

HOLD UNTIL RELEASED BY THE
COMMISSION ON WARTIME CONTRACTING

WRITTEN STATEMENT OF

DR. JAMES S. MCMICHAEL
ACTING PRESIDENT
DEFENSE ACQUISITION UNIVERSITY

BEFORE

THE COMMISSION ON WARTIME CONTRACTING

ON

CONTINGENCY ACQUISITION WORKFORCE:
WHAT IS NEEDED AND HOW DO WE GET THERE?

SEPTEMBER 16, 2010

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Chairmen Thibault and Shays and distinguished members of the Commission, I welcome this opportunity to discuss the progress that has been made in overcoming the barriers to change in planning, funding, equipping and providing experiential jobs to the contingency workforce and the progress made in implementing the recommendations in the Commission on Army Acquisition and Program Management in Expeditionary Operations, October 2007 (Gansler Report). The Department of Defense has a comprehensive, evolving program in place, and the Defense Acquisition University (DAU) has played a key role in the development of training to provide needed skill sets and support systems to the contingency workforce, especially our Contingency Contracting Officers (CCO) and Contracting Officer's Representatives (COR).

The accomplishments reported in this testimony have been guided by the Gansler Commission's Report, by the Commission on Wartime Contracting, and by the leadership in the Department. They have been greatly enabled by Congressional actions in providing statutory authorities facilitating workforce shaping and development and in providing resources, in the latter notably through legislation known as Section 852 of the National Defense Authorization Act of 2008. Section 852, or the Defense Acquisition Workforce Development Fund, provides funding to support recruiting and hiring, training and development, and retention and recognition of the Defense Acquisition Workforce.

DAU's mission is to provide a global learning environment to support a mission-ready Defense Acquisition Workforce that develops, delivers, and sustains effective and affordable warfighting capabilities. Supporting the contingency acquisition workforce falls squarely within the mission.

The remainder of this testimony covers the following topics:

- I. Training for Contingency Contracting – development and improvement to courses for CCOs
- II. Training for Contracting Officer’s Representatives– development and improvement to courses for CORs
- III. Performance Support Tools – providing knowledge sharing and eBusiness tools to the expeditionary workforce
- IV. Support to Policy and Guidance – assistance to the office of the Undersecretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)) in the development and implementation of policy and guidance

I. Training for Contingency Contracting

Since 2007, DoD has made excellent progress in developing training to support contingency contracting to fill the training gaps that were identified by both the Commission on Army Acquisition and Program Management in Expeditionary Operations (the Gansler Commission) and the Commission on Wartime Contracting.

The Gansler Report focused on Army operations in theater and found four key areas of needed improvements:

- Contracting Personnel: Increase the stature, quantity, and career development of military and civilian contracting personnel (especially for expeditionary operations)
- Organization and Responsibility: Restructure organization and restore responsibility to facilitate contracting and contract management in expeditionary and CONUS operations
- Training and Tools: Provide training and tools for overall contracting activities in expeditionary operations
- Legislative, Regulatory and Policy Assistance: Obtain legislative, regulatory, and policy assistance to enable contracting effectiveness in expeditionary operations

Specifically for training and tools, the Gansler Report identified the need to:

- “... focus DAU to train and educate the civilian and military acquisition, logistics, and contracting workforce for expeditionary operations, in addition to weapons systems contracting. The training should be more ‘applied’ and cover both military and civilians.
- DAU’s Contingency Contracting Center of Excellence needs to be more visible, hands-on, practical and effective.
- DAU needs to adopt an agile training program that better captures lessons learned and then quickly incorporates those lessons into its blocks of instruction – both at the school house and on its website.”

DAU has made significant progress in achieving the focus and vision of the Gansler Commission. DAU has four major product lines: training, continuous learning, mission assistance, and knowledge sharing – all of which bear on the report’s recommendations.

Responding to the Gansler Report’s challenge, “Expeditionary contracting personnel need the training, knowledge, and experience necessary to know how to best support the warfighter while operating within the bounds of sound and legal business judgment,” DAU has completed the following actions:

- Hired a new Performance Learning Director to manage CCO and COR training
- Hired 47 new instructors in contracting, 18 of which specifically support CON 090
- Restructured the CON 234 Joint Contingency Contracting Officer Course curriculum, fielded February 2008 (aligned with the Defense Contingency Contracting Handbook)
- Developed an immersion experience online course CLC 039 Barda Bridge – fielded November 2008
- Developed an Advanced Joint Contingency Contracting Course CON 334 – fielded January 2010
- Developing gaming simulations to incorporate into CON 334 – on track for early FY 11 completion
- Updated CLC 114 Online Contingency Contracting Officer refresher training – August 2008
- Redesigned the Web Portal Process

