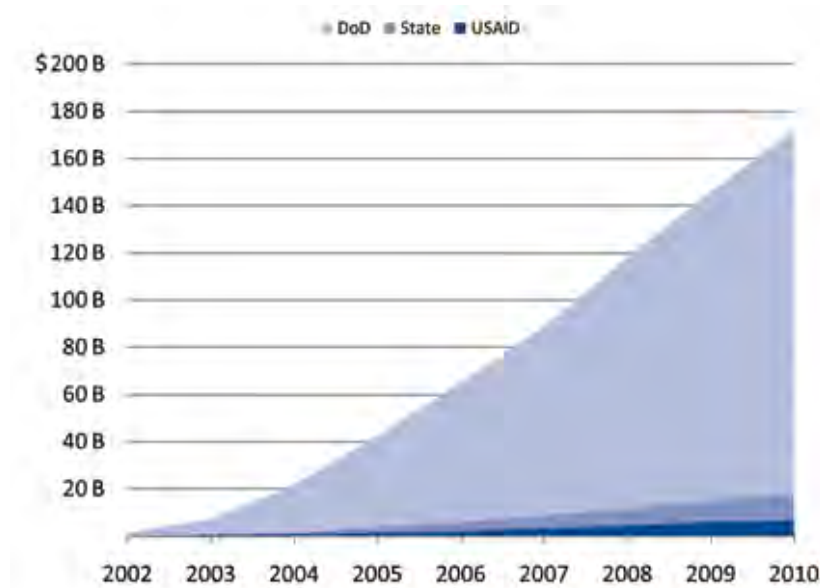


Figure 2: Cumulative Obligations on Contracts (\$B) Performed in Iraq, Afghanistan, Bahrain, Kuwait, and Qatar
(From FPDS-NG, January 2011)

Similarly, Figure 3 depicts the increased contracting spending of the Army through FY10 and illustrates the dramatic increase in goods and services acquired during OIF/OEF.

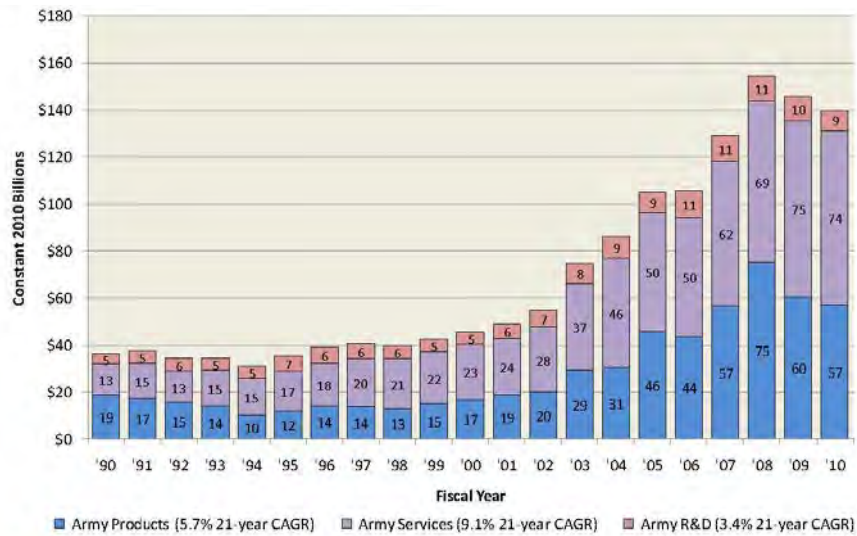


Figure 3: Army Contract Spending by Category, 1990–2010
(From DD350 and FPDS-NG, CSIS analysis, 2010)

2. The Role of the COR in Contingency Operations

The COR is one of many critical and vital personnel in the Army acquisition workforce, as he or she serves as the eyes and ears for the CO. In contract management activities, the COR “performs critical acquisition and technical functions, and contracting officers rely on them to ensure that contracts are managed properly to meet mission needs” (Phillips, 2011, p. 57). The responsibilities of the COR, as stated in the Federal Acquisition Regulation (FAR) § 46.103, is that the “COR is responsible for receiving technical requirements and any specifications for inspection, testing, and other contract quality requirements essential to ensure the integrity of the supplies or services prescribing contract quality requirements” (FAR, 2010, p. 2). In addition, Table 4 in Appendix A outlines a detailed list of the COR’s duties and responsibilities. Also, in the Defense Contingency COR Handbook published in December 2010, Chapter 5 outlines a comprehensive list of duties and tasks for CORs who operate in contingency operations. Some of the duties and responsibilities include: understand the contract, monitor the contractor, inspect and accept or reject deliverables, keep files current and complete, treat proprietary and classified information with care, manage problems, handle unsatisfactory performance, and track modifications (DPAP, 2010). Table 1 summarizes additional responsibilities of the COR.

Ideally, in order to perform the duties of the COR, individuals must possess the education and experience in the functional area that relates to the project. But in practice, CORs are appointed and chosen by “happenstance” (Harvey, 2002, p. 57) to perform the COR duties but do not have the required COR training; therefore, they have “struggled to understand their roles and duties” (Phillips, 2011, p. 54); as a result, in theater, most of them perform on an ad hoc basis. According to Susan Harvey, Director of Human Resources in the Office of the Assistant Secretary of the Army,

COR must have a graduate degree related to the functional area. A graduate degree confers an example of individual achievement that requires commitment, perseverance, and capability—all traits normally characteristic of a seasoned manager, a COR. Also contract management requires mastery of many college-level concepts such as business administration principles, cost-benefit analysis, negotiating techniques, cost modeling, and understanding of the applicable law and technical regulations. Those CORs that have not been exposed to higher education would clearly be at a disadvantage. (Harvey, 2002, p. 57)

Table 1. Summary of COR Responsibilities
(From Defense Contingency COR Handbook, V.1, December 2010, p. 67)

Action	COR	Contracting Office
Conduct market research	Responsible	Assist
Prepare SOW/PWS	Responsible	Assist
Prepare QASP	Responsible	Assist
Prepare IGCE	Responsible	Assist
Prepare GFP list	Responsible	Assist
Develop sources	Assist	Responsible
Prepare solicitation	Assist	Responsible
Conduct pre-bid conference	Assist	Responsible
Evaluate proposals	Assist	Responsible
Award contract	N/A	Responsible
Conduct contract surveillance	Responsible	Assist
Request modifications	Responsible	Assist
Make modifications	Assist	Responsible
Conduct progress meetings	Assist	Responsible
Conduct inspection/acceptance	Responsible	Assist
Evaluate contractor's performance	Responsible	Assist

B. GANSLER COMMISSION RECOMMENDATIONS

The Gansler Commission report's primary objective is to assess failures, review lessons learned, and provide recommendations to improve future Army expeditionary contracting operations. In 2007, the report by the Commission on Army Acquisition and Program Management in Expeditionary Operations found that Army CORs who are responsible for managing contracts usually have no prior experience with contractors, and receive negligible training on how to manage contractors. In addition, the Gansler Commission's analysis of the Army's acquisition workforce and contracting process to support expeditionary operations is summarized below:

The expeditionary environment requires more trained and experienced military officers and non-commissioned officers (NCOs). Yet, only 3 percent of Army contracting personnel are active duty military and there are no longer any Army contracting career General Officer (GO) positions. The Army's acquisition workforce is not adequately staffed, trained, structured, or empowered to meet the Army needs of the 21st Century deployed war fighters. Only 56 percent of the military officers and 53 percent of the civilians in the contracting career field are certified for their current positions. Notwithstanding a seven-fold workload increase and greater complexity of contracting, the Institutional Army is not supporting this key capability. Notwithstanding there being almost as many contractor personnel in the Kuwait/Iraq/Afghanistan theater as there are U.S. military, the Operational Army does not yet recognize the impact of contracting and contractors in expeditionary operations and on mission success. What should be a core competence—contracting (from requirements definition, through contract management, to contract closeout)—is treated as an operational and institutional side issue. (Gansler et al., 2007, p. 30)

The Gansler Commission report identifies a major area of concern: “What the Commission found alarming is the failure of both the Army and the DoD to perform a mission that is critical to operational success in theater, and where the Army was, and clearly is, failing in contract management” (Gansler et al., 2007, p. 56). The DoD has recognized that “inadequate surveillance of services contracts has left us vulnerable to the potential that we are paying full price for less than full value” (Gansler et al., 2007, p. 56). According to the Commission on Wartime Contracting, “Contracting performance is particularly vulnerable to poor oversight. There may be a shortage of experienced and

well-qualified CORs” (Thibault et al., 2011, p. 85). The report also made recommendations to “provide CORs with necessary training, prior to any military operation” (Gansler et al., 2007, p. 56).

C. CONTRACTING IN CONTINGENCY OPERATIONS CHALLENGES THAT CONTRIBUTE TO FRAUD

Deployed soldiers are in a high-threat environment. When coupled with the endless demands of job performance and the pressure to meet deadlines in a fast-paced contingency environment, this creates an abundance of ongoing challenges, both personal and professional. In addition, they are also expected to adapt and conform to the cultural norms of the host country, and also to abide by DoD policies, rules and regulations of procurement contracting. Due to the complex and diverse challenges that COs and CORs are faced with, they are put in difficult situations that test their moral judgment, and makes them vulnerable to the prospect of committing fraud, whether deliberately or unintentionally.

A few of the challenges that contribute to the commission of procurement fraud by CORs are presented in this section. By no means will this be a comprehensive list, as other challenges can stem from or are integral parts of the listed challenges. Contributing factors to procurement fraud could be singular, combined, interrelated, or overlap with other factors. According to the thesis survey on *United States Army Contingency Contracting Operations* conducted by Roxanne Barbaris and Christine Callanan in September 2008, the number one contributing factor to procurement fraud was time pressure; the second most common reason was lack of training. Lack of support, a hostile environment, long working hours, back-to-back deployments, contract work volume, inefficient manpower and high contracting personnel turnover were ranked third to ninth, respectively (Barbaris & Callanan, 2008).

A long-term deployment has the potential to cause or intensify existing personal and financial problems experienced by a COR. Multiple and/or lengthy deployments can trigger considerable stress and lead to low morale, making the COR susceptible to the perceived benefits of fraudulent activity. Some Reserve and National Guard CORs may incur a substantial decrease in salary resulting from activation; 28 percent of activated

reservists experience a loss in earnings, according to a 2005 Rand report; and DoD reports place the number as high as 51 percent (Klerman, Loughran, & Martin, 2005). This financial pressure, coupled with extended separation from family, can provide motivation to engage in corrupt activities. The COR may rationalize his or her actions in the belief that the Army “owes” them, or feel compelled by financial hardships back home. The COR may resent the Army, and the act of fraud represents an opportunity to “get even.” The demanding, and frequently dangerous, environment that a COR is exposed to may further impair judgment and, in conjunction with other contingency-unique factors, impact a COR’s proclivity to engage in corrupt behavior.

Statistics show that, although contracting in contingency operations has experienced dramatic increases, the Army is unable to adequately staff the contracting workforce to fulfill positions that would otherwise enable and ensure an efficient contracting process in Iraq and Afghanistan. In 2006, there were only thirty-seven Army contracting officers in Iraq and seven in Afghanistan (Gansler, 2007). Mr. Charles Williams, Director of Defense Contracting Management Agency to the Commission on Wartime Contracting in Iraq and Afghanistan, testified where, “We have unfilled requirements for 335 CORs in Iraq and 362 CORs in Afghanistan” (Williams, 2009, p. 5).

