



DoD INSTRUCTION 3020.41

OPERATIONAL CONTRACT SUPPORT OUTSIDE THE UNITED STATES

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Approved by:	William A. LaPlante, Under Secretary of Defense for Acquisition and Sustainment

Purpose: In accordance with the authority in DoD Directive (DoDD) 5135.02 and the guidance in DoDD 3020.49, this issuance establishes policy, assigns responsibilities, and provides procedures for operational contract support (OCS), including contract support integration, contracting support, contractor management, and deployment of defense contractor personnel in applicable operations outside the United States.

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY.

This issuance applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff (CJCS) and the Joint Staff, the Combatant Commands (CCMDs), the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this issuance as the “DoD Components”).

1.2. POLICY.

a. Defense contractor personnel are part of the total force.

b. OCS functions, including contract support integration, contracting support, and contractor management, will be implemented during applicable operations to:

(1) Fully consider, plan for, integrate, procure, and manage the use of contracted support, including systems support, external support, and theater support contracts. This involves:

(a) Synchronizing contracted support within an operational area.

(b) Executing acquisition strategies in a timely fashion.

(c) Developing and managing requirements.

(d) Identifying opportunities for, and the risks posed by, the use of contracted support in applicable operations.

(e) Identifying mitigation strategies to address the risks posed by the use of commercial support in applicable operations, consistent with CCMD policies and procedures and Joint Publication 4-10.

(f) Including OCS and commercial capabilities and requirements in wargames, exercises, experiments, and analyses.

(2) Incorporate appropriate program management approaches to ensure effective and efficient contracted support during applicable operations.

(3) Comply with applicable U.S. laws (including U.S. export control laws), regulations (including regulations for international transfers of technology, articles, and services), policies (including the international transfers policy in DoDI 2040.02), and applicable international law, agreements, and arrangements.

(4) Use contracted support only in appropriate situations, in accordance with:

- (a) Subpart 7.5 of the Federal Acquisition Regulation (FAR).
 - (b) Subpart 207.5 of the Defense Federal Acquisition Regulation Supplement (DFARS).
 - (c) Office of Federal Procurement Policy, Policy Letter 11-01.
 - (d) DoD Instruction (DoDI) 1100.22.
- (5) Inform decision making on where and when to use contracted support in applicable operations, recognizing and considering all potential benefits and risks of its use.
- c. Contractor personnel with contractors authorized to accompany the force (CAAF) status may receive U.S. Government-furnished support commensurate with the operational situation in accordance with the terms of the applicable contract and pursuant to Part 158 of Title 32, Code of Federal Regulations.
 - d. A common joint database (i.e., the Synchronized Predeployment and Operational Tracker – Enterprise Suite (SPOT-ES) or its successor) will be used to maintain contractor personnel visibility and accountability in applicable operations. References to SPOT-ES in this issuance refer to that system or any database system that supersedes it for contractor personnel visibility and accountability. For more information on SPOT-ES, see Paragraph 3.11. of this issuance.
 - e. Solicitations and contracts will:
 - (1) Require defense contractors to provide personnel who are ready to perform contract duties in applicable operations and environments by verifying the medical, dental, and psychological fitness of their employees and, if applicable, by ensuring any professional qualifications and associated certification requirements needed for employees to perform contractual duties are and will remain current.
 - (2) Incorporate, as appropriate and consistent with U.S. laws, regulations, and policies, contractual terms into the contract that are consistent with applicable host nation (HN) laws or designated operational area performance considerations.
 - f. In accordance with applicable U.S. laws, regulations, and policies, including Executive orders, presidential directives, and DoD issuances, contracts for highly sensitive, classified, cryptologic, and intelligence projects and programs must implement this issuance to the maximum extent possible.

SECTION 2: RESPONSIBILITIES

2.1. UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT (USD(A&S))

The USD(A&S) coordinates with the Under Secretary of Defense for Intelligence and Security:

- a. To develop appropriate regulations, policies, and DFARS Procedures, Guidance, and Information (PGI) for intelligence, counterintelligence, and security requirements that can be incorporated into DoD contracts in support of applicable operations.
- b. On consideration of waiver requests from the Secretaries of the Military Departments and Directors of the Defense Agencies and DoD Field Activities when contracting activities cannot comply with the requirements in this issuance for contracts for highly sensitive, classified, cryptologic, and intelligence projects and programs.

2.2. ASSISTANT SECRETARY OF DEFENSE FOR SUSTAINMENT (ASD(S)).

Under the authority, direction, and control of the USD(A&S), the ASD(S) oversees the development of DoD policies for OCS.

2.3. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR LOGISTICS (DASD(LOGISTICS)).

Under the authority, direction, and control of the USD(A&S), through the ASD(S), the DASD(Logistics):

- a. Oversees and manages OCS to enable the orchestration, integration, and synchronization of the preparation and execution of acquisitions in support of applicable operations.
- b. Serves as the DoD focal point for efforts to improve OCS program management and oversight in coordination with the Joint Staff, the Military Departments, combat support agencies, and other OSD staffs.
- c. Co-chairs the OCS Functional Capabilities Integration Board (FCIB) with the Director for Logistics, Joint Staff, to lead and coordinate integration and oversight of OCS capability and capacity in accordance with the OCS FCIB Charter.
- d. Advises the Under Secretary of Defense for Policy (USD(P)) on OCS equities in the development of strategic defense planning and programming guidance, as appropriate.
- e. Serves as the DoD lead to:
 - (1) Develop a programmatic approach for orchestrating, integrating, and synchronizing contracted support for applicable operations.

(2) Develop and oversee DoD policies for OCS in the planning and execution of applicable operations involving the DoD Components, other U.S. Government agencies, multinational forces, and non-governmental organizations, as required.

f. Improves DoD business practices for OCS by:

(1) Serving as the DoD functional proponent for SPOT-ES.

(2) In coordination with the Director for Logistics, Joint Staff, leading and organizing the capture of, and access to, OCS data, information, and knowledge through existing and emergent tools to enable timely decision making and reporting.

(3) Coordinating and issuing standards for OCS data and information and developing guidance on the appropriate use of these standards in coordination with the CJCS and Principal Director, Defense Pricing, Contracting, and Acquisition Policy (DPCAP).

g. Maintains awareness and oversight of concept development for OCS execution.

h. In coordination with the CJCS, oversees training and education of non-acquisition, non-contracting personnel identified to support OCS efforts.

2.4. DIRECTOR, DEFENSE LOGISTICS AGENCY.

Under the authority, direction, and control of the USD(A&S), through the ASD(S), and in addition to the responsibilities in Paragraph 2.17., the Director, Defense Logistics Agency:

a. Implements governance, oversight processes, and configuration management of applicable automated OCS tools.

b. Participates as a member of the OCS FCIB in accordance with the OCS FCIB Charter.

2.5. PRINCIPAL DIRECTOR, DPCAP.

Under the authority, direction, and control of the USD(A&S), the Principal Director, DPCAP:

a. Oversees all procurement policy matters, including the development of DoD policies for contracting and the coordinated development and publication of:

(1) DFARS rules.

(2) Standardized contract provisions and clauses in the FAR and the DFARS.

(3) DFARS PGI.

b. Implements relevant laws and policies into regulations and provides PGI to contracting officers and contracting officer's representatives (CORs).

c. Provides guidance to contracting officers and CORs to ensure acquisition planning considers operational requirements and Combatant Commander (CCDR) priorities provided by the requiring activity and that solicitations and resulting contracts incorporate such requirements.

d. Assists OSD Principal Staff Assistants, Joint Staff directors, and DoD Component heads in efforts to improve OCS-related business processes and address OCS equities within contracting processes.

e. Sponsors the development of enterprise-wide automated tools that enable reporting and decision making on contracted support of applicable operations.

f. Coordinates with the Defense Acquisition University to provide input on applicable programs of instruction that address OCS equities in the contracting process.

g. Participates as a member of the OCS FCIB in accordance with the OCS FCIB Charter.

h. Supports the geographic Combatant Commands (GCCs) in developing, establishing, and maintaining contracting organizational structures in their operational areas of responsibility (AORs), including:

(1) Development of plans and orders.