- Redesigned the Contingency Contracting Community of Practice – fielded April 2010
- Participated in the May 2010 Defense Procurement and Acquisition Policy Training Symposium, which had approximately 1,300 participants

DAU has offered a contingency contracting course for several years with 5,672 graduates since October 1999. With the publication of the Defense Contingency Contracting Handbook in December 2007, the course was restructured to align with the new handbook. The Joint Contingency Contracting Officer Course, CON 234, which currently averages over 350 graduates per year, takes a hands-on approach to the business of contingency contracting. This course takes students through an exercise in actually filling out the contracting documents. They participate in a role playing scenario called Joint Task Force (JTF) Puller, where they negotiate with “foreign” contractors and get a practical look at customs and business practices in a forward deployed area. While JTF Puller currently simulates Saudi Arabia, DAU is updating the exercise in fiscal year 2011 to include simulations of Afghanistan, Iraq and other locations. CON 234 also incorporates the continuous learning simulation course called Barda Bridge. Barda Bridge was built in response to the recommendation to provide immersive simulation for contingency contracting. This simulation is based on a decision tree matrix which allows players to make decisions during the simulation and see the outcome of their decisions as they move through the scenario. The Barda Bridge simulation is also available online as a stand-alone continuous learning course, CLC 039, and there have been 1,046 graduates of CLC 039 in addition to those who took it as part of the CON 234 curriculum.

A new course fielded January 2010, Advanced Joint Contingency Contracting (CON 334), focuses on leadership in an expeditionary environment from planning to execution. We have had a total of 62 graduates for this course already and expect that number to increase as we provide a full schedule of offerings starting in October. Students must perform realistic analyses

of how best to procure items in an expeditionary environment, what to watch from a leadership view of ethics, and how to run the office. CON 234 and CON 334 have also been provided off-cycle to deploying units to ensure the personnel were prepared. DAU continues to look for ways to improve the experience for the students. For example, utilizing Section 852 funding, a gaming and simulation upgrade will be incorporated into CON 334 pre-course work to allow the students an interactive way to understand the requirements to develop a Contract Integration Support Plan and to complete their course assignment.

In addition, a two-hour refresher course for CCOs (CLC 114) is available online through the continuous learning center. It offers an overview reminder to CCOs of the key areas on which they need to focus. First fielded in 2006, CLC 114 has produced approximately 4,700 graduates to date.

Training for CCOs is provided by DAU and also by the Military Departments. Accordingly standardization is essential, given the joint expeditionary environment. Allowing for service-unique processes, a target of 90 percent commonality was set and achieved.

CCOs are contracting officers first. By virtue of having been assigned duties in support of contingency operations, they are also CCOs and thereby part of the contingency acquisition workforce. Accordingly, their skill sets must be grounded in competency in the contracting career field, augmented by training and development specifically for their contingency duties and by more specialized training keyed to certain assignments. The core training for CCOs begins with Level I certification courses in the contracting field which gives them an understanding of contracting basics, then simplified-acquisition and contingency training. In addition to the core curriculum taken by all, assignment-specific courses are provided.

- The core courses include:
 - CON 090 Federal Acquisition Regulation (FAR) Fundamentals¹
 - CON 100 Shaping Smart Business Arrangements
 - CON 110 Mission Support Planning
 - CON 111 Mission Planning Execution
 - CON 112 Mission Performance Assessment
 - CON 120 Mission Focused Contracting
 - CON 234 Joint Contingency Contracting
 - CON 237 Simplified Acquisition Procedures
 - ACQ 101 Fundamentals of Systems Acquisition Management
 - CLC 033 Contract and Structure Format

- Assignment Specific Courses include:
 - CON 244 Construction Contracting
 - CON 334 Advanced Joint Contingency Contracting

- Refresher Training:
 - CLC 114 – CCO Refresher Training

CCOs receive their training from DAU and their Service. Classroom courses are scheduled to meet demand, while distance learning courses and continuous learning modules are available continuously for DoD and for the workforce in the federal agencies. In addition to the