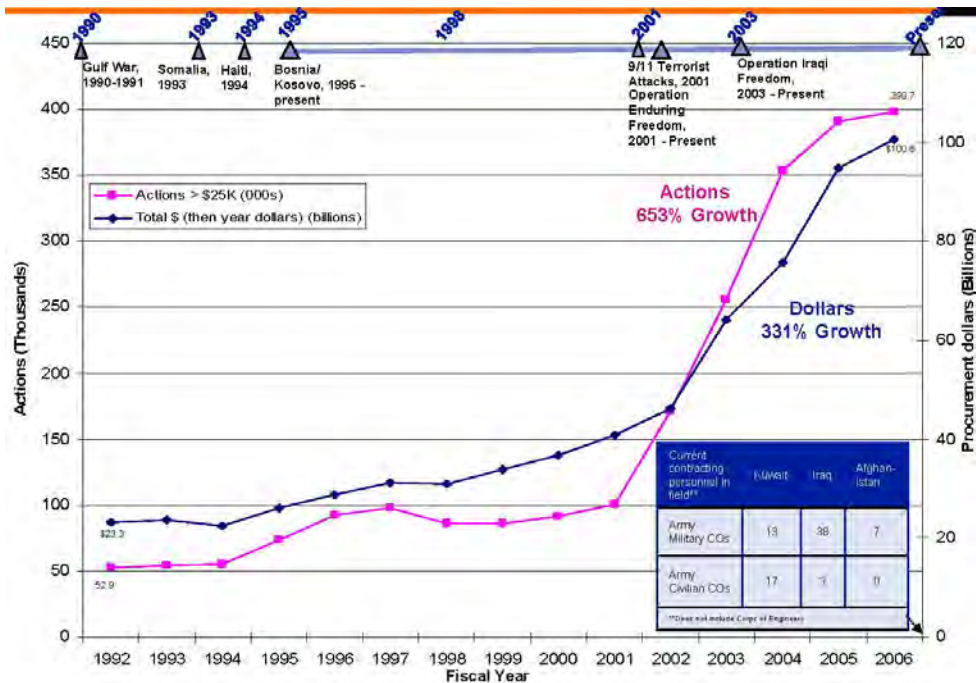


Figure 4: Insufficient Army Contracting Personnel to Address the Workload
 (From Gansler, J. (2007). *Report of the Commission on Army Acquisition and Program Management in Expeditionary Operations*, p. 32)

Figure 4 depicts how the dollar value of Army contracts has increased 331 percent from 1992 to 2006, while the number of Army contract actions increased 654 percent over the same period (Gansler et al., 2007). The shortage of contracting procurement personnel, including CORs, is detrimental to the contracting process; the CORs that are available must compensate and perform at times beyond their competencies and abilities to accomplish the mission. According to the Interim Report to Congress in June 2009,

There is a critical shortage of qualified contract management personnel in theater and those that are there are stretched too thin. In particular, the process for designating and training COR to check contractor performance in theater is broken. (Thibault et al., 2009, p. 5)

Furthermore, the acquisition workforce shortage occurs, in part, due to the general post-Cold War drawdown in the early 1990s, as well as a general negative perception as a result of high-profile scandals, during the Reagan era, noting that the DoD acquisition workforce “underperformed and was too large” (Gates, 2009, p. 7). The reduction of acquisition personnel is accomplished through the balancing of retirement-eligible

personnel attrition with minimal new hires. Table 2 shows the end strength manning of the procurement workforce, or 11 series, which, along with the logistical fields, comprises the acquisition workforce. Of particular relevance is the contract specialist field, which shrunk by 15 percent from 1993 to 2000.

Table 2. Number of Procurement Positions by Year
(From Federal Acquisition Institute, 2000, p. 4)

	1993	1994	1995	1996	1997	1998	1999	2000
Gen. Bus & Ind. (GS-1101)	17,135	17,567	19,805	20,427	20,048	20,298	20,955	21,225
Contract Spec. (GS-1102)	31,156	30,174	29,137	28,648	28,003	27,400	26,775	26,751
Property Disposal (GS-1104)	1,089	1,072	1,001	989	951	908	837	766
Purchasing (GS-1105)	6,644	6,410	6,005	5,558	4,875	4,248	3,793	3,414
Proc. Clerk & Tech. (GS-1106)	7,948	7,298	6,597	5,923	5,296	4,645	3,966	3,583
Industrial Spec. (GS-1150)	2,450	2,235	2,034	1,891	1,714	1,563	1,458	1,411
Total	66,422	64,756	64,579	63,436	60,887	59,062	57,784	57,150

Amidst the pressures to complete the mission under time constraints, CORs also endure lengthy work hours, usually six or seven days a week, resulting in the potential to take shortcuts and exhibit lack of good judgment and decision making. Additionally, CORs become emotionally and physically drained, which distracts them from the tasks at hand, leading to resentment of the mission. Each of these factors individually can cloud a person's perception and job performance; when aggravated by low morale and lack of motivation, CORs are presented with opportunities to contemplate or willfully commit procurement fraud. Many CORs admit that their justifications for the commission of procurement fraud include, but are not limited to, the incentive to pay off debt. Additionally, the potentially huge payoff of money allows them the opportunity to provide comfortably for their family upon their return. The prolonged deployments for CORs, which result in being separated from their family and loved ones, create a scenario that clouds their mental and moral judgment when they are offered bribes from

contractors, presenting the possibility to get rich fast. Their vulnerability combines with the temptation for a better life with the millions in bribe money that some would see as their reward for the hardship they have to endure during their deployment.

Lack of training and support, compounded by the volume of contracting work, further exacerbates the level and depth of stress that CORs feel daily. They lack the appropriate contract procurement integrity training to perform their duties, and are frustrated by the lack of support and communication from COs, as everyone is immersed in their own duties, responsibilities and critical deadlines. The Interim Report to Congress in June 2009 reports that “speed during contingency contracting takes priority over precision” (Thibault et al., 2009, p. 7).

The hostile and high-threat work environment in Iraq and Afghanistan further intensify the pressures for CORs to perform their duties while being fearful for their own lives and safety. Frequent bombings and news of casualties of fallen comrades impair the ability of the CORs to make sensible decisions within procurement laws and guidelines. In a haste to meet the deadlines of increased work volume, and in fear of their own safety and well-being, they are mentally impaired and are unable to fully focus on their duties at hand. The aggressive, combatant and austere environment, multiplied by a myriad of challenges while being inundated with increased work volume and deadline constraints, makes it inevitable for some CORs to avoid the potential pitfalls to commit procurement fraud.

Despite the acquisition community’s shared recognition of the importance of CORs in the contract management, oversight and surveillance, there are often inadequate numbers of qualified CORs assigned to contractor oversight in Iraq and Afghanistan. There is a general lack of COR training, insufficient time for military CORs to perform duties, and improper alignment of COR skills to the types of service contracts they are required to monitor.

D. SUMMARY

In the face of the changing and evolving contracting environment, contracting personnel including CORs are faced with performing their duties in accordance with

contract procurement guidelines and regulations. Additionally, they also must work in austere environments and conditions that further complicate their jobs and place them in predicaments that affect their actions and decision making, which lead CORs to commit procurement fraud. The Gansler Commission report identifies the shortcomings of Army expeditionary contracting and provides recommendations to enhance the Army expeditionary process and environment to reduce unethical behavior among the contracting workforce and reduce procurement fraud. Currently, the Army is implementing the Gansler Commission's recommendations to identify the COR during pre-deployment and to train the COR specific to contingency operations. In addition to hands-on training, an aggressive recruitment and retention program, and formal training for all CORs, these steps and actions can reduce the expeditionary contracting problems. The goal is to increase the warfighter's capability by providing goods and services, while reducing the potential overpayment of contractors for goods and services and poor procurement practices.

THIS PAGE INTENTIONALLY LEFT BLANK

III. PROCUREMENT FRAUD IN OPERATION IRAQI FREEDOM/OPERATION ENDURING FREEDOM

A. WHY DO PEOPLE COMMIT FRAUD?

In applying Dr. Donald Cressey's Fraud Triangle—motivation, pressure and rationalization (Burton & McLean, 2009) to the COR's fraud cases in OIF/OEF, the three elements of the model facilitate the understanding of why some COs and CORs alike commit procurement fraud. First, the CORs' motivation or pressure to commit procurement fraud can be explained by either internal physical stresses or stresses from outside parties. In their role as CORs, the internal stress they feel is enormous and overwhelming, with numerous challenges such as deadlines, fatigue, alienation from loved ones, and lack of support. External stresses from outside parties are from commanders, COs, and contractors with whom they interact with routinely and who pressure the CORs to meet deadlines in accordance with contract requirements. Also, working with contractors who offer bribes and gratuities creates pressure and motivation for the commission of fraud. The contingency operations create an easy opportunity for CORs to commit procurement fraud as they have access to contract information that allows them to commit and conceal fraudulent activity. Since there is a lack of internal control and oversight, opportunities to commit procurement fraud and conceal them are increased. For rationalization, CORs justify their fraudulent activity as a reward for their hard work during their lengthy deployments and long work hours in a hostile environment. In addition, with millions in contracts being awarded, they rationalize that the government has a lot of money and it is a win-win situation for them and the contractors.

Figure 5 captures diverse and personal behavioral issues of those involved in fraudulent activity. The top three categories of fraud behaviors are: being too friendly with vendors, living beyond their means, and possessing a wheeler-and-dealer attitude (Ratley, 2010). This informative list provides additional insight into the fraudsters' background and their mental status, which is further exacerbated by a myriad of challenges of their duties as a COR in a combative environment.

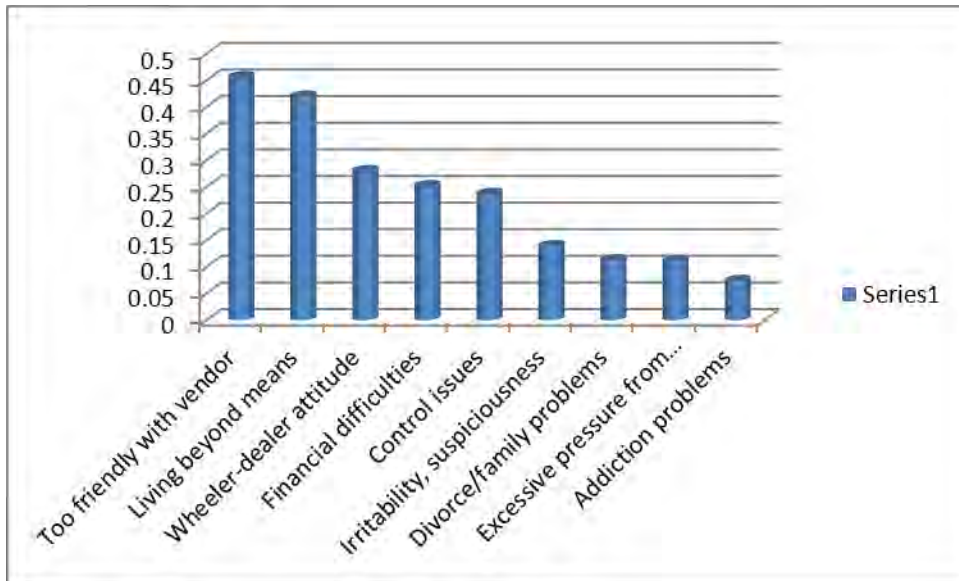


Figure 5: Behavior Red Flags During Fraud Scheme
 (After 2010 ACFE Report to the Nation on Occupational Fraud & Abuse)

B. PROCUREMENT FRAUD INVESTIGATIONS

As detailed in Chapter II, either a single factor or a combination of interconnected factors during lengthy deployments in a combative environment can immensely affect the physical, emotional, and mental well-being of CORs, and impair their judgment to effectively fulfill their duties and responsibilities. Their stress level is heightened due to the pressures of procurement deadlines while they are forced to perform job requirements with limited training, experience, and support from their commanders and COs. Ultimately, their morale, values, and beliefs are under attack, which increases the temptation for procurement fraud. As a result, many Army CORs are overwhelmed during their prolonged deployment in a hostile environment where bribes and corruption are the norm. Considering all these factors, CORs who are unable to cope often succumb to the commission of procurement fraud. Three scenarios that provide examples of Army COR convictions of fraud and bribery are discussed in the following paragraph.