(2) Any subsequent modifications of contracting structures required for contract performance in their respective operational areas in support of the CCDRs and in coordination with contracting activity heads.

i. Coordinates and issues standards for OCS data and information and develops contracting policy guidance on the use of these standards in coordination with the CJCS and the DASD(Logistics).

j. Ensures special emergency procurement authorities, flexibilities, and processes are in place and implemented in acquisition regulations and applicable policy, when required.

2.6. DIRECTOR, DEFENSE CONTRACT MANAGEMENT AGENCY.

Under the authority, direction, and control of the USD(A&S), through the Assistant Secretary of Defense for Acquisition, and in addition to the responsibilities in Paragraph 2.17., the Director, Defense Contract Management Agency:

a. Provides the CCMDs and the Military Services with deployable experts to support OCS processes, procedures, and requirements (e.g., contingency contract administration services (CCAS)) in accordance with DoDD 5105.64 and Directive-Type Memorandum 17-004.

b. Participates as a member of the OCS FCIB in accordance with the OCS FCIB Charter.

c. Supports processes and procedures to ensure capture of and access to OCS data, information, and knowledge through existing and emergent tools to enable timely decision making and reporting.

d. Develops and documents observations and lessons learned from OCS efforts performed outside the United States in designated areas of operation through involvement in exercises and operational deployments.

2.7. USD(P).

The USD(P):

a. Serves as the DoD lead for developing employment-of-the-force and defense planning guidance, including defense planning scenarios and multi-Service force deployment that impact OCS planning.

b. Ensures integration of contracted support into the national defense strategy and related planning efforts and analyzes the impact of such integration on scenarios in which contracted support has been used to support designated operations.

2.8. ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW-INTENSITY CONFLICT (ASD(SO/LIC)).

The ASD(SO/LIC), consistent with functions, relationships, and authorities prescribed in DoDD 5111.10 and pursuant to Sections 138 and 167 of Title 10, United States Code (U.S.C.):

a. Approves United States Special Operations Command (USSOCOM) policy and guidance for the activities identified in Paragraph 2.23.d. to provide oversight and risk mitigation of theater special operations command (TSOC) OCS planning with supported GCCs.

b. Coordinates and approves the activities identified in Paragraphs 2.23.a., b., and e.

2.9. UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE AND SECURITY.

The Under Secretary of Defense for Intelligence and Security:

a. Develops, coordinates, and oversees the implementation of DoD security programs and guidance for contractors covered by DoDI 5220.31.

b. Helps the USD(A&S) develop appropriate regulations, policies, and DFARS PGI for intelligence, counterintelligence, and security requirements that can be incorporated into DoD contracts in support of applicable operations.

c. Establishes policy for contractor personnel that support background investigations in compliance with Subparts 4.1301 and 4.1303 and Clause 52.204-9 of the FAR.

d. Coordinates security and counterintelligence policy affecting contract linguists with the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) and the Secretary of the Army, in accordance with DoDD 5160.41E.

e. Facilitates synchronizing intelligence community information and analysis with DoD contracting activities in applicable operations.

2.10. USD(P&R).

The USD(P&R):

a. Develops applicable processes to enable identification of:

(1) Existing military and civilian capability shortfalls that are or could be alleviated by contracted support.

(2) Military and civilian personnel with OCS-related skills required to manage and use contracted support during planning and operations.

b. Provides oversight and resourcing for SPOT-ES to account for defense contractors and contractor personnel supporting applicable operations.

2.11. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS.

Under the authority, direction, and control of the USD(P&R), the Assistant Secretary of Defense for Manpower and Reserve Affairs:

a. Oversees development of an effective workforce mix of military, civilian, and contractor support for applicable operations and incorporates defense contractors into the total force management structure.

b. Assists in the development and improvement of OCS-related policy, doctrine, processes, and procedures.

c. Participates as a member of the OCS FCIB in accordance with the OCS FCIB Charter.

d. Supports a total force resourcing strategy to recruit, train, track, and retain manpower for all OCS functions.

2.12. ASSISTANT SECRETARY OF DEFENSE FOR READINESS.

Under the authority, direction, and control of the USD(P&R), the Assistant Secretary of Defense for Readiness develops policy and sets standards for managing contracted linguist capabilities supporting the total force in accordance with DoDD 5160.41E.

2.13. ASSISTANT SECRETARY OF DEFENSE FOR HEALTH AFFAIRS.

Under the authority, direction, and control of the USD(P&R), the Assistant Secretary of Defense for Health Affairs:

- a. Helps the Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense (USD(C)/CFO) develop policy to address the reimbursement of funds for qualifying medical support received by contractor personnel in applicable operations.
- b. Supports force health protection requirements for contractor personnel with CAAF status in accordance with DoDD 6200.04.

2.14. DIRECTOR, DEFENSE MANPOWER DATA CENTER.

Under the authority, direction, and control of the USD(P&R), through the Director, Department of Defense Human Resources Activity, the Director, Defense Manpower Data Center:

- a. Provides management and resources in coordination with the Director, Officer and Enlisted Personnel Management, to ensure that SPOT-ES and the DoD Business Rules for the Synchronized Predeployment and Operational Tracker (SPOT), also known as the SPOT Business Rules, are consistent with the functional requirements established by the SPOT-ES Configuration Control Board in accordance with DoDI 5000.75.
- b. Prepares and oversees a central repository for information for all historical data on contractor personnel to be archived in accordance with National Archives and Records Administration regulations and DoDI 5015.02.
- c. Ensures all archived data elements of SPOT-ES are USD(P&R)-approved and Defense Manpower Data Center-system compatible and that the repository is protected at a level corresponding with the sensitivity of the information it contains.
- d. Ensures SPOT-ES has the capabilities required to collect and report the data described in Paragraph 3.11 of this issuance.
- e. Supports processes and procedures ensuring the capture of, and access to, OCS data, information, and knowledge through existing and emergent tools to enable timely decision making and reporting.

2.15. USD(C)/CFO.

The USD(C)/CFO establishes policy addressing the reimbursement of funds for qualifying medical support received by contractor personnel in applicable operations.

2.16. CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER.

The Chief Digital and Artificial Intelligence Officer coordinates with the DoD Chief Information Officer to ensure data inventories include data elements, information, and knowledge to support effective execution of OCS.

2.17. DIRECTORS OF THE DEFENSE AGENCIES AND DOD FIELD ACTIVITIES.

Under the authority, direction, and control of their specific OSD Component head, the Directors of the Defense Agencies and DoD Field Activities incorporate this issuance into applicable policy, programming, training, and operations to ensure:

- a. Contracting activities work with requiring activities to ensure requirements and their associated contracts comply with applicable plans, orders, and contractor management plans (CMPs) that specify theater-specific requirements, provisions, and clauses.
- b. CORs are trained pursuant to DoDI 5000.72, assigned, and sufficiently resourced and sustained to ensure proper contract administration and execution.
- c. The execution of CCAS for theater support service contracts, external support contracts, and systems support contracts is planned for, resourced, and performed.
- d. Appropriate resources are provided to the applicable requiring activities to:
 - (1) Develop and revise complete contract requirements packages.
 - (2) Develop funding strategies.
 - (3) Plan and perform contract oversight.
- e. Procedures are in place to facilitate OCS reporting, including reporting on shortfalls, readiness, risks, lessons learned, and audits.
- f. OCS planning is conducted in coordination with GCCs with plans that include an assessment and mitigation of risks associated with defense contractor performance of CCDR-designated mission-essential functions.
- g. The submission of requests for waivers to the USD(A&S) when contracting activities cannot comply with the requirements in this issuance for contracts for intelligence projects and programs.
- h. Contract work statements for defense contractors and their subcontractors that support applicable operations require compliance with the requirements of DoDD 2311.01 and Part 158 of Title 32, Code of Federal Regulations.

2.18. SECRETARIES OF THE MILITARY DEPARTMENTS.

The Secretaries of the Military Departments incorporate this issuance into policy, programming, training, and operations to ensure:

a. The Military Services:

(1) Develop and implement OCS doctrine, guidance, and organizational changes needed to support OCS efforts.

(2) Provide relevant OCS training and related material to personnel supporting OCS efforts, assess and report lessons learned from OCS efforts, and implement OCS initiatives in accordance with this issuance.

(3) Include OCS in professional military education in accordance with CJCS Instruction 1800.01 and in civilian training and education.

(4) Incorporate OCS reporting in DoD processes to document:

(a) Shortfalls.

(b) Readiness.