¹ The FAR Fundamentals course becomes a requirement for Level I Contracting Certification on 1 October 2010. It is a four week, resident, foundational course for new hires that provides a total immersion into the Federal Acquisition Regulation (Parts 1-53) and the Defense Federal Acquisition Regulation Supplement (DFARS). The course will prepare the 21st century acquisition workforce to operate successfully in a web enabled environment. CON 090 is a limited lecture, research-intensive, exercised-based curriculum. Participants analyze contracting business scenarios developed through research of the FAR and its supplements. The course is presented in four modules: Contracting Overview; Contract Planning; Contract Formation; and Contract Management. Students are expected to become familiar with FAR parts 1-53. Students are quizzed daily on FAR part knowledge, lecture/lesson content, and homework. Students should be prepared to dedicate 2-3 hours per evening for homework. Classroom laptop computers are provided for each student. Eighteen of the 47 contracting instructors hired using Section 852 funds support this course.

regular classroom schedule, DAU provides training in forward-deployed theaters of operation as well as just-in-time training to deploying personnel. For example, DAU provides streamlined courses to the US Marine Corps to allow their CCOs to obtain the required training stateside prior to deployment. Since publication of the Gansler Report, DAU has also provided just-in-time classroom training stateside to deploying personnel and to military units in Southwest Asia. In addition, at the request of CENTCOM, DAU has provided training for the Ministry of Interior (MOI) and Ministry of Defense (MOD) in Afghanistan and Iraq.

Good examples of Service-provided equivalent training are the Mission Ready Contracting Officer Course and the Mission Ready Airman's Course, both in the Air Force and supported in part by Section 852 funding, as well as courses at the Army Logistics University and at the Naval Postgraduate School.

II. Training for Contracting Officer's Representatives

The Gansler Report identified a major area of concern "that the Commission found alarming is the failure of both the Army and Defense organizations to perform a mission that is critical to operational success in-theater, and where the Army was, and clearly is, failing: contract management." The Department of Defense 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." The Report recommended "Provide Contracting Officer's Representatives with necessary training, prior to any military operation." Great progress has been made in meeting the challenge:

- Developed and fielded CLC 106, Contracting Officer's Representative with a Mission Focus on CD to assist personnel with bandwidth issues

- Increased the number of COR 222 offerings for fiscal year 2010 at customer locations to support the training requirements for deploying and deployed units.
- Developed a stand-alone classroom course for CORs in a Contingency Environment (COR 206)
- Developed an online equivalent continuous learning module covering the entire course material for COR 222, the Contracting Officer's Representative Course (CLC 222), fielded 24 August 2010
- Developed an online continuous learning module covering training specifically designed for CORs in a contingency environment, Contracting Officer's Representatives in a Contingency Environment (CLC 206), fielded 5 April 2010

Recognizing that the contingency environment presents unique challenges, successful performance as a COR, in general, has three principal elements, each of which is acquired through training and experience: First and foremost is domain expertise. Personnel who will be assigned as a COR need to understand the service or product covered by the contract. For example, if the COR is assigned to monitor a food service contract at a military dining facility, the individual needs to have knowledge of dining facility industry standards, knowledge of the processes such as cleanliness required at a dining facility and the means and methods by which the contractor will provide the service. Second, the COR must have acquisition training to gain the skill sets and prescribed competencies of a COR, in support of the contracting officer. This general acquisition training on COR responsibilities is provided through DAU course and provides a sound foundation on which the contract specific training builds. Third, the COR must understand the contract and know the authorities and responsibilities specifically delegated to him or her by the contracting officer. This understanding is gained through the designation letter from the contracting officer, reading the contract, and through thorough discussions with the contracting officer, whose has ultimate responsibility to ensure that CORs are fully qualified to perform successfully.

For a broad introduction to the fundamentals and overview of COR duties and responsibilities DAU provides the online course, COR With a Mission Focus (CLC 106). This course is the highest utilized online continuous learning module at DAU. In fiscal year 2009 there were 37,070 graduates, and for fiscal year 2010 as of August 2010 there have been 36,261 graduates. Because bandwidth issues were identified that precluded web-based training in forward-deployed areas, DAU has fielded a version on CDs and also a link to download course content. DAU plans a low-bandwidth technology course update for FY 11, using Section 852 funds.

For more complex contracts, DAU developed a classroom course, Contracting Officer's Representative Course (COR 222). This course, fielded in May 2008, is four and one-half days and provides in-depth training to prospective CORs. The course is based on the competency model written by a joint service and agency team to ensure the curriculum covers all critical skill sets needed by a COR. Within each lesson there are practical exercises which allow students to apply their knowledge to typical COR decisions. During fiscal year 2009, DAU provided 47 offerings with approximately 1,300 graduates. DAU has increased the number of offerings for fiscal year 2010 and as of July 2010 we have provided 81 offerings with approximately 2,200 graduates. COR 222 has been provided at customer locations, including in theater to support the training requirement for deploying and deployed units. Army Logistics University offers an equivalent course, developed in partnership with DAU. The process for establishing equivalency to COR 222 and other DAU courses is available to government organizations and to commercial vendors, which, given the large numbers of CORs at any one time, have traditionally been a major source for COR training. In addition, DAU developed a classroom course for CORs in a

Contingency Environment (COR 206) which can be taught in conjunction with COR 222 or as a stand-alone course.