Figure 6 illustrates the number of open fraud investigations by service branch. In addition, the data reveals that Army contracting personnel comprise 28 percent of all contracting personnel, but account for nearly all investigative cases. In comparison, the

Air Force has 70 percent of the contracting personnel, but only one open fraud case. The charts also show that a significant number of Army personnel in their roles as COs and CORs are targets of the procurement fraud investigations. The data suggests that there are shortfalls with the Army contracting personnel’s education, training, and experience level, which have resulted in significantly higher numbers of Army personnel involved in procurement fraud and in open investigations, compared to their Air Force and Navy counterparts (Gansler et al., 2007).

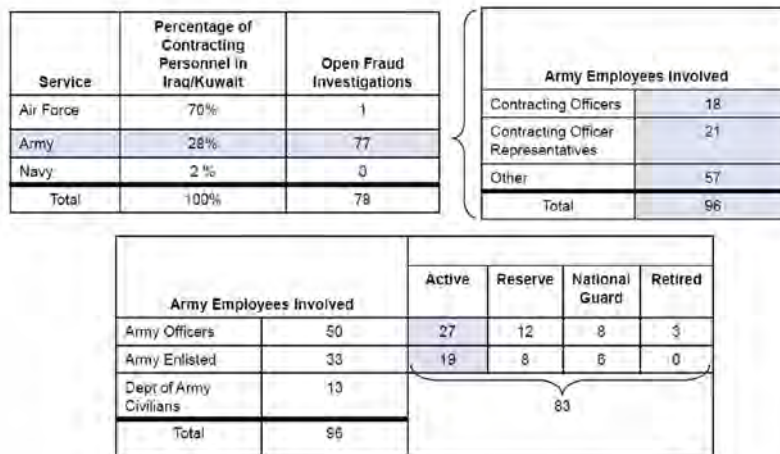


Figure 6: Major Procurement Frauds in OIF/OEF
(From Gansler, et al., 2007, p. 22–23)

C. CASE ANALYSIS CONVICTIONS

Both the Special Inspector General for Iraq Reconstruction (SIGIR) and Special Inspector General for Afghanistan Reconstruction (SIGAR) work closely with prosecutors, U.S. partner investigative agencies, coalition partner investigators, and law enforcement personnel from other countries to conduct criminal investigations to pursue allegations of procurement fraud, abuse, and waste in Iraq. These continuous investigations result in arrests, indictments, convictions, and sentencing. In addition, monetary results include more than \$71.2 million in fines, forfeitures, recoveries, and restitution (SIGIR, 2007). In October 2006, former Deputy Attorney General Paul J. McNutty announced the formation of the National Procurement Fraud Task Force, which is to promote the early detection, identification, prevention, and prosecution of

procurement fraud associated with the increase in government contracting activity for national security and other government programs. The Procurement Task Force includes United States Attorney Offices, the FBI, the U.S. Inspectors General community, and a number of other federal law enforcement agencies. As a result of their commitment and dedication to ensure the integrity of the government procurement process, they have brought forth numerous cases of procurement fraud committed by DoD employees in their roles as CORs in Kuwait, Iraq, and Afghanistan.

During OIF/OEF, most contracting officials performed their duties with integrity and honor, though there are also numerous cases of unethical behavior by contracting officials including CORs while providing support in Iraq and Afghanistan. The September 2009 Department of Defense Inspector General Semi-Annual Report to the Congress of the United States of America identified a number of bribery, conspiracy, money laundering, and wire fraud violations committed by contracting officials, CORs, and contractors (SIGIR, 2007).

One example is in the case of an Army officer who pleaded guilty to procurement fraud. In his work as a COR, Derrick L. Shoemake, a former U.S. Army major, pleaded guilty to bribery for his work in Kuwait from 2004 to 2006. MAJ Shoemake was in charge of coordinating and accepting the delivery of bottled water in support of U.S. troops in Iraq. Court documents revealed that MAJ Shoemake agreed to assist a contractor with his delivery of bottled water; in return, the contractor paid him approximately \$215,000, which was delivered to MAJ Shoemake's designee in Los Angeles (DoJ, 2011). For his influence over the award of bottled water contracts in Afghanistan, MAJ Shoemake also received \$35,000 from another contractor. MAJ Shoemake admitted he received, in total, approximately \$250,000 from the two government contractors (DoJ, 2011).

Another example of procurement fraud was in the case of United States Army Captain Austin Key, who was stationed in Baghdad, Iraq. As a field ordering officer (FOO), Key had the authority to purchase supplies for the U.S. Army, and as a COR, Key oversaw the administration of service and supply contracts that were awarded by the U.S.

Army and worth hundreds of thousands of dollars. According to indictment documents from the U.S. Attorney of the Southern District of New York, Key approached a confidential informant (CI) who was a U.S. citizen and owned a business that contracted with the U.S. Army in Baghdad, Iraq, to provide services and supplies. It was reported that Key demanded \$155,000 from the CI in order for the CI's company to receive future contract awards. (DoD IG, 2007)

Also included in the complaint was information that the CI reported Key's demands to law enforcement authorities and agreed to another meeting with Keys so that their conversation could be recorded. During the subsequent meeting, Key informed the CI that, for \$50,000, he would give the CI confidential and advanced information on contracts in addition to demanding 5 percent on contracts that he steered to the CI. In a follow-up meeting, Key was given the \$50,000 cash that had been agreed on in the previous meeting. As he was leaving, law enforcement officials stopped Key and retrieved the \$50,000. Key was charged with one count of bribery. If convicted, Key faces a maximum sentence of fifteen years' imprisonment and a fine of up to \$250,000. (DoD IG, 2007)

A third case of procurement fraud conviction was the case of Army Captain Bryant Williams, who also served as FOO and COR. In 2005 and 2006, then 1st Lieutenant Williams was with the Army's 101st Airborne Division in Iraq and served as one of the division's points of contact with local service contractors. Two contractors were working with Williams in their bids on contracts with the U.S. Army to provide a wide array of goods and services, including copiers and building guard towers.

The two contractors, Harith Aljabawi and Mike Naji, who own Joshua Construction and Phoenix Contractors, respectively, said at trial that Williams threatened them at gunpoint to give him a cut of the profits when they got contracts. According to the U.S. Attorney District Court Office of the Southern District of New York, Williams received more than \$30,000 in bribes from the contractors to steer more than \$930,000 worth of contracts, and was sentenced to three years in federal prison for taking bribes to steer Army contracts in Iraq. At William's sentencing, U.S. District Judge Barbara Jones said, "Williams forged bids on behalf of other companies, knowingly collected false and

forged bids from certain contractors, and on one occasion, threatened a contractor with a firearm in the course of demanding payment of bribes” (Klaseld, 2011).

In an effort to conceal some of the payoffs, prosecutors announced that Williams had one contractor send \$20,000 in cash to an Iowa address while another \$12,000 was wired from Dubai to another individual’s U.S. bank account. It was believed that Williams collected the money when he returned to the United States. Williams’ Defense attorney David Greenfield claimed that Williams should receive leniency for his many years of military service, during which he received many awards and commendations. Hence, Williams was sentenced to only three years in federal prison; he is appealing his conviction, denying that he took any money in kickbacks from contractors (Klaseld, 2011).

D. SUMMARY

As illustrated in the three cases described in the previous section, these military officers did not act ethically and did not perform their duties effectively to represent the U.S. government’s best interests. U.S. employees are expected to place loyalty, ethical principles, and laws above private gain and interests. In addition, they are to conduct business dealings in a manner above reproach in every aspect while protecting the interests of the United States, as well as maintaining its reputation for fair and equal dealings with all contractors. They are also trained to refuse any gift or gratuity from any contractor, regardless of the dollar value, and not to threaten or reprimand any contractor. In their role as CORs, they manage and monitor contracts that are worth hundreds of thousands of dollars. CORs commit procurement fraud in these cases for many reasons, including greed, lack of integrity and impaired moral judgment. The authority that they possess, combined with inefficient oversight of the contracting process, allows them to take bribes and steer contracts to their private gain, assuming that they will not be caught.

IV. CONTRACTING OFFICER REPRESENTATIVE TRAINING AND EDUCATION

A. BACKGROUND

A myriad of GAO reports and DoD IG audits address the systemic issues and high-risk areas of contract management and call for actions needed to emphasize contract surveillance and oversight dilemmas. Appendix B contains a complete list of these reports. The overall message in all of these reports is the need to ensure that properly trained individuals are assigned to perform contract surveillance and oversight functions before contracts are awarded. In addition, Pentagon officials stated, “Among the problems with the oversee purchases of products and services worth nearly \$100 billion a year that call for immediate action are inadequate training, lack of technical expertise and insufficient knowledge of the industries that supply goods and services to the Defense Department” (Erwin, 2006, p. 20). According to Defense FAR supplement (DFARS) §201.602–2(ii),

CORs must be qualified by both experience and training commensurate with the responsibilities to be delegated. COR responsibilities must be in writing and that the responsibilities cannot be re-delegated. For those reasons, the CO is expected to appoint a properly trained COR. (DFARS, 2011, section 201.6–2)

In a deployed environment, CORs not only have to be physically and mentally fit, but they must also be skilled in their duties in order perform their assigned tasks to accomplish the mission. They will have minimal or no supervision to conduct their day-to-day business operations. They are required to uphold the rules and regulations that dictate their business transactions and understand the foreign cultures, customs, languages and business practices.

An Office of Federal Procurement Policy (OFPP) memo dated November 26, 2007, established mandatory training and certification requirements for personnel performing technical or administrative functions during contract surveillance:

All CORs appointed to a contract after the effective date of the memorandum must be certified no later than 6 months from their date of appointment. The Federal COR certification program established

competency-based core training and assignment-specific training to achieve and maintain the COR certification. Once certified, CORs must maintain their contracting skills and knowledge through continuous learning. (OMB, 2007, p. 2)

B. EXISTING COR TRAINING PROGRAMS

Having a trained COR is critical and paramount for mission success and achieving positive contracting outcomes in contracting oversight and surveillance in contingency operations. Prior to OIF/OEF,

The Army failed to correlate the growing role of contractors providing mission essential supplies and services on the battlefield, with the requirement to have an adequately sized and capable acquisition workforce to include CORs. The result was a workforce that was understaffed, overworked, under-trained, under-supported, and...most importantly, under-valued. (Gansler et al., 2007, p. 3)

The Army Contracting Agency (ACA) published two documents pertaining to COR training requirements: Minimum Curriculum Training Requirements in 2004 and Guidance for CORs in 2005. These documents outline COR training requirements by taking either a one-week, forty-hour COR course at the USA Logistics Management College (ALMC) or its equivalent. The ALMC-CL COR course is an overall view of the contracting process, with major emphasis in contract administration. It focuses on services, supplies, and construction contracts (ALU, 2011). In addition, the course offers some familiarity with statutory laws and regulations, such as FAR and DFARS, which govern the contracting process (ALU, 2011). The equivalency for the ALMC-CL COR course is the DAU continuous learning course (CLC) 106 COR with a Mission Focus (ALU, 2011). However, the CLC 106 course requires only eight hours of web-based instruction training, and focuses on the acquisition process, contract classification and types, ethics and integrity, authorities, proper file documentation, performance assessment methods, remedies for poor performance, invoice requirements, contract modifications, and contract management. Appendix C provides a complete breakdown of the DAU-required COR courses module.