(c) Risk.

(d) Operations.

(e) Lessons learned.

(5) Nominate a Military Department representative to participate as a member of the OCS FCIB in accordance with the OCS FCIB Charter.

(6) Establish procedures to generate OCS data and information for the development of analytical baselines that assess the effectiveness of OCS to meet commander requirements in-theater.

(7) As required, establish and operate formally designated deployment and redeployment centers and enforce certification and waiver processes for contractor personnel deploying from outside the operational area.

(8) Identify and develop requirements for CCAS in operation plans (OPLANs) and concept plans (CONPLANs) for theater support contracts, external support contracts, and systems support contracts.

(9) Identify organizations and military and civilian personnel who perform OCS functions to facilitate tracking skills and planning for the identification of military and civilian personnel who can be tasked to support applicable operations.

(10) Train, assign, resource, and sustain CORs in accordance with DoDI 5000.72 to ensure contracts supporting applicable operations are properly administered and executed.

(11) Ensure requiring activities have established processes and employed skilled personnel to develop and revise complete contract requirements packages in support of contracted requirements and perform requirements management.

(12) Integrate OCS into applicable mission rehearsals, training, simulations, and exercises.

(13) Integrate OCS into capability design, studies, wargames, and experiments.

b. Service component commands:

(1) Comply with CCMD CMPs, including policies, procedures, and reporting, to ensure contracted support is appropriately planned, integrated, and managed.

(2) Analyze the operational environment to support Service component command planning and integration with the GCC concerned.

(3) Develop supporting plans with applicable annexes in accordance with CJCS Manuals (CJCSMs) 3130.03 and 4301.01.

(4) Identify mission-essential contracted support, assess the risk of a premature loss of contracted support, and plan for the mitigation of the loss of such contracted support.

(5) Develop planning factors for CCDR-designated, mission-essential contracted support in accordance with CJCSM 3150.23.

(6) Incorporate OCS into reporting processes, including establishing Service mission essential tasks, unit readiness, personnel, training, and lessons learned.

(7) Ensure CORs are trained pursuant to DoDI 5000.72 and are assigned, sufficiently resourced, and sustained to ensure contracts supporting applicable operations are properly administered and executed.

(8) Ensure requiring activities have established processes and employed skilled personnel to:

(a) Develop and revise complete contract requirements packages.

(b) Perform contract oversight and requirements management.

(9) Establish Service component command reporting requirements for subordinate units.

(10) Liaise with OCS boards, cells, and working groups, as required.

c. Contracting activities:

(1) Comply with GCC CMPs and include necessary, theater-specific clauses in contracts when required by CCDRs to support any phase of an applicable operation.

(2) Enforce compliance with SPOT-ES requirements and the SPOT Business Rules, in accordance with this issuance and relevant clauses, including Clause 252.225-7040 of the DFARS and applicable class deviations.

(3) Ensure information in SPOT-ES is reviewed for security and operations security (OPSEC) concerns in accordance with this issuance and DoDD 5205.02E.

(4) Ensure standardized contract accountability, contract administration, and oversight processes are implemented to support OCS efforts.

(5) Ensure contract work statements for defense contractors and their subcontractors that support applicable operations require compliance with the requirements of DoDD 2311.01 and Part 158 of Title 32, Code of Federal Regulations.

d. Requests for waivers are submitted to the USD(A&S) when contracting activities cannot comply with the requirements in this issuance for contracts for highly sensitive, classified, cryptologic, and intelligence projects and programs.

2.19. CJCS.

The CJCS:

a. Incorporates OCS and elements of this issuance, when applicable, into joint doctrine, instructions and manuals, joint training and education, joint capability and concept development, and joint strategic planning.

b. Through the Director for Logistics, Joint Staff co-chairs the OCS FCIB with the DASD(Logistics) to lead and coordinate integration and oversight of OCS capability and capacity in accordance with the OCS FCIB Charter.

c. Performs OCS-related missions and functions, as outlined in the Joint Staff Manual 5100.01, and the Chairman's authorities, as defined in Section 153 of Title 10, U.S.C.

d. Develops processes to enable the identification of existing military capability shortfalls that are, or could be, alleviated by contracted support.

e. Integrates OCS and the level of risk incurred by using contracted support in reporting processes across the Joint Staff, including an assessment of shortfalls, readiness, risk, operations, lessons learned, and audits.

f. Monitors joint force commander (JFC) and combat support agency integration of OCS into plans and orders for applicable operations.

- g. Reviews CCMD plans in relation to projected Service and combat support agency resource levels, including support for CCAS, to determine possible shortfalls and deficiencies.
- h. Advises the Secretary of Defense of any deficiencies found in CCMD plans and how contracted support could be used to mitigate these deficiencies. This advice will include an assessment of Service capabilities necessary to plan and manage the execution of OCS in applicable operations.
- i. Advocates for joint information requirements and capture of OCS data in DoD systems in coordination with the DASD(Logistics). Issues guidance recommending use of systems and tools to support the execution of joint OCS functions.
- j. Through the Director of Logistics, Joint Staff, and in coordination with the DASD(Logistics), leads and organizes the capture of, and access to, OCS data, information, and knowledge through existing and emergent tools to enable timely decision making and reporting.
- k. Develops joint lessons learned for OCS and ensures distribution of this information within the DoD.
- l. Assesses Military Department and National Defense University efforts to integrate OCS into professional military education in accordance with DoDI 1322.35.

2.20. CCDRS.

The CCDRs:

- a. Identify OCS manpower requirements appropriately coded for skill levels to drive sufficient and capable OCS manning to plan, execute, and report OCS missions.
- b. Direct and oversee sub-JFCs' and Service component commands' performance of OCS actions.
- c. Ensure requiring activities plan for, resource, train, and appoint sufficient CORs or assistant CORs to ensure successful contract oversight and surveillance.
- d. Provide guidance and oversight to supporting DoD Components to ensure requirements for contracted support are developed in accordance with established requirements review processes.

2.21. GCC COMMANDERS.

In addition to the responsibilities in Paragraph 2.20., the GCC Commanders will plan, execute, and report on OCS actions in all applicable operations in their AORs. Specifically, the GCC Commanders:

- a. Plan and integrate OCS personnel and capabilities, coordinate OCS actions, and direct supporting CCDRs, sub-JFCs, and Service component commanders to do the same.

b. Integrate OCS into GCC activities and events and establish OCS related boards, cells, and working groups, as required.

c. Integrate OCS training and execution across staff sections, as required.

d. Perform OCS reporting that includes the identification of shortfalls, readiness, risk, operations, lessons learned, and audits.

e. Integrate OCS into joint mission essential tasks and identify tasks for completion by supporting commands and DoD Components, as required.

f. Integrate OCS into applicable operations, mission rehearsals, training, simulations, and exercises.

g. Conduct integrated planning to:

(1) Synchronize contracted requirements among all Military Services, Defense Agencies, and DoD Field Activities operating within or in support of their AORs.

(2) Optimize operational unity of effort by analyzing existing and projected theater support, systems support, and external support contracts to minimize redundant and overlapping requirements and contracted capabilities.

(3) Ensure capabilities of, and contracted requirements for, the DoD Components, multinational partners, and other U.S. Government agencies are considered during the planning process and appropriately documented in plans and orders.

(4) Designate defense contractors that are providing operationally critical support and communicate the designation to supporting contracting activities annually and during crisis or contingency operations so contracts include appropriate provisions in accordance with Subpart 204.73 of the DFARS.

(5) Ensure cybersecurity and reporting policy and guidance is implemented in accordance with Subpart 204.73 of the DFARS so defense contractors performing contracts in support of applicable operations are aware of their responsibility to provide adequate security on all covered contractor information systems.

(6) Ensure defense contractors and their associated equipment transportation needs, as required by the contract, are incorporated into plans and considered in relation to the requirements of the total force.