In order to meet the anticipated increase in demand for the COR training course, DAU developed online equivalent courses utilizing Section 852 funding to meet the needs of the Department. Two courses have been fielded: CLC 222 and CLC 206.

- CLC 222, the Contracting Officer's Representative Course, was fielded 24 August 2010. It is equivalent to COR 222 and covers the entire course material.
- CLC 206, Contracting Officer's Representatives in a Contingency Environment, was fielded 5 April 2010 specifically to train CORs 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, such as Trafficking in Persons (TIP) and the use of the Synchronized Pre-deployment Operational Tracker (SPOT). Since the fielding of CLC 206, DAU has had 2,061 graduates.

The development and fielding of these online learning assets allows prospective CORs to access training as just-in-time training as necessary, which helps ensure availability of COR training to all personnel.

III. Performance Support Tools

The Gansler Report also identified gaps in tools to support both CCOs and CORs. Specifically, it stated there is a clear need for “an Expeditionary Contracting Manual that is focused on the expedited processes and flexibilities necessary for procuring the support needed by our warfighters in an expeditionary operation” and a need to “develop and field the contract ‘tools’ needed for expeditionary forces including, but not limited to, sample contracts, statements of work, pre-agreed-to waivers, etc.” Clearly, warfighters in an expeditionary environment need easy-to-use tools that simplify the acquisition process and get requirements fulfilled quickly and

efficiently. The Department continues to develop and field “tools” that support the expeditionary force, including the following:

The Defense Contingency Contracting Handbook was developed and fielded in December 2007, with the latest update June 2010. As mentioned earlier, this handbook is the foundation of the CON 234 Joint Contingency Contracting Officer’s Course. The handbook with its DVD of information is provided to the students during the course and they utilize the material as they move through the exercises and scenarios of the course. The templates provided on the DVD are used by the students as they fill out the correct contract documentation. This provides an opportunity for CCOs to become familiar with what is available within the handbook and supporting DVD. This handbook is also used by the students when they return to their home stations providing guidance on contracting in a concise and easy to follow format.

The Joint Contingency COR Handbook was completed and published online by the Director, Defense Procurement and Acquisition Policy in August 2010. This handbook provides a much needed tool to the deployed COR. DAU has incorporated the online handbook into the COR training, and hard copies will be made available to students.

DAU stood up the Contingency Contracting Community of Practice (CoP) in 2005, and redesigned the site in April 2010. This active online CoP provides a venue to share experiences and lessons learned and to engage in threaded discussions about training and other contingency contracting topics of interest. It also serves as a repository for policy and guidance information, pre-deployment information, and tools. DAU used this site to consolidate contingency acquisition lessons learned. The DoD directed each Military Service to identify a point of contact for contributing after action reports and lessons learned to this CoP. There are currently

5,281 members in this CoP and there have been approximately 800,000 hits to this site during fiscal year 2010.

DAU also hosts a similar online community, the Contracting Officer's Representative Special Interest Area. It links to current information from the Director, Defense Procurement and Acquisition Policy, on COR certification and tools, as well as to information from the services. There are currently 7,911 members of this online community, and there have been over 400,000 hits to this site during fiscal year 2010.

The Director of Defense Procurement and Acquisition Policy is developing an automated joint After Action Report (AAR) to provide deploying CCOs with ready-access to information about different areas of operation prior to deployment. The AAR is designed to provide the ability to data mine the inputs to provide targeted feedback to commanders and policymakers concerning what works well and what needs to be improved, in our support to CCOs and the warfighters. The Joint AAR will be data driven so that the information provided by CCOs can be aggregated for subsequent analysis in support of training and policy development. A pilot automated AAR, using a PDF fillable form, has been developed and was tested by CCOs who deployed to Haiti. As this system is fielded, the Contingency Contracting CoP will be updated to provide a link to this valuable information. The availability of this tool will be incorporated into the DAU contingency contracting curriculum and be used in current Area of Operation research exercises.