The Joint Contracting Command Iraq/Afghanistan (JCC I/A) adopts the COR training requirements offered by the DAU by publishing the Standard Operation

Procedure (SOP) number 10–02, dated January 2010, for the COR program. It directs that all CORs must take two DAU online courses: the CLC 106 course and the continuous learning module (CLM) 003—Overview of Acquisition Ethics. The CLM 003 course reinforces several important legal ethics standards, which include conflicts of interest, gratuities from contractors, and the Procurement Integrity Act. The objectives of the course are to provide personnel with an awareness of some ethical dilemmas and illustrate some techniques to avoid unethical behaviors and actions (DAU, 2010d). Even though these DAU courses meet the requirements for COR appointment in OIF and OEF, they are not enough for CORs to effectively function and perform their duties. According to the Report to the President and Congress of the United States by the U.S. Merit Systems Protection Board, “Our data indicates that one-time training is often not sufficient to ensure that CORs have and maintain the skills they need to do their job” (U.S. Merit Systems Protection Board, 2005, p. 51). During OIF/OEF, many of the CORs performed ad hoc COR duties because they were inexperienced with the contracting process, had little or no supervision, and did not have any other prior contracting training. According to the Gansler Commission Report, “Senior Army contracting leaders found the DAU’s web-based education to be inadequate for expeditionary contracting operations” (Gansler et al., 2007, p. 27). In addition, “CORs are inadequately trained, if trained at all” (Gansler et al., 2007, p. 23).

The U.S. Merit Systems Protection Board Office of Policy and Evaluation surveyed CORs from ten agencies that accounted for 90 percent of the government’s contracting dollars, learning that “Agencies need to fulfill the regulatory aspects of managing CORs to include formal delegation of authority, improved COR training, and strategic management of the COR workforce” (U.S. Merit Systems Protection Board, 2005, p. i). In addition, according to a SIGIR report from July 28, 2011, “Almost forty percent of the CORs we surveyed said the training they received did not prepare them for their duties and twenty-five percent said that they lack sufficient time to conduct effective oversight” (SIGIR, 2011, p. 1). Similar surveys were conducted to find how the CORs viewed the training they received by Kamradt, Choi, and McIntosh. The question asked, “Do you have adequate training time to fully accomplish your COR duties?” (Kamradt,

Choi, & McIntosh, 2010, p. 51). Figure 7 illustrates that 40 percent of CORs responded that they received inadequate training time to fully accomplish their duties.

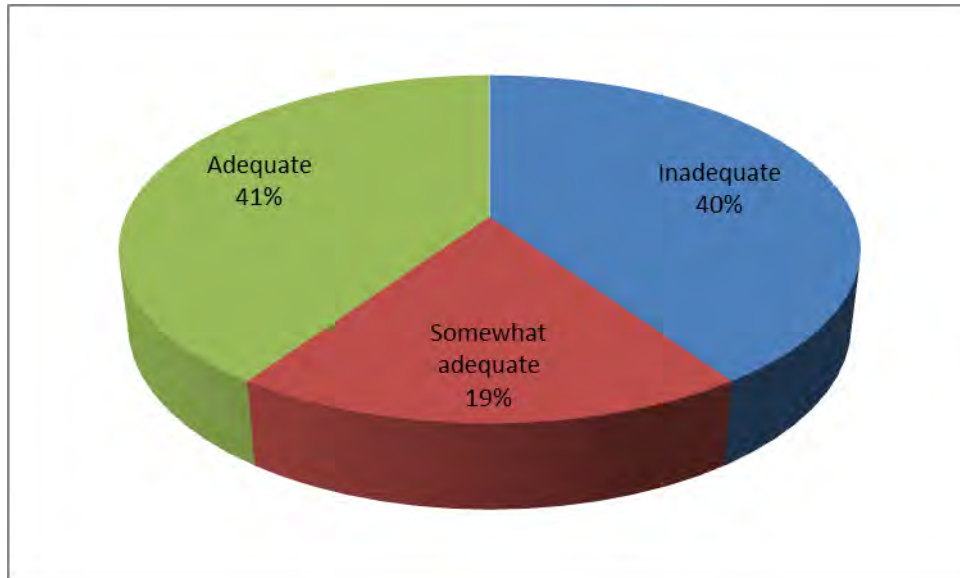


Figure 7: Training Time to Fully Accomplish COR duties
(After Kamradt, Choi, and McIntosh, 2010, p. 51)

C. ETHIC REGULATIONS AND STATUTES

According to the Commission on Wartime Contracting Final Report to Congress in August 2011, “At least \$31 billion and possibly as much as \$60 billion, has been lost to contract waste, fraud, and abuse in OIF/OEF. Some forms of contract fraud, waste and abuse are “due to criminal behavior and blatant corruption” (Thibault et al., 2011, p. 1). In addition, contract management routinely changes hands “between multiple CORs during a contract-performance period without a thorough transfer of knowledge” (Thibault et al., 2011, p. 29), which increases the likelihood and possibility that CORs will encounter situations in which they will face ethical dilemmas. CORs who are continually exposed to offers of gratuities or kickbacks may eventually engage in corrupt activities. From the foreign local contractor’s perspective, that type of behavior may be considered legitimate or accepted business practices. Local contractors may not understand or may choose to ignore U.S. government procurement regulations that govern improper business practices. Since corruption can be deeply rooted in the cultural

mindset, it can be a challenging force to overcome. Mr. Stuart W. Bowen, the SIGIR, referred to corruption as “the second insurgency” in Iraq, and compared it to “a cancer” that had spread and overtaken the country (Stuart, Conference remarks, November 2, 2010). Both Iraq and Afghanistan are countries where government corruption is the norm prior to the arrival of U.S. forces. In fact, both countries still rank near the bottom of 178 countries rated on a scale where zero is the most corrupt and ten is the least corrupt, as shown in Table 3.

Table 3. Corruption Perceptions Index 2010
(From Transparency International, 2010)

Rank	Country	Score
1	Denmark	9.3
1	New Zealand	9.3
1	Singapore	9.3
4	Finland	9.2
22	United States	7.1
175	Iraq	1.5
176	Afghanistan	1.4
176	Myanmar	1.4
178	Somalia	1.1

In order for Army CORs to avoid some of the common offenses, such as fraud, bribery, conspiracy to defraud, contractor kickbacks and accepting illegal gifts in the contingency environment, it is imperative that they receive the appropriate ethical training, and understand the laws, regulations, and rules that apply to contingency operations as outlined in the Joint Ethics Regulation (JER). CORs must know the possible ramifications and consequences for their actions or inactions in regards to ethical violations. The ramification and consequences include felony charges, conviction, jail, and fines, as described in Chapter III. During federal investigations for procurement fraud, an individual can “suffer the slings and arrows of outrageous fortune that will come in terms of thousands of dollars in out-of-pocket expenses for a criminal lawyer,

subcontracted subject matter expert attorney, polygraphs, and most of all, the stress on families and marriages” (Knauer, 2010, p. 13). The CORs are expected to maintain the highest standard of conduct as they are representing the U.S. government (USG) and DoD; therefore, they must be knowledgeable and understand the following ethical statutes in order to conduct themselves with integrity in the contingency environment.

The ethics rules—18 USC 201–208 statutes—cover bribery, gratuities, and conflicts of interest, which are some of the most common ethical violations committed by Army CORs. Bribery includes giving a government employee something of value for the purpose of influencing the performance of an official duty. An example of bribery is when a government employee accepts something of value from a contractor such as money, liquor, food and gifts in exchange for preferential treatment (DoD IG, 1987). Gratuities include giving a government employee something of value because of his or her official position. An example of gratuities is when a COR solicits and receives gratuities from a contractor; these include meals, video equipment, trips, and cars, for which there was no evidence that he did anything in return for these gratuities (DoD IG, 1987). Conflicts of interest include situations where a COR engages in activities that create a conflict between his/her personal interests and his/her duty to protect and serve the government’s interest (DoD IG, 1987). An example of a conflict of interest is when a subcontractor was awarded the contract by a COR, and in turn, the subcontractor was to further subcontract to a firm that was owned by the COR’s family members or relatives. In any situation, CORs must not use their official position for their private gains.

D. CURRENT TRAINING REQUIREMENTS AND CERTIFICATION FOR ARMY CONTRACTING OFFICER REPRESENTATIVES

Since 2007, the Army has recognized and emphasized the importance of operation contracting support in contingency operations and has implemented the DoD’s standard COR training programs. “The Army’s top military procurement official, Lieutenant General Joseph Yakovac, who has been pushing for additional training for service buyers and has expressed concern about the Army’s ability to manage the escalating complexity of military systems” (Erwin, 2006, p. 20). It is imperative that CORs receive proper

training because, “Failure to have individuals trained as CORs can hinder management and contract oversight and surveillance, which result in the waste of taxpayers’ dollars and mission failure” (Williams, 2011, p. 4).

Through Section 813 of the John Warner National Defense Authorization Act of 2007, Congress directed the DoD to conduct a department-wide review of vulnerabilities to fraud, waste and abuse in contracting integrity in contingency operations (Under Secretary of Defense (AT&L), 2008). In addition, Congress directed the DoD to identify the causes of contract surveillance and oversight vulnerabilities. Therefore, the DoD established the Panel on Contracting Integrity, which includes a working group subcommittee on sufficient contract surveillance and subject matter experts (SME) from various agencies that review current DoD policies, processes, and practices regarding contract surveillance of defense contracts; the primary focus is on COR responsibilities, training, assignment process, and surveillance documentation (Under Secretary of Defense (AT&L), 2008). In 2008, the working group identified some general and technical competencies for CORs, characterized training requirements for three COR types in contingency operations, and developed a certification standard for CORs to implement in DoD organizations. Tables 5 and 6 in Appendix D and E depict lists of the general and technical competency skills for CORs. In addition, the working group recommended that CORs be properly trained prior to contract award, and the CORs’ efforts must be reflected in performance assessment.