(7) Analyze the operational environment to determine how the use of commercial capabilities could affect the mission or operation.

h. In coordination with the Secretaries of the Military Departments and the functional Combatant Command (FCC) Commanders, identify capability requirements across all joint warfighting functions and select one of the following force mix solutions in accordance with DoDI 1100.22:

(1) Organic or non-organic (e.g., coalition, other U.S. Government agencies, contracted support); or

(2) Contracts and task orders.

i. Review Service component, TSOC, and combat support agency assessments of the risk of premature loss of essential contracted support and the associated mitigation plans.

j. Perform a comprehensive risk assessment and develop an overall risk mitigation plan for operational (including civil-military) and political risks associated with contracted support and the performance of CCDR-designated mission-essential functions in support of applicable operations, in accordance with Paragraph 3.2.f.

k. Determine and designate a theater-specific contracting organization and distribute organizational guidance in plans, including coordination of common contracting actions and participation in any OCS boards, cells, or working groups.

l. When DoD contracting activities administer contracts in a GCC AOR or joint operations area, designate the organization(s) responsible for managing and prescribing processes to:

(1) Establish procedures and assign authorities for adjudicating requests for provision of authorized government support (AGS) when such support is operationally required. Procedures should include the method for communicating approval or denial of AGS to the requiring activity and contracting officer.

(2) Develop and publish guidance and procedures to authorize trained and qualified contractor personnel to carry weapons, when appropriate, for performance of contractual functions and for personal protection not related to the performance of contract-specific duties, in accordance with DoDD 5210.56 and DoDI 3020.50.

(3) Establish procedures for the coordination and execution of inter-theater strategic movements and intra-theater operational and tactical movements of contractor personnel and their associated equipment supporting applicable operations.

(4) Collect information on authority, offenses, arrests, and incidents of alleged misconduct committed by contractor personnel while in U.S. military-controlled locations and refer such information to the appropriate U.S. government agency or HN, in accordance with any applicable DoD policy, such as DoD Directive 2311.01.

(5) Collect and maintain information relating to kidnappings, injuries, and deaths of contractor personnel with CAAF status and, if directed by the CCDR and documented in Command policy, of selected contractor personnel with non-CAAF status.

(6) Identify the minimum standards for conducting and processing background checks for contractor personnel who are performing contracts in support of applicable operations and for issuing access badges to such contractor personnel once they are cleared.

(7) Remove contractor personnel's CAAF status if:

- (a) They do not meet medical deployment standards;
- (b) Their contract period of performance has expired; or
- (c) They are not performing in compliance with contractual requirements.

(8) Designate contractor personnel for personnel recovery support who are not otherwise covered by personnel recovery policy in DoDD 3002.01.

(9) Ensure adequate personnel are identified and assigned to support contract administration.

(10) Develop a security plan for the protection of contractor personnel in accordance with Paragraph 3.15.d.

(11) Develop and publish the CMP via plans and orders to ensure visibility of and a level of control over contractor personnel with an area of performance in a U.S. military-controlled location in applicable operations.

(12) Ensure OPSEC programs and plans include contractor personnel screening requirements for CAAF and non-CAAF who require access to U.S. facilities.

(13) Work with the SPOT-ES program manager to determine the appropriate number of Joint Asset Movement Management System (JAMMS) terminals and fielding locations needed to meet operational requirements for documenting and reporting the visibility of contractor personnel.

m. Develop specific deployment and theater admission requirements for contractor personnel that are consistent with any applicable local clauses and deviations, in accordance with Clause 252.225-7040 and Subpart 225.3 of the DFARS. Include these requirements in the DoD Foreign Clearance Guide (DoD FCG).

n. In coordination with the USD(P), ensure current special area, country, and theater personnel clearance requirements for contractor personnel are documented in the DoD FCG. Coordinate with affected agencies (e.g., intelligence community agencies) to ensure entry requirements into the designated area of operations do not impact mission accomplishment.

o. Communicate theater or joint operations area CMP requirements to contracting activities through supporting DoD Components.

p. Create and maintain an OCS webpage in accordance with the OPSEC guidelines in DoDD 5205.02E from which planners, requiring activities, contracting officers, contractors, contractor personnel, and other interested parties can readily access applicable pre-deployment, deployment, in-theater management, and redeployment guidance and procedures.

q. Enforce the individual arming policy and use of private security contractors in accordance with DoDD 5210.56 and DoDI 3020.50.

r. Establish a process for reviewing waivers to medical standards for deploying contractor personnel for the conditions in Paragraph 4.9. This process must include:

(1) Identification of the approval authority for the waiver.

(2) A mechanism to track and archive all waivers that are approved and denied and the medical conditions that form the basis of the rationale in support of the waiver.

s. Ensure there are mechanisms for personnel to report criminal offenses, including those involving sexual assault, alleged to have been committed by or against contractor personnel, to appropriate investigative authorities. Assign responsibility for investigating alleged offenses, as well as providing victim and witness protection and assistance to contractor personnel in connection with the alleged offenses, in accordance with DoDIs 5505.03, 5505.18, and 6495.02.

t. Support processes and procedures ensuring the capture of, and access to, OCS data, information, and knowledge through existing and emergent tools to enable timely decision making and reporting.

u. Provide guidance and oversight to supporting DoD Components to:

(1) Ensure the DoD Components incorporate defense contractors, contractor personnel, and their associated equipment into time-phased force and deployment data (TPFDD) development and deployment execution processes, in accordance with CJCSM 3122.02.

(2) Ensure plans are in place for contractors to reimburse the U.S. Government for AGS provided to contractor personnel, when applicable.

v. Oversee and coordinate mortuary affairs support for contractor personnel fatalities in accordance with DoDI 1300.29.

2.22. FCC COMMANDERS.

In addition to the responsibilities in Paragraph 2.20., the FCC Commanders:

a. Ensure their respective FCCs follow the procedures in this issuance and applicable operational-specific guidance GCCs provide in their respective AORs pertaining to OCS and the use of contracted support.

b. Perform OCS reporting for shortfalls, readiness, risk, operations, lessons learned, and audits. OCS reporting must require the systems and external support contracting organizations deploying contractors in applicable operations determine mission-essential functions and the percentage of such functions performed by contractor personnel.

c. Require subordinate commands to ensure planners incorporate contractor personnel and their associated equipment into TPFDD development and deployment execution processes, in accordance with CJCSM 3122.02.

2.23. COMMANDER, USSOCOM.

Under the authority, direction, and control of the ASD(SO/LIC) as prescribed in DoDD 5111.10 and in addition to the responsibilities in Paragraphs 2.20. and 2.22., the Commander, USSOCOM:

- a. Plans and coordinates all OCS matters when conducting special operations forces (SOF) activities.
- b. Plans and coordinates all OCS matters for the provision of special operations-peculiar systems support to SOF.
- c. Reviews GCC plans for OCS matters related to SOF support.
- d. Ensures the TSOCs are prepared to conduct OCS planning with their supported GCCs, including:
 - (1) Assessment and mitigation of risks associated with defense contractor performance of mission-essential functions.
 - (2) Oversight on SOF-related OCS execution, including requirements determination and development and contract management tasks.
- e. Ensures the TSOCs coordinate with their respective CCMDs or applicable Service components for the provision of common contracted support to SOF.

SECTION 3: PROCEDURES

3.1. OCS FUNCTIONS.

a. Contract Support Integration.

Contract support integration ensures commanders at all levels understand the scope of contracted activities in their joint operational area and the associated risks. Related tasks include:

- (1) Planning, validating, consolidating, and prioritizing requirements.
- (2) Performing OCS information management.
- (3) Collaborating in boards, centers, cells, and working groups that support OCS objectives within their respective AOR.
- (4) Conducting assessments and reporting of contracted support that include a percentage identified for the use of contracted support in their AORs and providing recommendations relating to the use of that support, especially when it is identified as mission-essential support, including risks, mitigation of risks, lessons learned, and other areas of concern.

b. Contracting Support.

Effective contracting support ensures requiring activities can legally obtain supplies or services from commercial sources as efficiently as possible. Contracting support tasks include:

- (1) Planning and organizing for contracting support.
- (2) Coordinating common contracting actions.
- (3) Drafting contracts.
- (4) Developing, soliciting, awarding, administering, and closing out contracts.

c. Contractor Management.

Comprehensive contractor management policies and procedures are necessary for effective oversight and integration of contractor personnel and their associated equipment into applicable operations when contractors support the joint force in a designated operational area. Contractor management tasks include:

- (1) Planning contractor management.
- (2) Preparing for contractor personnel deployment.
- (3) Deploying or redeploying contractor personnel.

(4) Managing defense contractors, including contractor oversight and contractor personnel accountability.

(5) Sustaining contractor personnel in theater.