The Army's COR Tracking Tool, when fielded DoD-wide in fiscal year 2011, will provide an automated means to access important data on CORs, including the COR name, career field, certification data and other contact information. Beyond the contact information, the tool will provide a system of record for training completed by the COR, and identify contracts to

which the COR is assigned. The COR Tracking Tool will also automate key parts of the qualification and assignment process, enabling electronic nomination, approval and termination of candidate CORs and will provide the capability of recording key process documents online. DAU is identifying data fields to provide electronic training information from the DAU student information system to the COR Tracking Tool.

The Department's joint, electronic solution for the current process for "cash and carry" purchases is the 3-in-1 Handheld Device. The pilot for the tool was held the week of August 30, and DAU was able to have a contingency instructor attend. This allowed DAU to have a first-hand look at the new capability to allow us to provide up-to-date information to the CCO students as well as provide feedback on the tool. As the tool is fielded, it is our intent to obtain equipment for the classroom to allow students hands-on practice prior to deployment.

Contingency Acquisition Support Model (cASM) is a simple-to-use application designed to assist those individuals responsible for initiating contracting requirements in a contingency or expeditionary environment. This soon-to-be-fielded tool assists with translating requirements into a procurement package, including the required documents and approvals, a responsive contract statement of work and any ancillary information for acquisition approval and contract action. It then routes the documents to the appropriate reviewers and approvers and alerts/tracks individuals when it is their responsibility to take action on the requirements package.

IV. Support to Policy and Guidance

Although DAU is generally thought of for the training, continuous learning, mission assistance, and knowledge sharing it provides to the DoD acquisition community, it is also an active participant in the formulation and implementation of policy and guidance. The value is

twofold: first, to provide faculty expertise to policy makers and second to gain full understanding of policy when it is issued and thereby to support implementation. The DAU faculty and staff bring subject matter expertise as well as a perspective from interactions with the acquisition workforce. Then, the DAU faculty act as a bridge to ensure that DAU learning assets and information forums are aligned with the latest initiatives within the Department of Defense. For example, ensuring the DAU assets and forums are aligned with the information contained in USD(AT&L) memorandum “DoD Standard for Certification of Contracting Officer's Representatives (COR) for Service Acquisitions,” dated March 29, 2010.

As the primary learning provider for the Defense acquisition workforce, DAU is a strategic enabler. DAU is committed to enabling the right acquisition outcomes by fully engaging students, both in the classroom and on the job. Through a virtual, continuous presence with the workforce, DAU's products and services enhance workplace performance, promote mission effectiveness, and help reshape the acquisition workforce to meet future challenges. Among the significant initiatives, DAU supports the Panel on Contracting Integrity, which guides and oversees several training initiatives, including COR training and certification:

- DAU provided the workspace and assisted with the evaluation and cataloging of DoD and non-DoD research studies, reports, audits, policies, and procedures related to contract surveillance and CORs.
- DAU hosted a “Think Tank” that facilitated the integration of experts from DoD activities that perform (or had performed) functions as CORs or contracting officers.
- DAU is involved with writing a DoD instruction for the implementation of a new COR certification program and with facilitating the academic certification of equivalent training providers.

DAU participates in the Joint DoD Task Force on Wartime Contracting. The task force provides the senior leadership oversight, management infrastructure, and processes to manage

and implement continuous improvements to contingency contracting by analyzing risks, developing solutions, and mitigating risks.

DAU also participates in the newly formed COR governance board. This board monitors, develops and provides continuous guidance on training and tools used to support CORs both within the continental United States and overseas.

Summary

DoD is committed to improving training products to enable and facilitate the contingency acquisition workforce in meeting warfighter needs. We have made great strides to rise to the challenge of the Gansler Commission and the Commission on Wartime Contracting. Product highlights include the following:

- The realigned CON 234, Joint Contingency Contracting Officer's Course
- The new CON 334, Advanced Contingency Contracting Officer's Course, directed to leadership positions
- The new COR 222, Contracting Officer's Representative Course, aligned to the skills or competencies required for Contracting Officer's Representatives
- The new COR 206, CORs in a Contingency Environment, which can be taught as a stand-alone course or in conjunction with COR 222
- The new low bandwidth online CLC 222, Contracting Officer's Representative Course, developed using Section 852 funding, and is equivalent to COR 222
- The new low bandwidth online CLC 206, CORs in a Contingency Environment, developed using Section 852 funding, and is equivalent to COR 206
- The development and fielding of CON 090 Federal Acquisition Regulation Fundamentals, developed using Section 852 funding
- Tools, including handbooks, knowledge sharing, and deployable support items

I greatly appreciate the work that the Commission is doing and pledge my full cooperation. Although we have accomplished a lot, we still have work to do and room to

improve. Again, I thank you for the opportunity to report to you on some of the many initiatives we are working to support our warfighters.