Below is a summary of the three COR types based on the complexity, contract type and dollar value recommended by the working group for the Army and DoD to identify which training is appropriate and pertinent to the unit’s mission. The DAU has begun implementation of the COR training curriculum to reflect these evolving requirements in contingency operation as mandated by DoD. The details of each COR type are outlined in Appendices F, G and H. (Under Secretary of Defense (AT&L), 2008)

1. COR Type A—is the low performance risk fixed priced requirements without incentives contracting function. The attributes of this contract function include the lack of technical or administrative complexity, no identifiable risk factors, and low likelihood of modifications. The duties

and responsibilities are generally limited to minimal technical and/or administrative monitoring of the contract. The type A contracting function requires individuals to serve as COR to have at least six months of general experiences or relevant experience as determined by supervisor or CO. The requirement training is the CLC 106 and the new module CLC 206 for CORs who operate the contingency environment. The CLC 206 covers the basics of contracting, along with the ethical situations and cultural differences a COR who may experience while deployed in a contingency. (Under Secretary of Defense (AT&L), 2008)

2. COR Type B—is anything other than low performance risk requirements listed in type A. The attributes of these requirements involves a more complex work and other than fixed priced contract types such as cost-type or time and materials contract, and performing duties in multiple regions or in remote geographic locations. The duties and responsibilities are of increased complexity; therefore, it requires individuals to serve as a COR to have twelve months of general experience or relevant experience as determined by supervisor and CO. The training requirement for COR type B is the CLC 222 COR resident course. CLC 222 specifically designs for CORs who are responsible for assuring that contractors are performing the technical portion of their job. It provides CORs with the breadth of knowledge of the roles and responsibilities, as well as fundamentals of contracting regulations, types, phases, and other elements such as ethical, legal, and cultural factors that impact COR's responsibilities. In addition, CLC 222 provides information necessary to effectively evaluate situations and dilemmas, allows COR to apply knowledge gained and make correct decisions to carry out his or her responsibilities. (Under Secretary of Defense (AT&L), 2008)

3. COR Type C—is a unique contract requirement that necessitate a professional license, technical license or higher education, beyond the type B requirement. The attributes of these requirements include environmental remediation, major weapons systems, medical services, dental services, and veterinarian services. The duties and responsibilities are highly complex and specialized. The experience requirement in order to serve as COR is twelve months of general experience or relevant experience as determined by supervisor and CO. The training requirements are CLC 222 to include mandatory and specialized training as determined by the Army. (Under Secretary of Defense (AT&L), 2008)

In 2009, the Army issued an Execution Order 48–10 to its lower echelon for the requirements for the COR program. The order directs Army units to determine their COR in-theater requirements and to plan on “eighty CORs for a brigade, twenty-five

CORs for a separate battalion, and fifteen CORs for a separate company” (Williams, 2011, p. 5). In addition, the order mandates that deploying brigades must have soldiers designated and trained as CORs prior to their deployment. These requirements are achievable because the COR curriculum is provided to the Army noncommissioned officer at the senior leader course. Currently, the Army Expeditionary Contracting Command (ECC) has a training program called contingency contracting unit training (C2UT), designed to train and educate CORs and unit leaders on procurement ethics, defining requirements, and contract oversight and surveillance. “The overall end state of the C2UT program is to teach and train those have been appointed to oversee contract support and what rules they have to follow in order to maximize the support and to help them accomplish their mission with utmost efficiency” (Williams, 2011, p. 5). According to Mr. Kim Denver, the Deputy Assistant Secretary of the Army Procurement (DASA (P),

In 2010 and 2011, the Army Logistics University (ALU) trained 8,568 CORs, the ECC trained 2,317 Soldiers as CORs since October 2010 and also more than 5,500 Army CORs received theater-specific supplemental training from the Joint Operations prior to their assignment in contingency operations. (Denver, 2011, p. 92)

E. SUMMARY

As identified in the GAO, DoD IG and Gansler reports, lack of sufficient education and specific training programs affect the abilities of CORs to perform their duties in wartime contracting. As a result of these contracting process and requirement deficiencies, the DoD has implemented education and requirements to enhance COR knowledge and competencies to ensure they meet certification standards prior to the awarding of contracts. There is also emphasis on continuous education via the continuous learning module (CLM) and acquisition ethics, designed to ensure that CORs recognize the importance of ethical standards and conduct themselves with integrity and in accordance with JER. In addition, CORs must have knowledge of the contracting process, contract administration, and statutory laws and regulations to meet certification standards. CORs provide a very critical role in the contracting process and administration; with their knowledge of general and technical core competencies, they

greatly contribute to expeditionary contracting. While COR education and training is greatly enhanced over what it was just a few short years ago, it is equally important to build a culture of effective collaboration and communication between the CO and CORs, so that, together, they can effectively and ethically provide vital support in contingency operations.

V. CONCLUSIONS AND RECOMMENDATIONS

A. CONCLUSIONS

Expeditionary contracting has been transformed over time and has evolved into intricate operations with diverse processes, personnel requirements and environmental challenges. Contingency operations involve numerous acquisition policies and practices, by which military personnel, government employees and contractors must abide. The integration of diverse personnel, with an increased reliance and utilization of contractors, are to assist the Army in meeting the demands for management, oversight and surveillance of personnel in a wartime environment. In the Army acquisition workforce, the COR performs many critical functions, as COs and contractors alike are dependent on them to fulfill essential duties in the contracting process, and to ensure successful contract execution, performance, and administration.

Due to the increased involvement of contractors and CORs in contingency operations, there have been documented shortcomings of the contracting process, oversight and surveillance due to the lack of a comprehensive education and training program for CORs who must be prepared for the multi-faceted role in OIF and OEF. Lack of adequate education—including the contracting basics and processes, contract administration, procurement ethics, and statutory laws and regulations—significantly hinders the CORs' abilities to fully accomplish their duties and responsibilities. It is also wasting billions of dollars of taxpayers' money. According to Michael J. Thibault, Co-Chair of Wartime Contracting Commission,

The biggest challenge is waste. We have found billions of dollars of waste stemming from a variety of shortcomings—poor decision making, vague contract requirements, lack of adequately trained COR to oversight people in the field, duplicative or unnecessary work, failure to revise or recomplete contracts, unsustainable projects, in adequate business processes among contractors, and delayed audits. (Thibault et al., 2011, p.1)

Many of the shortcomings listed above are a direct result of inefficient COR job performance. Therefore, it is imperative that the DoD emphasize and enforce education,

training, and certification requirements for CORs prior to their appointment. In doing so, CORs will be more efficient in their job performance, and the amount of waste from deficient processes and performance will be greatly reduced.

In addition to waste in Iraq and Afghanistan, there are also numerous cases and open investigations of procurement fraud as well as convictions. “The Commission’s conservative estimate of waste and fraud is about \$31 to \$60 billion based on contract spending from 2001 projected through the end of FY 2011” (Thibault et al., 2011, p. 1). The Gansler Commission report identified that the Army failed in the area of contract management and adequate surveillance of service contracts (Gansler et al., 2007). These contracting process deficiencies, combined with a shortage of qualified contracting personnel, create the potential for the commission of procurement fraud by some of the CORs. Lack of internal control and oversight increases the likelihood of fraudulent activity. In an effort to reduce procurement fraud cases in future expeditionary operations, the DoD has taken measures to review and enhance the Army expeditionary contracting process and environment, contract procurement guidelines and regulations, as well as the procurement ethical framework.

B. RECOMMENDATIONS

CORs are integral members of the Army acquisition workforce in that they have critical roles in ensuring that the government gets the best value for its money spent and in accomplishing the mission. In addition, they have extensive technical responsibilities in the monitoring of contracts to ensure each phase is completed according to contracting process guidelines. Leaders should give credence to the appointment of CORs as they are vital to the contracting workforce, and not merely organization members who occupy non-critical positions. CORs who possess the adequate and appropriate certification will work with COs and contractors to contribute greatly and effectively in the contracting process.

Several critical areas are recommended for the Army to address to effectively enhance its capability and success in future contingency operations. The first area is to enforce the educational requirements, training, and certification prior to the appointment

of CORs. Equally important is mandating that CORs receive hands-on training in addition to enforcement of a quarterly ethics training program (ETP). Administering an ETP encourages CORs to think critically and act ethically by upholding the wartime contracting laws, rules and regulations. The purpose of the ETP is to help reduce unethical violations and emphasize ethics awareness. The ETP must be conducted by SMEs via seminars, lectures, and roundtable discussions. The ETP needs to include the challenges of working in austere environments, such as fast-paced, stressful, and possibly corrupt, as well as the cultural practices of the host country. Lessons of realistic procurement fraud conviction case scenarios should also be presented. Additionally, education and training must be a continuous process that includes federal contract law in foreign countries and compliance, as well as DoD contract regulations and policies. Periodic assessments of current program requirements should be completed, and updated program mandates should be reviewed and implemented.

Furthermore, expeditionary contracting and contractors on the battlefield continue to be key players in contingency operations. The following manning and resource recommendations are made for the Army to review and implement:

1. Create COR position as additional skill identifiers (ASI) for senior NCOs (SSG(P) through MSG), warrant officers (WO1 through CW3), and company grade officers (2LT through CPT), because these individuals have the education, experiences, demeanor, and drive to force contractors to meet or exceed the contract standards.
2. Ensure that CORs perform their contract duties and responsibilities and that no other assigned duties will conflict those contract responsibilities.
3. Implement the COR certification levels as outlined in the OMB memorandum dated September 6, 2011. The objectives of the certification are to ensure that CORs meet the training and experience requirements, maintain current skill levels, and revalidate their competencies. Figure 8 depicts the new COR certification requirement effective January 1, 2012, for all federal agencies except the DoD. (OMB, 2011)



Figure 8: COR Certification Requirements
(From OMB, 2011, p. A-4)

C. AREAS FOR FURTHER RESEARCH

As stated above, the OFPP issued a new memorandum dated September 6, 2011, which was a revision to the 2007 OFPP memo for Federal Acquisition COR. The purpose of the new revision memorandum was to “revise the competency requirements for CORs and to establish a risk-based, three-tiered certification program for federal civilian agencies in order to better reflect the important role of the COR” (OMB, 2011, p. 2).

The new CORs certification requirements are effective January 1, 2012, for all federal agencies, and will not be effective for the DoD. While CORs in the DoD interact with other federal agencies, they are bound by different certification requirements. It is imperative that DoD CORs who are engaged in the interagency contracting process possess the same knowledge and certification as their federal counterparts. The uniform guidelines for federal agency employees and DoD employees will result in more productivity and effective work processes.

For further research, it is recommended that the DoD review the effectiveness of the implementation and progress of the new COR certification requirements for all federal agencies. Another area of research that should be considered is how to recruit more technical expertise, such as engineers and construction specialists, as CORs to join the acquisition workforce to oversee technical contracts in contingency operations. These technical capacities potentially provide better compliance with contract surveillance and oversight, achieve positive contract outputs and outcomes in terms of goods and services, and also maintain good stewardship and accountability of taxpayers' money.

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX A. COR DUTIES AND RESPONSIBILITIES