3.2. PLANNING CONSIDERATIONS AND REQUIREMENTS.

The GCC, subordinate JFC, sub-unified commands, and Service component commanders must consider OCS planning and execution concerns during all phases of operations, including:

a. Applicable Laws, Regulations, Policies, Agreements, and Arrangements.

In coordination with contracting officers, planners and requiring activities must consider and comply with U.S. laws, policies, and regulations, as well as applicable international law, agreements, and arrangements, when planning for contracted support. Contracting officers, planners and requiring activities must also consider and, as appropriate and consistent with U.S. laws, regulations, and policies, address any potentially relevant HN or local laws.

(1) International law, local laws, and HN support agreements may affect contracting in a designated operational area outside the United States, such as by restricting the supplies or services to be acquired or the manner in which services are performed, by providing procedures for ensuring appropriate HN notices or approvals are accomplished, by limiting contracted services to hiring local national (LN) or HN contractor sources or, in some cases, prohibiting use of contracted support in its entirety. Any potentially applicable conditions or restrictions should be identified and considered for inclusion in relevant contract terms.

(2) Planning for contracted support is accomplished through the assistance and coordination of:

- (a) The GCC's staff judge advocate (SJA) office.
- (b) The Commander, United States Transportation Command.
- (c) The Service component commander's SJA offices.
- (d) The GCC's Civil Military Operations Center or similar.

b. Status-of-Forces Agreements (SOFAs) and other Status Agreements.

Planners and requiring activities will, in coordination with contracting officers, review applicable SOFAs and other international agreements or arrangements, to determine their effect on the status and privileges and immunities afforded to, contracted support for applicable operations and to identify any requirements or procedures that need to be reflected in contract terms, provisions, and clauses. This review will be performed with the assistance and coordination of the GCC's SJA's office. Contracting officers will incorporate any such requirements or procedures resulting from this review into relevant terms, provisions, and contract clauses.

c. Annex W to CONPLANs, OPLANs, and Campaign Plans.

(1) All CCDR CONPLANs with TPFDD and all OPLANs must include an Annex W, in accordance with CJCSMs 3130.03 and 4301.01. In addition, CJCS Instruction 3110.03 directs the CCDRs to write an Annex W for the campaign plan.

(2) Major subordinate organizations under the GCC (e.g., Service components and the TSOs) must have Annex Ws for all CONPLANs with TPFDD and OPLANs.

(3) A supporting component's Annex W should be complementary and synchronized with the GCC Annex W to ensure OCS guidance issued by the subordinate organization is consistent with the guidance issued by the GCC.

(4) All plans and orders must contain additional contract support guidance, as appropriate, in applicable annexes and appendices within the respective plans.

d. CMPs.

(1) All CCDR CONPLANs with TPFDD and OPLANs and campaign plans must include a separate CMP or requisite contractor management requirements document in the applicable appendix or annex of those plans, in accordance with CJCSMs 3130.03 and 4301.01.

(2) Service component commanders will provide their CMPs to the CCMD, as directed by the CCDR concerned.

(3) At a minimum, each CMP should address:

(a) CAAF theater or AOR admission procedures and requirements, including:

1. Country and theater clearance.
2. Waiver authority for admission.
3. Specific medical preparation requirements.
4. Immunizations.
5. Required training or equipment.

(b) Any restrictions necessary to ensure proper deployment, visibility, security, accountability, and redeployment of contractor personnel with CAAF status.

e. Estimating Logistics Support Requirements.

(1) Early in the contingency or crisis action planning process, planners will coordinate any anticipated requirements for contracted support or logistics support arrangements that may affect existing CONPLANs, OPLANs, and operation orders with the supported and supporting commands.

(2) DoD Components must provide adequate information, requirements documents, contracted support requirements, and the estimated number of contractor personnel to execute their responsibilities for the applicable operation to the supported CCDR.

f. Risk Assessment and Mitigation.

(1) During the joint planning process, commanders must perform a comprehensive risk assessment and develop a risk mitigation plan for operational risks, civil-military risks, and political risks associated with defense contractor performance of mission-essential functions in support of applicable operations.

(2) For a contingency expected to continue for more than one year or require spending more than \$250 million for contracted support, the JFC must document, in writing, a comprehensive risk assessment associated with using contracted support for critical functions in applicable operations and a corresponding mitigation plan in accordance with Section 846 of Public Law 112-239. Critical functions include, but are not limited to:

- (a) Private security functions.
- (b) Training and advising HN government personnel, including HN military and security personnel.
- (c) Conducting intelligence or information operations.
- (d) Any other functions that are closely associated with inherently governmental functions.
- (e) Any functions the JFC deems critical to the operation's success.

(3) The comprehensive risk assessment required by Section 846 of Public Law 112-239 will consider, at a minimum, risks related to:

- (a) The goals and objectives of the operation, including the risk of contractor personnel behavior or contractor performance that may injure innocent members of the local population in the AOR or offend their sensibilities.
- (b) The continuity of the operation (e.g., risks from contractors or contractor personnel refusing to or being unable to perform contract requirements when no timely replacements are available).
- (c) The safety of U.S. military and civilian personnel if the presence or performance of contractor personnel creates unsafe conditions or invites attack.
- (d) The safety of contractor personnel performing services pursuant to a contract to support applicable operations.

(e) The DoD's managerial control over the operation (e.g., risks from over-reliance on defense contractors to monitor other contractors' performance or inadequate means for DoD personnel to monitor contractor performance).

(f) The critical organic capabilities of the DoD, including critical knowledge or institutional memory of key operations areas and subject matter expertise.

(g) The U.S. Government's ability to control costs, avoid organizational or personal conflicts of interest, and minimize waste, fraud, and abuse.

(4) To ensure compliance with Section 846 of Public Law 112-239, the risk mitigation plan for each high-risk area, as determined by the comprehensive risk assessment, must include:

(a) Specific actions to mitigate or reduce each high-risk area, including the development of alternative capabilities to reduce reliance on defense contractor performance of critical functions.

(b) Measurable milestones for the implementation of planned risk mitigation or risk reduction measures.

(c) A process for monitoring, measuring, and documenting progress in mitigating or reducing risk associated with contract performance of critical functions in support of applicable operations.

(5) In some cases, the risk mitigation plan may require a defense contractor to plan how it will continue to provide a specific essential contractor service in support of applicable operations.

(a) In these cases, the contract must include provisions that require the defense contractor to ensure the continuity of essential contractor services during applicable operations, in accordance with Subpart 237.76 of the DFARS. DFARS PGI 207.105 provides guidance on developing acquisition plans that include essential contractor services that must continue during crises outside the United States.

(b) The commander identifying the requirement must work with the DoD Component that is awarding the contract on the command's behalf to ensure the contract provisions provide sufficient detail regarding the specific essential contractor service to enable the defense contractor to include appropriate pricing in the proposal it submits in response to the solicitation for acquiring essential services.

g. TPFDD Development.

(1) TPFDD development and deployment execution processes must incorporate deployment data for CAAF and their associated equipment supporting the Military Services, in accordance with CJCSM 3122.02.

(2) The DoD generally provides billeting and essential base life support to contractor personnel with CAAF status on contingency operating locations.

(3) During the TPFDD planning process, OCS planners must estimate the number of contractor personnel with CAAF status at each operating location so that, when combined with the TPFDD military population, total force requirements for base build and support are known.

(4) Contracting officers will incorporate the requirement for defense contractors to provide deployment data into the provisions of existing systems support contracts and external support contracts. These contractual provisions will apply regardless of whether defense contractors will provide or arrange for their own transportation.

h. Requirements for Publication.

CCDRs will make management policies and specific OCS requirements for contractual support available to affected contractor personnel. To implement the OCS-related requirements of DoDDs 1100.4 and 5205.02E, the GCC OCS webpage must include certain information (e.g., information from campaign plan, CMPs) that must be reviewed for security classification and OPSEC before posting. The GCC OCS webpage will provide:

(1) Theater business clearance (TBC) requirements for contracts currently being performed and delivering contracted support in the CCDR's AOR.

(2) Restrictions imposed by applicable U.S. laws, regulations, policies, as well as applicable international law, agreements, and arrangements. The GCC OCS webpage may also describe contracting provisions adopted with due respect for HN laws.

(3) CAAF-related deployment requirements, including, but not limited to:

(a) Pre-deployment and individual protective equipment (IPE) training.

(b) Physical health standards.

(c) Immunization and medical requirements.

(d) Deployment procedures and theater reception.

(4) Reporting requirements for accountability and visibility of contractor personnel and associated contracts.

(5) OPSEC plans and restrictions.

(6) Force protection policies.

(7) Personnel recovery procedures.

(8) Availability of medical and other AGS.

(9) Redeployment procedures, including disposition of U.S. Government-furnished equipment.

i. Specific OCS-related Considerations and Requirements.

(1) Specific OCS-related considerations and requirements contained in plans and orders will be:

- (a) Reflected and addressed in CCDR policies.
- (b) Maintained on the GCC OCS webpages.
- (c) Integrated into contracts being performed during an applicable operation in a CCDR's AOR.

(2) When CCDR policies potentially affect contracts other than those that originated in the CCDR's AOR, the CCDR should first consult their head of contracting activity for advice on how to best implement these policies (e.g., FAR or DFARS deviation (Subpart 1.4 of the FAR and Subpart 201.4 of the DFARS), Military Services' nonstandard clause control plan).

3.3. OCS KNOWLEDGE MANAGEMENT.

a. OCS knowledge management facilitates planning, analysis, and sourcing; aids in the development of theater acquisition strategies and plans; and supports efforts to determine the viability and benefit of using contracted support to meet operational requirements. OCS knowledge management includes coordinating common contracting requirements to support market intelligence and assessing that market intelligence data to enable effective decision making and development of realistic assumptions.

b. The GCCs should identify information that must be shared among their staff sections and with the supporting components, as well as information that should be published on the GCC OCS webpage. Whenever possible, organizations and information systems should utilize common, authoritative data so OCS information can be viewed, understood, and used with other operational information to enable timely decision making and reporting.

3.4. CONTRACTUAL RELATIONSHIPS.

The contract provides the only legal basis for the contractual relationship between the DoD and the defense contractor. The contracting officer is the only individual with the legal authority to enter into such a binding relationship with the contractor.

a. Commanders can restrict installation access, and contractor personnel must comply with applicable CCDR and local commander force protection policies.

(1) Service commanders will coordinate with the contracting officer and the senior contracting official supporting the requiring activity if action is required to address when defense contractors' or contractor personnel's actions are putting the operation or mission at risk.

(2) Military commanders or unit personnel do not have contracting authority over defense contractors or contractor personnel and may not direct defense contractors or contractor personnel to perform the contract.

(3) The contract does not provide a basis for commanders to exercise operational control or tactical control over defense contractors or their personnel or to assign or attach defense contractors or their personnel to a command or organization.

(4) The contract does not preclude the commander from exercising other authorities that the commander may have over civilians in the immediate vicinity of U.S. military operations or serving with or accompanying U.S. armed forces in the field.

b. The contract must specify:

(1) The terms and conditions under which the defense contractor is to perform, including minimum acceptable professional and technical standards.

(2) The method by which the contracting officer will notify the defense contractor of the deployment procedures to process contractor personnel who are deploying to the operational area.

(3) The specific contractual support terms and agreement between the defense contractor and the DoD.

(4) The appropriate flow-down of provisions and clauses to subcontractors.

(5) That the service performed by contractor personnel is not considered to be active duty or active service, in accordance with DoDD 1000.20 and Section 106 of Title 38, U.S.C.

c. The contract must contain clauses to ensure efficient deployment, accountability, visibility, protection, and redeployment of contractor personnel and detail AGS.

3.5. CONTRACTING RESTRICTIONS.

a. Restrictions on Contractor for Performance of Inherently Governmental Functions.

(1) DoDI 1100.22; Subpart 7.5 of the FAR; Subpart 207.5 of the DFARS; Section 501 of Title 31, U.S.C.; and Office of Management and Budget Circular No. A-76 bar contracting for the performance of inherently governmental functions and duties.

(a) Pursuant to Subpart 7.5 of the FAR, Subpart 207.5 of the DFARS, and the May 28, 2009 Deputy Secretary of Defense Memorandum, contracting officials must request requiring officials to certify, in writing, that functions to be contracted for, or to continue to be contracted for, are not inherently governmental.

(b) Requiring officials will determine whether functions are inherently governmental based on the guidance in DoDI 1100.22 and the examples of inherently governmental functions

in Section 501 of Title 31, U.S.C.; Subpart 7.5 of the FAR; and Office of Federal Procurement Policy, Policy Letter 11-01.

(2) Contractor personnel may provide support during applicable operations, including, but not limited to:

- (a) Transporting munitions and other supplies.
- (b) Performing maintenance functions for military equipment.
- (c) Providing:
 - 1. Communications support.
 - 2. Force protection and private security services.
 - 3. Foreign language interpretation and translation services.
 - 4. Logistics services (e.g., billeting and messing).
 - 5. Intelligence surveillance and reconnaissance support.
 - 6. Commercial air assets.

(3) The requiring official will review each service to be performed by contractor personnel in applicable operations on a case-by-case basis to ensure compliance with DoDI 1100.22 and applicable law, including international agreements.

b. Restrictions on Contracting Functions Exempted From Private Sector Performance.

Pursuant to Subpart 207.5 of the DFARS and the April 4, 2008, and May 28, 2009 Deputy Secretary of Defense Memoranda, contracting officials must request requiring officials to certify, in writing, that functions to be contracted for (or continue to be contracted for) are not exempted from private sector performance. Requiring officials will determine whether functions are exempt from private sector performance based on the guidance in DoDI 1100.22.

c. Restrictions on Use of Contractor Personnel for Private Security Services.

If consistent with applicable U.S., local, and international law, including HN agreements and other international agreements, and this issuance, a defense contractor may be authorized to provide private security services that are in accordance with DoDIs 1100.22 and 3020.50 and Clause 252.225-7039 of the DFARS, which provide specific procedures and guidance.

3.6. TBC.

TBC is implemented at the CCDR's discretion, and the breadth and depth of TBC requirements will be situational.

3.7. COMBATING TRAFFICKING IN PERSONS.

Trafficking in persons is a violation of U.S. law and internationally recognized human rights and is incompatible with DoD core values.

a. In accordance with DoDI 2200.01 and Subpart 22.17 and Clause 52.222-50 of the FAR, also known as “Combating Trafficking in Persons,” defense contractors, contracting officers and their representatives, and commanders must deter activities that could facilitate or support trafficking in persons, including commercial sex acts, prostitution, forced labor, and other related activities.

b. Contracts in support of applicable operations will include terms and provisions that require the defense contractor to remove personnel from the performance of the contract and:

(1) Return any contractor personnel who have been determined to have engaged in any activities determined to be trafficking in persons listed in Subpart 22.17 and Clause 52.222-50 of the FAR from the operational area to the home of record, point of origin, or an authorized location at the end of contract performance or sooner as directed by the contracting officer.

(2) Once notified of an alleged trafficking in persons incident, the contracting officer, in accordance with DFARS PGI 222.1704, will notify the commander responsible in the AOR and other required oversight offices and provide any information required to support an investigation and enforcement.

3.8. LAW OF WAR COMPLIANCE.

a. Service and Defense Agency and DoD Field Activity contract work statements for defense contractors and their subcontractors will require:

(1) Compliance with DoDD 2311.01.

(2) Defense contractors that engage in activities governed by the law of war to implement effective programs to prevent violations of the law of war by their employees and subcontractors, including programs for law of war dissemination and periodic training commensurate with each individual’s duties and responsibilities, in accordance with DoDD 2311.01 and Part 158 of Title 32, Code of Federal Regulations.

b. Contracts in support of applicable operations must include provisions to require contractor personnel to report reportable incidents as defined in DoDD 2311.01 to the appropriate commander (e.g., the commander of the unit they are accompanying or the installation to which they are assigned) or command-designated office.

3.9. CAAF DESIGNATION, LEGAL STATUS, CREDENTIALING, AND SECURITY CLEARANCE REQUIREMENTS.

a. CAAF Designation.

(1) CAAF designation is provided to contractor personnel, including all tiers of subcontractor personnel, through a letter of authorization (LOA). CAAF generally include all U.S. citizen and third country national (TCN) contractor personnel not normally residing within the operational area whose area of performance is in the direct vicinity of U.S. Armed Forces and who routinely are co-located with U.S. Armed Forces, especially in non-permissive environments. Contractor personnel co-located with U.S. Armed Forces may be afforded CAAF status through an LOA.