Table 4. COR Duties and Responsibilities
(After Under Secretary of Defense (AT&L), 2008)

a. Be knowledgeable of terms and conditions, as well as the technical content in the contract/order/agreement.
b. Establish and maintain a COR file in accordance with agency/component procedures. COR file will include items, such as, a copy of COR delegatin letter, copy of signed contract and modifications, surveillance/performance assessment plan (if applicable), wirtten communciations with the Contractor/CO, trip reports, documentation of telephone conversations/meetings, surveillance documents, invoice/payment documentation, and all documentation that is required to record, evaluate, and report the Contractor's performance.
c. Determine the need, and ensure all requirements are met for Contractor badges, background checks, and all other required security clearances.
d. Maintain liaison and direct communciations with the contractor's representative, CO, customer, and other authorized representatives related to the contract/project, including participating in meetings/discussions as requested by the CO (i.e. post-award orientation conferences, negotiations).
e. Advise the Contractor to submit requests for changes in writing to the CO. Assure the changes in work under a contract are not implemented before written authorization or a contract modification is issued by the CO
f. Recommend to the CO any changes in scope and/or technical provisions of the contract/order/agreement with wirtten justification for the proposed action.
g. Provide clarification of technical requirements to the Contractor, as necessary, without making changes or agreeing to makes changes to the contract/order/agreement.
h. Coordinate with the Contractor and CO to resolve issues and monitor corrective actions.
i. Use extreme care to avoid supervising the Contractor's employees. Must not interfere with the manner which the contractor assigns work or with contractor's relations with organized labor.
j. Assist the CO with close-out of contracts; especially with the orderly transition or completion of work as contractor workforce is phaed out.
k. Ensure COR files are provided to the CO during contract close-out.
l. Serve as the central POC to assure that any Government obligations stated in the solicitation are completed (GFP is in place, review/approval of submittals, plans or procedures required by the PWS are obtained, etc.)
m. If COR responsibilities are transferred to a new COR before the contract is completed, ensure that all relevant information for the contract is turned over to the new COR.
n. Refer to the CO any request from a Contractor for the release of information.
o. Review and recommend acceptance of Contractor's quality control plan.
p. Ensure the Contractor's compliance with procedures regarding restrictive markings on data, if applicable.
q. Recorgnize and report to the CO any organizational COI between Contractors.
r. Monitor the Contractor's compliance with safety (i.e OSHA), security, labor (i.e Service Contract Act) and environmental law and regulatory requirements.
s. Assist the CO in negotiating any proposed increases or decreases in scope of work by providing independent cost estimates and/or technical evaluations.
t. Provide feedback on Contractor performance as input to the past performance data base (i.e. CPARS) or as otherwise requested by CO.
u. Monitor Contractor performance and ensure that the Contractor performs the requirements of the contract/order/agreement in accordance with the terms, conditions, and specifications. This includes ensuring that all required items, documentation, data and/or reports are properly and timely submitted as contractually required.
v. For PBSC, perform on-site surveillance in accordance with the surveillance plan. Assure technical proficiency and compliance with the technical provisions of the contract by review and verification of the performance of work accomplished by the Contractor.
w. Notify the Contractor of deficiencies observed during surveillance (i.e. anticipated performance fialures, late deliveries, nonconforming work, security violations, hazardous working conditions, impropert use of Goernment material) and recommend appropriate action to CO to effect correction.
x. Review Contractor requests for travel, overtime, Government assets, or subcontracting, in a timely manner, and forward to the CO for approval.
y. Review and analyze the Contractor's deliverables, service and management reports.
z. Review interim invoices (CR, LH and T&M cotracts) to make sure charges are commensurate with observed performance (i.e. travel was necessary and actually occurred, labor hours charged are commensurate with level of work performed).

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX B. LIST OF GAO AND DOD IG REPORTS

Government Accountability Office:

GAO-05-274. Contract Management: Opportunities to Improve Surveillance on DoD Service Contracts, March 17, 2005.

GAO-06-838R. DoD Vulnerabilities to Contracting Fraud, Waste and Abuse – for improving contracting integrity, July 7, 2006.

GAO-06-800T. DoD Acquisitions: Contracting for Better Outcomes, September 7, 2006.

GAO-07-145. Military Operations: High-Level DoD Action Needed to Address Long-standing Problems with Management and Oversight of Contractors Supporting Deployed Forces, December 16, 2006.

GAO-07-395T. Defense Acquisitions: DoD Needs to Exert Management and Oversight to Better Control Acquisition of Services, January 17, 2007.

GAO-08-621T. Defense Acquisitions. DoD's Increased Reliance on Service Contractors Exacerbates Long-standing Challenges, January 23, 2008.

GAO-08-1087. Military Operations: DoD Needs to Address Contract Oversight and Quality Assurance Issues for Contracts Used to Support Contingency Operations, September 26, 2008.

GAO-10-39. Defense Acquisitions: Further Actions Needed to Address Weaknesses in DoD's Management of Professional and Management Support Contract, November 20, 2009.

GAO-11-771T. Operational Contract Support: Actions Needed to Address Contract Oversight and Vetting of Non-U.S. Vendors in Afghanistan, June 30, 2011.

GAO-11-892. Defense Acquisition Workforce: Better Identification, Development, and Oversight Needed for Personnel Involved in Acquiring Services, September 28, 2011.

Department of Defense Inspector General:

DoD IG (D-2006-010). Acquisition: Contract surveillance for service contracts, October 28, 2005.

DoD IG (D-2010-059). Contingency contracting: a framework for reform, May 14, 2010.

APPENDIX C. COR TRAINING MODULES

(From DAU Certification Courses. Retrieved from https://learn.dau.mil/Atlas2/faces/page/atlasSE/desktop/DesktopHome.seam?tabId=20&cId=tab_20)

CLC 106: COR with a Mission Focus

This course provides the learner with the basic skill set needed to be a COR and an overview of the acquisition process, teaming, ethics and integrity, authorities, contract classification, contract types, proper file documentation, performance assessment methods, remedies for poor performance, invoice requirements, contract modifications, and contract management.

Lesson One: Acquisition Process Overview

- Identify the three phases of the Acquisition Process

- Describe an effective acquisition team

Lesson Two: Ethics and Integrity are Essential

- Recognize regulatory limitations on the conduct of Procurement Personnel

- Recognize your ethical responsibilities

Lesson Three: Authorities

- Recognize legal concepts, statutory and procedural regulations applicable to Federal Government

- Identify the classification of contracts

- Describe the frequently used Contract types

- Identify the difference between Real and Apparent Authority

- Recognize the conditions that must be met before becoming a COR

Lesson Four: Assessing Performance—Getting the Mission Results

- Recognize the importance of proper file documentation

- Be able to itemize those documents that are to be included in the COR file

- Discuss the methods of performance assessment available to the COR

- Identify remedies for poor performance

Lesson Five: Contract Administration Essentials

- Identify proper invoice requirements

- Identify requirements for timely processing of contractor invoices

- Distinguish between a “change” and a “constructive change”

- Identify the COR responsibilities regarding Government Furnished Property

Lesson Six: Planning the Acquisition—Getting the Requirement Right

- Identify the procedures and elements used in planning the acquisition

- Recognize the importance of competition

Lesson Seven: Executing the Acquisition—Selecting the Right Contractor

- Identify the key events of the execution phase

- Recognize the points within the acquisition process where the potential for conducting an unfair competition is high

Lesson Eight: Special Interest Areas

- Construction Type Contracts

Research and Development

CLC 206: COR in a Contingency Environment

This course is designed specifically for CORs who are deployed in a contingency environment. It covers the basics of contracting, along with the ethical situations and cultural differences a COR may experience while deployed in a contingency operation

Lesson one: Contract Basics

Identify the responsibilities of the COR in relation to the contract and its related elements (to include QASP and PWS)

Identify how the COR should handle and address information security issues

Lesson two: The Contingency Environment

Identify how potential organizational conflicts of interest can affect contract management

Identify how a COR reports suspected incidents of fraud, waste, and abuse and unethical conduct

Identify cultural taboos in a contingency environment

Identify the process for reporting bribery, kickbacks and other illegal acts

Given a contingency scenario, evaluate contractor's compliance with performance items and conditions

CLC 222: Online Training for COR

This course is specifically designed for CORs who are responsible for assuring that contractors are performing the technical portion of their job. CLC222 will provide CORs the breadth of knowledge required to perform their role, including knowledge related to COR roles and responsibilities, as well as fundamentals of contracting regulations, types, phases, and other elements; awareness of ethical, legal, and cultural factors that impact COR responsibilities; and information necessary to effectively evaluate situations, apply knowledge gained, and make correct decisions to carry out COR responsibilities.

Lesson one: COR Roles and Responsibilities

Given a contract for which you are the COR, identify the documents required by regulation and policy to be maintained in the COR file

Describe the duties of the COR as outlined in the delegation letter

Identify how potential organizational conflicts of interest can affect contract management

Identify how a COR reports suspected incidents of fraud, waste and abuse and unethical conduct

Lesson two: Contract Pre-Award & Award

Identify market research actions of the COR

Identify the process for developing an independent Government cost estimate

List the requirements for preparing a statement of work or statement of objectives

Recognize the role of the COR in the overall strategic planning of an acquisition

Recognize the various types of funds and fiscal controls applied to contracts

Identify the COR responsibilities in the source selection evaluation

Identify appropriate evaluation factors/criteria

Recognize how contract types impacts COR responsibilities

- Identify the various methods of contracting for a supply or service
- Lesson three: Contract Management
 - Recognize the basic information (period of performance, PWS, contract value) found in a contract to include the uniform contract format
 - Identify methods of tracking contract obligations using Accounting Classification Requirements Number (ACRNS) and Contract Line Item Numbers (CLINs) in a contract
 - Recognize the COR's role in tracking the contract schedule
 - Analyze contract schedule compliance, to include all SOW requirements and Contract Deliverable Requirements List (CDRL) deliverables
 - Identify COR responsibilities supporting the planning and submission of contract changes documents needed to negotiate a modification
 - Determine if a change is within the scope of the contract.
 - Define the COR's role in the resolution of issues under the contract and his role in monitoring corrective actions
 - Recognize how the COR's responsibility for providing cost estimates assist KOs in negotiating proposed changes in scope of work under the contract
 - Identify the common causes of constructive change
 - Identify the duty to provide technical clarification to the Contractor without creating an unauthorized obligation or constructive change to the contract
- Lesson four: Contract Monitoring: Performance
 - Given a contract action, identify the delegated technical functions for which the COR is responsible
 - Define the role and authority of CORs regarding past performance.
 - Identify the contracting expenditures, funding issues, overruns, requests for travel and overtime that will be discussed with the CO
 - Describe CORs responsibilities in inspecting and accepting supplies and services
 - Identify major requirements for timely invoice review and payments
 - Identify control and disposition requirements for government furnished or leased assets
- Lesson five: Contract Monitoring: Documentation & Handling Issues
 - Recognize the requirement to safeguard data with restrictive markings.
 - Identify the communications necessary among all interested parties to the contract as frequently as needed to ensure the services provided meet the established standards
 - Distinguish between formal and informal communication and its effect on giving technical direction
 - Discuss when and why schedule compliance must be brought to the attention of the CO
 - Identify how a COR deals with non-compliance or poor performance
- Lesson six: Special Considerations
 - Are there special considerations for services contracts?
 - List the contents of a QASP/ Performance Assessment Plan (PAP)
 - In performance based contracts, identify techniques for verifying performance of work IAW the Government's QASP

Distinguish between personal and non-personal services and act accordingly when working with contractor personnel
Evaluate the contractor's compliance with safety, security, labor, Service Contract Act, environmental law, and regulatory requirements
Analyze the inspection clauses for fixed type and cost reimbursement contracts used in construction
Define Earned Value Management and cost performance reporting
Define the major actions required to evaluate the contractor's engineering efforts and management systems

CLM 003: Overview of Acquisition Ethics

This course reinforces the most important legal ethics standards governing interaction between government personnel and our contractors. Areas addressed include conflicts of interest; gratuities from contractors; the Procurement Integrity Act; job-hunting for a position with private industry while still employed with the federal government; restrictions on 'post-government employment of a former federal employee or officer; and ethical problems that can arise when both government and contractor personnel work in common spaces on common goals as a single 'team'.