(2) In some cases, CCDRs or subordinate commanders may designate mission-essential HN or LN contractor personnel as CAAF unless otherwise precluded by an applicable HN law, SOFA, or other agreement. In general, LNs are only afforded CAAF status when they assume great personal risk to perform an essential function.

(3) Defense contractor personnel who do not receive a CAAF designation are referred to as non-CAAF. An individual's CAAF status may change depending on where their employers or the provisions of their contract details them to work or if the operational conditions change.

(a) CAAF designation may affect a person's legal status under the law of war and the treatment to which that person is entitled pursuant to the 1949 Geneva Conventions if that person falls into the power of the enemy during international armed conflict.

(b) Defense contractor personnel with CAAF status:

1. Are characterized as "persons authorized to accompany the armed forces," although persons who are not CAAF may also receive this status.

2. Designation and access to AGS often coincide, CAAF status does not determine AGS provided.

b. Legal Status.

In implementing this issuance, DoD Components must abide by applicable laws, regulations, international agreements, and DoD policy as they relate to contractor personnel performing contractual support in support of applicable operations.

(1) HN and TCN Laws.

All contractor personnel must comply with applicable HN and third country laws. The applicability of HN and third country laws may be affected by international agreements (e.g., agreements between the United States and the HN) and customary international law (e.g., limits imposed by customary international law on the reach of third country laws).

(a) The status of defense contractor personnel may change (e.g., from non-CAAF to CAAF) depending on where in the operational AOR their employers or the provisions of their contracts detail them to work.

(b) CCDRs, as well as subordinate commanders, Service Component commanders, the Directors of the Defense Agencies, and the Directors of the DoD Field Activities should recognize limiting factors regarding the employment of LN and TCN personnel. Limiting factors include, but are not limited to:

1. Imported labor worker permits.
2. Workforce and hour restrictions.
3. Medical, life, and disability insurance coverage.
4. Taxes, customs, and duties.
5. Cost of living allowances.
6. Hardship differentials.
7. Access to classified information.
8. Hazardous duty pay.

(2) U.S. Laws.

U.S. citizens and contractor personnel with CAAF status, with some exceptions, are subject to U.S. laws and U.S. Government regulations.

(a) All U.S. citizens and TCN contractor personnel with CAAF status are subject to potential prosecutorial action pursuant under the criminal jurisdiction of the United States including, but not limited to, Section 3261 of Title 18, U.S.C., also known and referred to in this issuance as the “Military Extraterritorial Jurisdiction Act of 2000 (MEJA).” The MEJA extends U.S. Federal criminal jurisdiction to certain contractor personnel for offenses committed outside U.S. territory.

(b) In accordance with the March 10, 2008 Secretary of Defense Memorandum, contractor personnel are subject to prosecution pursuant to Section 47 of Title 10, U.S.C., also known and referred to in this issuance as the “Uniform Code of Military Justice (UCMJ)”, when serving overseas in support of a declared war or contingency. The March 10, 2008 Secretary of Defense Memorandum provides guidance to commanders on the exercise of this UCMJ jurisdiction.

(c) Other U.S. law may allow prosecution of offenses by contractor personnel (e.g., Paragraph (9) of Section 7 of Title 18, U.S.C.).

(d) Immediate consultation with the servicing legal office and the contracting officer is required in all cases of suspected MEJA or UCMJ application to conduct by contractor personnel with CAAF status, especially in non-combat operations or in undeclared contingencies.

c. Geneva Conventions Status.

The 1949 Geneva Conventions, including the Geneva Convention Relative to the Treatment of Prisoners of War, may be applicable to certain contractor personnel who fall into the power of the enemy during international armed conflict.

(1) All contractor personnel may be at risk of injury or death incidental to enemy actions while supporting military operations.

(2) Contractor personnel with CAAF status and other contractor personnel who have been authorized to accompany the U.S. Armed Forces and who are at risk of capture and detention by the enemy as prisoners of war will receive an appropriate identification card required by the Geneva Convention Relative to the Treatment of Prisoners of War, in accordance with DoDI 1000.01.

(3) Contractor personnel with CAAF status may be used in support of applicable operations consistent with the terms of U.S. Government authorization. If contractor personnel with CAAF status fall into the power of the enemy during international armed conflict, such contractor personnel are entitled to prisoner of war status.

d. Credentialing.

(1) Contracts must require contractor personnel with CAAF status to receive an identification card with the Geneva Conventions category of persons authorized to accompany the armed forces in accordance with DoDIs 1000.01 and 1000.13 and Volume 1 of DoD Manual (DoDM) 1000.13. At the time of identification card issuance, CAAF must present their SPOT-ES-generated LOA as proof of eligibility.

(2) Sponsorship must incorporate the processes for confirming eligibility for an identification card. The sponsor is the person affiliated with the DoD or other Federal agency that verifies and authorizes the applicant's need for a Geneva Conventions identification card. A DoD civilian employee or Service member must sponsor an applicant for a common access card in accordance with DoDI 1000.01 and Volume 1 of DoDM 1000.13.

(3) Individuals who have multiple DoD personnel category codes (e.g., an individual who is both a reservist and a contractor) will receive a separate identification card in each personnel category for which they are eligible in accordance with DoDI 1000.13. Individuals under a single personnel category code may not hold multiple current identification cards of the same form.

e. Security Clearance Requirements.

To the extent necessary, the contract must require the defense contractor to provide personnel who have the appropriate security clearance or are able to satisfy the appropriate background investigation requirements to obtain access required to perform contractual requirements in support of the applicable operation.

3.10. CONSIDERATIONS FOR SUPPORT TO CONTRACTORS.

a. U.S. Government Support.

Generally, contracts supporting applicable operations require defense contractors to provide all life, mission, medical, and administrative support to their personnel necessary to perform the contractual requirements in accordance with DoDI 4161.02 and meet CCDR guidance posted on the GCC OCS webpage. In some operations, especially those in which conditions are austere, uncertain, or non-permissive, the CCDR may decide it is in the U.S. Government's interest for the DoD to allow contractor personnel access to selected AGS, consistent with DoD regulations. The contract must state the level of access to AGS in its terms and conditions.

(1) In operations where conditions are austere, uncertain, or non-permissive, the contracting officer will consult with the requiring activity to determine if it is in the U.S. Government's interest to allow for selected life, mission, medical, and administrative support to certain contractor personnel. The requiring activity will confirm with the CCDR representative adjudicating requests for U.S. Government support that the CCDR and requiring activity have the capacity, capability, and willingness to provide the support, which is an operational decision that rests solely with the CCDR and requiring activity. The contracting officer should provide advice and execute the determination to provide AGS approved by the CCDR and the requiring activity in accordance with CCMD procedures.

(2) Before awarding the contract, the contracting officer will request the requiring activity to verify it has made proper arrangements for AGS at the deployment center and within the designated operational area. This may be through the TBC process if a TBC process has been established. The solicitation and contract must specify the level of AGS the U.S. Government will provide to contractor personnel and what AGS provided to contractor personnel is reimbursable to the U.S. Government. The requiring activity will ensure approved AGS is available to be provided to contractor personnel providing contracted support in the operational area.

b. IPE.

When directed by the CCDR, the contracting officer will include language in the contract authorizing military IPE (e.g., chemical, biological, radiological, and nuclear (CBRN) protective ensemble, body armor, ballistic helmet) to be issued to contractor personnel as part of AGS. Requiring activities must plan and resource for such IPE, as required by the GCC or subordinate JFC and the terms of the contract.

(1) Typically, IPE will be issued at the deployment center before deployment to the designated operational area and must be accounted for and returned to the U.S. Government or otherwise accounted for, in accordance with appropriate DoD Component regulations, directives, and instructions.

(2) Contractor personnel deployment training will include training on the proper care, fitting, and maintenance of IPE, whether issued by the U.S. Government or provided by the defense contractor in accordance with the contractual requirements. This training will include practical exercises within mission-oriented protective posture levels.

(3) When the defense contractor must provide the IPE to its personnel, the terms and conditions of the contract should define minimum standards for the IPE.

c. Clothing.

Defense contractors must provide their own personal clothing, including casual and work clothing required to perform the contract requirements.