Lesson one: Gifts

Principles to keep in mind when faced with the offer of a gift in the course of the job

Lesson two: Time Off

Handling time off charges for a contractor employee

Lesson three: Test Data

Reporting factual data from a contractor employee

Lesson four: Employment

Offer of employment from a contractor

Lesson five: Nondisclosure

Disclosing procurement information to a contractor employee

Lesson six: Representation

Handling a former government employee now representing a contractor

APPENDIX D. LIST OF GENERAL COMPETENCIES FOR COR

Table 5. List of General Competencies for COR
(From Under Secretary of Defense (AT&L), 2008)

General	Definitions
Attention to Detail	Is thorough when performing work and conscientious about attending to details
Decision-Making	Makes sound, well-informed and objective decisions; Perceives the impact and implications of decisions; Commits to action, even in uncertain situations, to achieve organizational goals; Causes change
Flexibility	Accepts change and new information without difficulty; Adapts behavior or work methods in response to new information, changing conditions, or unexpected obstacles; Deals effectively with ambiguity.
Influencing/Persuasion	Persuades others to accept recommendations, cooperate or change behavior; Works with others towards achieving agreement; Finds mutually acceptable solutions.
Interpersonal Skills	Shows understanding, courtesy, tact, empathy; Develops and maintains relationships; Deals effectively with difficult people; Relates well to people from diverse backgrounds; Displays sensitivity to individual differences
Oral and Written Communication	Expresses information to people effectively; Makes clear and convincing presentations; Listens to others; Attends to non-verbal cues; Uses correct grammar, punctuation, and spelling; Communicates information in a succinct and organized way; Considers the target audience when delivering information.
Planning and Evaluating	Organizes work, sets priorities, determines resource requirements, determines goals and strategies; Coordinates with other organizations; Monitors progress; Evaluates outcomes.
Problem Solving	Identifies problems; Determines accuracy and relevance of information; Uses sound judgment to generate and evaluate alternatives, and make recommendations
Reasoning	Identifies rules, principles or relationships that explain facts, data or other information; Analyzes information and makes correct inferences or accurate conclusions.
Teamwork	Encourages and facilitates cooperation, pride, trust; Fosters commitment; Works with others to achieve goals
Self-Management/Initiative	Establishes well-defined and realistic goals; Displays high level of initiative, effort, and commitment toward completing assignments on time; Works with minimal supervision; Exhibits motivation to achieve; Demonstrates responsible behavior.

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX E. LIST OF TECHNICAL COMPETENCIES FOR COR

Table 6. List of Technical Competencies for COR
(From Under Secretary of Defense (AT&L), 2008)

Technical	Definitions
Business Ethics	Contributes to maintaining the integrity of the organization; Displays high standards of ethical conduct; Understands impact of violating ethical standards on an organization, self, and others; Demonstrates trustworthiness.
Defining Government requirements	Makes recommendations on evaluation factors for incorporation in solicitations which tie back to clear and unambiguous technical requirements included in the RPF/solicitation; Understands acquisition methods; Is able to define government requirements in terms of expected performance outcomes.
Effective Analytical Skills	Evaluates technical aspects of contractor proposals; develops positions or strategies for CO use in establishing contract pre-negotiation objectives; Supports CO during negotiations.
Effective Communication of Contract Requirements	Understands terms and conditions under assigned contract actions; expresses adequately roles and responsibilities of key stakeholders involved in contract administration; Conducts post-award orientation meetings to review contract milestones and responsibilities; Offers sound technical direction to the contractor according to contract requirements.
Effective COR performance	Understands COR duties, responsibilities, and obligations; Adheres to limitations set forth in delegation letter; Performs COR functions in accordance with agency policy and procedures.
Effective Contract Performance Management	Monitors contract performance, initiates and takes necessary action to protect the interests and rights of the Government under contracts; Documents contractor performance in appropriate past-performance systems; Evaluates actual performance against contract objectives; Maintains a COR file in accordance with agency guidance.
Project Management	Develops and maintains a workable plan and manages resources to accomplish overall goal of project; Plans, manages, follows through to ensure smooth flow and timely completion of activities that deliver project results; Anticipates obstacles or gaps that would impact project success; Works to continuously improve agency's capability to achieve success.
Strategic Planning	Advises acquisition team members and customers in the development and implementation of strategies needed to assure products and services are available when needed to meet mission requirements.
Understanding the Marketplace	Collects and analyzes relevant market information from government and non-government sources; Provides business advice on the procurement requirement; Provides technical advice in preparation of requirements documents and related elements of the procurement request.

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX F. COR TYPE A

(From Under Secretary of Defense (AT&L), 2008)

NATURE OF TYPE A WORK/REQUIREMENT	REQUIRED COMPETENCY TOPICS	REQUIRED COMPETENCIES	EXPERIENCE/TRAINING REQUIREMENTS
<p>Low performance-risk, fixed-price requirements without incentives. Attributes of such requirements might include: lack of technical or administrative complexity, no identifiable risk factors; limited requirement for technical expertise; low likelihood of modification; effort is a follow-on to an existing contract. COR duties/responsibilities are generally limited to minimal technical and/or administrative monitoring of the contract.</p>	<p>General: >Attention to Detail >Decision Making >Flexibility >Oral and Written Communication >Problem Solving/Reasoning >Self-management/Initiative >Teamwork Technical: >Business Ethics >Effective Communication of Contract Requirements >Effective Contract Performance Management >Effective COR Performance</p>	<p>Upon completion of mandatory training, COR should be able to perform at least the following competencies in a manner consistent with the nature of Type A work/requirements: 1. Assist in acquisition planning. 2. Assist in contract award process. 3. Establish/maintain COR file with all required documentation. 4. Identify/prevent unethical conduct and instances of fraud/waste/abuse. 5. Perform technical/administrative monitoring and reporting duties in accordance with letter of delegation and surveillance plan. 6. Recommend/monitor proposed changes. 7. Monitor contract expenditures/payments 8. Monitor contract schedule compliance. 9. Perform liaison duties between the Contracting Officer, the Requiring Activity, and the contractor for management of the contract. 10. Inspect, accept or reject deliverables during contract performance and at close-out in conformance with contract terms and conditions. 11. Monitor the control/disposition of Government furnished assets. 12. Perform surveillance in a contingency environment, when applicable.</p>	<p>Experience: >Agency experience: minimum of 6 months (may be waived) >Relevant technical experience: As determined by the nominating supervisor for the Contracting Officer's consideration and appointment >General competencies: As determined by the nominating supervisor for the Contracting Officer's consideration and appointment. Training: >DAU CLC 106, Contracting Officer's Representative (Basic) >DAU COR 206, COR in the Contingency Environment, when applicable (competency 12) >Minimum of 1 hour acquisition ethics training (e.g., CLM 003 or agency provided training) annually. >Additional training mandated by the contracting activity (e.g. WAFW). Refresher Training: >Minimum of 8 hours COR specific training: >Every three years, OR >Prior to assuming COR responsibilities if the individual has not served as a COR within the previous 24 months. >Minimum of 1 hour acquisition ethics training (e.g., CLM 003 or agency provided training) annually. >Any additional training mandated by the Activity.</p>

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX G. COR TYPE B

(From Under Secretary of Defense (AT&L), 2008)

NATURE OF TYPE B WORK/REQUIREMENT	REQUIRED COMPETENCY TOPICS	REQUIRED COMPETENCIES	EXPERIENCE/TRAINING REQUIREMENTS
<p>Other than low performance-risk, fixed-price requirements without incentives. Attributes of such requirements might include: the nature of the work is more complex; effort will be performed in multiple regions/remote geographic locations, contract contains incentive arrangements or cost sharing provisions, contract is cost-type of T&M/LH type, or FP LOE. COR duties/responsibilities are of increased complexity.</p>	<p>General:</p> <ul style="list-style-type: none"> ➢ Attention to Detail ➢ Decision Making ➢ Flexibility ➢ Influencing/Persuasive interpersonal skills ➢ Oral and Written Communication ➢ Planning and Evaluating ➢ Problem Solving ➢ Reasoning ➢ Self-management/Initiative ➢ Teamwork <p>Technical:</p> <ul style="list-style-type: none"> ➢ Business Ethics ➢ Defining Government requirements ➢ Understanding and knowledge of contract type ➢ Effective analytic skills ➢ Effective Communication of Contract Requirements ➢ Effective Contract Performance Management ➢ Effective COR Performance ➢ Project Management ➢ Strategic Planning ➢ Understanding the Marketplace 	<p>Upon completion of mandatory training, COR should be able to perform at least the following competencies in a manner consistent with the nature of Type B work/requirements:</p> <ol style="list-style-type: none"> 1. Assist in acquisition planning. 2. Assist in contract award process. 3. Establish/maintain COR file with all required documentation. 4. Identify/prevent unethical conduct and instances of fraud/waste/abuse. 5. Review technical submittals/ensure compliance with Statement of Work/Statement of Objectives (e.g., perform technical monitoring and reporting in accordance with a Quality Surveillance Plan) 6. Perform administrative monitoring and reporting duties (e.g., handle security issues, attend meetings, etc.) 7. Recommend/monitor proposed changes. 8. Monitor contract expenditures/payments. 9. Monitor contract schedule compliance. 10. Perform liaison duties between the Contracting Officer and the contractor for management of the contract. 11. Inspect, accept or reject deliverables during contract performance and at close-out in conformance with contract terms and conditions. 12. Review and validate that contractor payment requests are commensurate with performance. 13. Monitor control/disposition of Government furnished assets. 14. Perform surveillance in a contingency environment, when applicable 	<p>Experience:</p> <ul style="list-style-type: none"> ➢ Agency experience: minimum of 12 months (may be waived by the requiring activity. Waiver to be addressed in nomination package) ➢ Relevant technical experience: As determined by the nominating supervisor for the Contracting Officer's consideration and appointment ➢ General competencies: As determined by the nominating supervisor for the Contracting Officer's consideration and appointment. <p>Training:</p> <ul style="list-style-type: none"> ➢ DAU COR 222 or ALMC-CL or equivalent course ➢ DAU COR 206, COR in a Contingency Environment, when applicable (competency 14) ➢ Minimum of 1 hour acquisition ethics training (e.g., DAU CLM 003 or agency provided training) annually. ➢ Additional training mandated by the Contracting activity (e.g. WAWF). <p>Refresher Training:</p> <ul style="list-style-type: none"> ➢ Minimum of 16 hours COR specific training: <ul style="list-style-type: none"> • Every three years, OR • Prior to assuming COR responsibilities if the individual has not served as a COR within the previous 24 months ➢ Minimum of 1 hour acquisition ethics training (e.g., DAU CLM 003 or agency provided training) annually ➢ Any additional training mandated by the Activity

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX H. COR TYPE C

(From Under Secretary of Defense (AT&L), 2008)

NATURE OF TYPE C WORK/REQUIREMENT	REQUIRED COMPETENCY TOPICS	REQUIRED COMPETENCIES	EXPERIENCE/TRAINING REQUIREMENTS
<p>Unique contract requirements that necessitate a professional license, higher education or specialized training beyond the Type B requirements. Such requirements might include, for example, environmental remediation; major weapons systems; medical/dental/ veterinarian services, etc. COR duties/responsibilities are of increased complexity.</p>	<p>General: >Attention to Detail >Decision Making >Flexibility >Influencing/Persuasive interpersonal skills >Oral and Written Communication >Planning and Evaluating >Problem Solving >Reasoning >Self-management/Initiative >Teamwork Technical: >Business Ethics >Defining Government requirements >Understanding and knowledge of contract type >Effective analytic skills >Effective Communication of Contract Requirements >Effective Contract Performance Management >Effective COR Performance >Project Management >Strategic Planning >Understanding the Marketplace</p>	<p>Upon completion of mandatory training, COR should be able to perform at least the following competencies in a manner consistent with the nature of Type C work/requirements:</p> <ol style="list-style-type: none"> 1. Assist in acquisition planning. 2. Assist in contract award process. 3. Establish/maintain COR file with all required documentation. 4. Identify/prevent unethical conduct and instances of fraud/waste/abuse. 5. Review technical submittals/ensure compliance with Statement of Work/Statement of Objectives (e.g., perform technical monitoring and reporting in accordance with a Quality Surveillance Plan) 6. Perform administrative monitoring and reporting duties (e.g., handle security issues, attend meetings, etc.) 7. Recommend/monitor proposed changes. 8. Monitor contract expenditures. 9. Monitor contract schedule compliance. 10. Perform liaison duties between the Contracting Officer and the contractor for management of the contract. 11. Inspect, accept or reject deliverables during contract performance and at close-out in conformance with contract terms and conditions. 12. Review and validate that contractor payment requests are commensurate with performance. 13. Monitor control/disposition of Government furnished assets. 14. Perform surveillance in a contingency environment, when applicable. 15. Other specific functions consistent with the objectives of the Activity's mandatory specialized/technical training. 	<p>Experience: >Agency experience: minimum of 12 months (may be waived by the requiring activity. Waiver to be addressed in nomination package) >Relevant technical experience: As determined by the nominating supervisor for the Contracting Officer's consideration and appointment >General competencies: As determined by the nominating supervisor for the Contracting Officer's consideration and appointment. Training: >DAU COR 222 or ALMC-CL or equivalent course >DAU COR 206, COR in the Contingency Environment, when applicable (competency 14) >Minimum of 1 hour acquisition ethics training (e.g., DAU CLM 003 or agency provided training) annually. >Additional training mandated by the contracting activity (e.g. WAWF). Refresher Training: >Minimum of 16 hours COR specific training: •Every three years, OR •Prior to assuming COR responsibilities if the individual has not served as a COR within the previous 24 months. >Minimum of 1 hour acquisition ethics training (e.g., DAU CLM 003 or agency provided training) annually >Any additional training mandated by the Activity. >Any necessary for maintenance of license/certification/etc.</p>

THIS PAGE INTENTIONALLY LEFT BLANK

LIST OF REFERENCES

- Army Logistics University (ALU). (2011) AMC-CL Contracting Officer Representative Course. Retrieved from http://www.almc.army.mil/ALU_COURSES/ALMCCL-MAIN.htm
- Barbaris, R., & Callanan, C. (2008, September). *United States Army contingency contracting operations: Emerging roles, procedures, and challenges facing contracting professionals* (Joint applied project). Monterey, CA: Naval Postgraduate School.
- Burton, B., & McLean, L. (2009). The black and white of fraud, waste and abuse. *Defense AT&L*: March–April 2009, 36–41. Retrieved from http://www.dau.mil/pubscats/PubsCats/atl/damtoc/burt_ma09.pdf
- Defense Acquisition University (DAU). (2010a). CLC 106 COR with a Mission Focus. Retrieved from https://learn.dau.mil/Atlas2/html/scorm12/course/course_index.jsp?user_id=null&course_id=802062&course_prefix=CLC&version=6&scorm_version=3&roster_id=-0.29471751882941866_802062&course_name=Contracting%20Officer%20Representative%20with%20a%20Mission%20Focus&course_number=106&mode_id=null&mode=browse&cid=TabConversationSE%3Atab_20
- Defense Acquisition University (DAU). (2010b). CLC 206 COR in a Contingency Environment. Retrieved from https://learn.dau.mil/Atlas2/html/scorm12/course/course_index.jsp?user_id=null&course_id=809348&course_prefix=CLC&version=2&scorm_version=3&roster_id=-0.6137142470221448_809348&course_name=Contracting%20Officers%20Representatives%20in%20a%20Contingency%20Environment&course_number=206&mode_id=null&mode=browse&cid=TabConversationSE%3Atab_20
- Defense Acquisition University (DAU). (2010c). CLC 222 COR Online Training. Retrieved from [https://learn.dau.mil/Atlas2/html/scorm12/course/course_index.jsp?user_id=null&course_id=809362&course_prefix=CLC&version=2&scorm_version=3&roster_id=-0.7125056156624282_809362&course_name=Online%20Training%20for%20Contracting%20Officers%20Representative%20\(COR\)&course_number=222&mode_id=null&mode=browse&cid=TabConversationSE%3Atab_20](https://learn.dau.mil/Atlas2/html/scorm12/course/course_index.jsp?user_id=null&course_id=809362&course_prefix=CLC&version=2&scorm_version=3&roster_id=-0.7125056156624282_809362&course_name=Online%20Training%20for%20Contracting%20Officers%20Representative%20(COR)&course_number=222&mode_id=null&mode=browse&cid=TabConversationSE%3Atab_20)

- Defense Acquisition University (DAU). (2010d). CLM 003 Overview of Acquisition Ethics. Retrieved from https://learn.dau.mil/Atlas2/html/scorm2004V3/course/Course_main.jsp
- Defense federal acquisition regulation supplement (DFARS), 48 C.F.R. September 21, (2011).
- Denver, Kim. (2011). Procurement path forward. *Army AL&T Magazine*. 6 Oct 2011. 90–94.
- Department of Defense Inspector General (DoD IG). (1987). *Indicators of fraud in DoD procurement*. Washington, DC: The Office.
- Department of Defense Inspector General (DoD IG). (2007). *U.S. Army captain arrested for accepting \$50,000 bribe to steer military contracts in Iraq*. Retrieved from <http://www.dodig.mil/iginformation/IGInformationReleases/Key%20Arrest%20PR.pdf>
- Department of Justice (DoJ). (2011). *Former U.S. Army major pleads guilty to bribery related to contracting in support of Iraq war*. Retrieved from <http://www.justice.gov/opa/pr/2011/June/11-crm-770.html>
- Director, Defense Procurement and Acquisition Policy (DPAP). (2010, December). *Defense Contingency COR Handbook*. Retrieved from http://www.acq.osd.mil/dpap/ccap/cc/corhb/Files/DCCORH_Final.pdf
- Erwin, Sandara I. (2006). Reform agenda targets acquisition workforce. *National Defense*, 91(634), 20–21.
- Federal Acquisition Regulation (FAR). 48 C.F.R. ch. 1. (2010). <https://www.acquisition.gov/far/current/pdf/far.pdf>
- Fontaine, R., & Nagl, J. (2010). *Contracting in conflict: The path to reform*. Report Retrieved from <http://www.cnas.org/node/4560>
- Gansler, J. S., Berteau, D. J., Maddox, D. M., Oliver, D. R., Salomon, L. E., & Singley, G. T. (2007, October). *Urgent reform required: Army expeditionary contracting*. Report of the Commission on Army Acquisition and Program Management in Expeditionary Operations. Washington, DC: Author.
- Gates, S. M. (2009) *Shining a Spotlight on the Defense Acquisition Workforce – Again*. Retrieved from http://www.rand.org/content/dam/rand/pubs/occasional_papers/2010/RAND_OP266.pdf

- Government Accountability Office. (2008). *Implementation of existing guidance and other actions needed to improve DoD's oversight and management of contractors in future operations*. Retrieved from <http://www.gao.gov/new.items/d08436t.pdf>
- Government Accountability Office. (2010). *Better Identification, Development, and Oversight Needed for Personnel Involved in Acquiring Services*. Retrieved from <http://www.gao.gov/new.items/d11892.pdf>
- Harvey, Susan. (2002). Service contract management: No place for amateurs – contracting management and oversight. *Program Manager*, 56–60. Retrieved from <http://www.dau.mil/pubscats/PubsCats/PM/articles02/harjf02.pdf>
- Kamradt, M., Choi, S., & McIntosh, J. (2010). Improved contracting performance through enhancing time availability. *Contract Management*, 44–51. Retrieved from <http://www.ncmahq.org/files/Articles/CM0510%20-%2044-51.pdf>
- Klasfeld, Adam. (2011). Army captain gets three years for taking bribes. *Courthouse NewsService*. Retrieved from <http://www.courthousenews.com/2011/08/17/39061.htm>
- Klerman, J.A., Loughran, D.S., & Martin, C. (2005). Early results on activations and the earnings of reservists. Retrieved from http://www.rand.org/pubs/technical_reports/2005/RAND_TR274.pdf
- Knaeuer, Robert. (2010). A true story about the need for ethics and procurement training. *Contract Management*. January 2010, 12–15. Retrieved from <http://www.ncmahq.org/files/Articles/CM0110%20-%20Speaking%20Out.pdf>
- McMahon, L. & Sheftick, G. (2007). Gansler Commission cited systemic problems in Army contracting. *Army News Service*. November 1, 2011. Retrieved from <http://www.army.mil/article/5906/>
- Miller, T. Christian. (2006). *Blood Money: Wasted Billions, Lost lives, and corporate greed in Iraq*. New York: Little, Brown and Company.
- Office of Management and Budget (OMB). (2007, November 26). *The Federal acquisition certification for contracting officer technical representatives memorandum*. Washington, DC: Author.
- Office of Management and Budget (OMB). (2011, September 6). *Revisions to the acquisition certification for contracting officer technical representatives memorandum*. Washington, DC: Author.

- Office of the Special Inspector General for Iraq Reconstruction (SIGIR). (2007, January 29). *Administration of contracted funded by development fund for Iraq*. (SIGIR-06-036). Retrieved from <http://www.dtic.mil/cgi-bin/GetTRDoc?Location=U2&doc=GetTRDoc.pdf&AD=ADA510321>
- Office of the Special Inspector General for Iraq Reconstruction (SIGIR). (2011, July 28). *Control weaknesses remain in oversight of theater-wide internal security services contracts*. (SIGIR-11-018). Retrieved from <http://www.sigir.mil/files/audits/11-018.pdf>
- Phillips, James. Recognizing the value and contribution of the COTR to the acquisition team. *Contract Management*. 52-62. Retrieved from <http://www.ncmahq.org/files/Articles/CM0911%20-%2052-62.pdf>
- Ratley, James. (2010). 2010 Report to the Nations: On occupational fraud and abuse. Retrieved from http://www.acfe.com/uploadedFiles/ACFE_Website/Content/documents/rtnn-2010.pdf
- Thibault, M. J., Shays, C. H., Ervin, C. K., Green, G. S., Gustitus, L. J., Henke, R. J., Zakheim, D. S. (2009, June). *At what cost? Contingency contracting in Iraq and Afghanistan*. Retrieved from http://www.wartimecontracting.gov/docs/CWC_Interim_Report_At_What_Cost_06-10-09.pdf
- Thibault, M. J., Shays, C. H., Ervin, C. K., Green, G. S., Henke, R. J., Zakheim, D. S. (2011, August). *Wartime contracting commission releases final report to Congress*. Retrieved from http://www.wartimecontracting.gov/docs/CWC_nr-49.pdf
- Thibault, M. J., Shays, C. H., Ervin, C. K., Green, G. S., Henke, R. J., Zakheim, D. S. (2011, September). *Transforming wartime contracting: Controlling costs, reducing risks*. Retrieved from http://www.whs.mil/library/Reports/CWC_FinalReport-lowres.pdf
- Under Secretary of Defense (AT&L). (2008). *Panel on contracting integrity: 2008 report to Congress*. Retrieved from http://www.acq.osd.mil/dpap/cpic/cp/docs/PCI_RTC_2008.pdf
- United States Merit Systems Protection Board. (2005). *Contracting Officer Representatives: Managing the Government's Technical Experts to Achieve Positive Contract Outcomes. A Report to the President and Congress of the United States*.

- Young, David. (2009). Planning: The key to contractors on the battlefield. *Army Logistic Management College*. May/June 2009. Retrieved from <http://www.almc.army.mil/alog/issues/MayJun99/MS344.htm>
- Williams, Hurcel. (2011). Gansler Report findings help prioritize pre-deployment contracting planning. *Army Contracting Command (ACC) Today*. 4-5. Retrieved from <http://www.acc.army.mil/today/pdf/acc-today-072111.pdf>

THIS PAGE INTENTIONALLY LEFT BLANK

INITIAL DISTRIBUTION LIST

1. Defense Technical Information Center
Ft. Belvoir, Virginia
2. Dudley Knox Library
Naval Postgraduate School
Monterey, California