(1) Generally, CCDRs will not authorize the issuance of military clothing to contractor personnel and will not allow contractor personnel to wear military or military look-alike uniforms. Contractor personnel are prohibited from wearing military clothing unless specifically authorized in writing by the CCDR. A CCDR or subordinate JFC deployed forward may authorize contractor personnel to wear standard uniform items for operational reasons. Contracts must include terms and clauses requiring that the CCDR provide this authorization in writing and that authorized contractor personnel will maintain the uniform items issued to them throughout their deployment.

(2) When commanders issue any type of standard uniform item to contractor personnel, care must be taken to ensure contractor personnel are distinguishable from military personnel using distinctive patches, arm bands, nametags, or headgear consistent with force protection measures. Contractor personnel authorized by the CCDR to wear any standard uniform item will carry proof of the CCDR's written authorization with them.

(3) Defense contractor personnel's clothing must comply with any force health protection measures specified by the CCDR for the area of operations.

d. Weapons.

Contractor personnel are not authorized to possess or carry firearms or ammunition during applicable operations, except as provided in DoDI 3020.50 and Paragraphs 3.5.c. and 3.15.d. of this issuance. The contract will provide the terms and conditions governing the possession of firearms by contractor personnel. Information on all weapons authorized to defense contractors and their personnel will be entered into SPOT-ES.

e. Mortuary Affairs.

The DoD Mortuary Affairs Program, as described in DoDD 1300.22, covers all contractor personnel with CAAF status who die while performing contractual requirements in support of

the U.S. Armed Forces. Mortuary affairs support and transportation can only be provided on a reimbursable basis for the recovery, identification, and disposition of remains and personal effects of deceased contractor personnel with CAAF status.

(1) Every effort must be made to identify remains and account for un-recovered remains of contractor personnel and their dependents who die in military operations, training accidents, and other incidents. The remains of contractor personnel who die due to an incident in support of military operations are afforded the same dignity and respect afforded to the remains of Service members in accordance with DoDI 1300.18.

(2) The DoD may provide mortuary affairs support and transportation on a reimbursable basis for the recovery, identification, and disposition of remains and personal effects of contractor personnel with non-CAAF status at the request of the Department of State (DoS) and in accordance with this issuance, applicable agreements with the HN, and applicable contract provisions. In accordance with DoDD 1300.22, the USD(P&R) coordinates this support with the DoS, including cost reimbursement to the DoD Component for the provision of this support.

(3) The responsibility for coordinating the transfer of the remains of contractor personnel who perished while in non-CAAF status in the HN or affected nation resides with the GCC in coordination with the DoS, through the respective embassies, or through the International Committee of the Red Cross or the International Federation of Red Cross and Red Crescent Societies, as appropriate, and in accordance with applicable contract clauses.

f. Medical Support and Evacuation.

Generally, the DoD will provide only resuscitative care, stabilization, and hospitalization at military medical treatment facilities (MTFs), and assistance with patient movement in emergencies where loss of life, limb, or eyesight could occur. The DoD FCG and the GCC OCS webpages contain theater-specific contract language to provide contract terms to clarify available healthcare for contractor personnel. During operations in austere, uncertain, or non-permissive environments, contractor personnel may encounter situations in which they cannot access adequate medical support in the local area.

(1) In accordance with DoDI 4515.13, all costs associated with the treatment and transportation of contractor personnel to a civilian facility are reimbursable to the U.S. Government and are the responsibility of the defense contractor, the contractor personnel, or the contractor personnel's health insurance provider. Nothing in this paragraph is intended to affect the allowability of costs incurred under a contract.

(2) Medical support and evacuation procedures for contractor personnel with CAAF status and select contractor personnel with non-CAAF status include:

(a) All contractor personnel with CAAF status will normally be afforded emergency medical and dental care if injured while supporting applicable operations. Contractor personnel with non-CAAF status who are injured while in the vicinity of U.S. Armed Forces while supporting applicable operations will also normally receive emergency medical and dental care. Emergency medical and dental care includes medical care situations in which life, limb, or eyesight is jeopardized. Examples of emergency medical and dental care include:

1. Examination and initial treatment of victims of sexual assault.
2. Filling prescriptions for drugs necessary to sustain life.
3. Repair of broken bones, lacerations, and infections.
4. Traumatic injuries to the teeth.

(b) MTFs normally will not authorize or provide primary medical or dental care to contractor personnel with CAAF status. Any MTF-provided primary medical care for contractor personnel with CAAF status must be closely planned and coordinated by the joint force surgeon, contracting officer, and SJA, as the mission dictates. When required and authorized by the CCDR or subordinate JFC, this support must be specifically authorized under the terms and conditions of the contract and detailed in the corresponding LOA. Primary care is not authorized for contractor personnel with non-CAAF status. Primary care includes:

1. Routine inpatient and outpatient services.
2. Non-emergency evacuation.
3. Pharmaceutical support (except for emergency prescriptions for drugs necessary to sustain life).
4. Non-emergency dental services.
5. Other medical support, as determined by the CCDR or JFC based on recommendations from the cognizant medical authority and the existing capabilities of the forward-deployed MTFs.

(c) The DoD will not provide long-term care to contractor personnel.

(d) The CCDR or subordinate commander may quarantine or restrict movement of contractor personnel, in accordance with to DoDI 6200.03.

(e) Patient movement of contractor personnel with CAAF status will be performed in accordance with DoDI 6000.11. When contractor personnel with CAAF status are evacuated for medical reasons from the designated operational area to MTFs funded by the Defense Health Agency, normal reimbursement policies will apply for services rendered by the MTF. Should contractor personnel with CAAF status require medical evacuation outside the United States, the sending MTF staff will assist the contractor personnel with CAAF status in arranging for transfer to a civilian facility of the contractor personnel's choice. When U.S. forces provide emergency medical care to LN contractor personnel, these patients will use HN transportation means, when possible, for evacuation or transportation to their local medical systems.

g. Other AGS.

Subpart 225.3 of the DFARS PGI lists types of support that may be authorized for contractor personnel who are deployed with or otherwise support applicable operations, which may include

transportation to and within the operational area, mess operations, quarters, phone service, religious support, and laundry.

(1) Contractor personnel of U.S. owned defense contractors who are supporting DoD activities may be authorized to use the military postal service in accordance with DoDI 4525.09. The extent of postal support will be set in the contract. The provisions for postal support in such contracts must be reviewed and approved by the applicable CCDR, or their designated representative, and the Service component concerned before execution of the contract.

(2) Morale, welfare, and recreation and exchange services are authorized for contractor personnel who are U.S. citizens supporting DoD activities outside the United States in accordance with DoDIs 1015.10 and 1330.21. Contractor personnel who are not U.S. citizens may be authorized limited use of morale, welfare, and recreation services at the installation commander's discretion.

3.11. ACCOUNTABILITY AND VISIBILITY OF CONTRACTS AND CONTRACTOR PERSONNEL.

a. Contractor Accountability Requirements.

Commanders will account for DoD contractor personnel supporting an applicable operation, in accordance with this issuance; Subpart 225.3 of the DFARS; Section 159 of Title 32, Code of Federal Regulations; CJCSM 3150.13; and theater-specific guidance. To do this, commanders must preplan and integrate contractor accountability requirements into plans and orders in accordance with CJCSMs 3130.03 and 4301.01.

(1) Commanders must notify theater, external, and systems support contracting activities through the Director, DPCAP, if a transition from peacetime to contingency operation occurs to ensure the appropriate contractor accountability procedures are followed.

(2) Military Services, FCCs that have contracting authority, and combat support agencies, in coordination with the GCC, will ensure all contractor personnel performing private security functions, as defined in Section 159 of Title 32, Code of Federal Regulations, and their associated equipment are registered in SPOT-ES during applicable operations in accordance with DoDI 3020.50.

(3) During applicable operations, defense contractors will use SPOT-ES as follows:

(a) All contractor personnel with CAAF status will register in SPOT-ES by name.

(b) Contractor personnel with non-CAAF status will be registered in SPOT-ES by name if they are performing on a DoD contract for at least 30 consecutive days, unless a lesser number of days is requested by the CCDR or if contractor personnel with non-CAAF status require access to a U.S. or ally or partner-controlled installation. Contracting officers will ensure contractor personnel with non-CAAF status who require access to U.S. or coalition-controlled installations are registered in SPOT-ES before requesting installation access.

(c) All private security contractor personnel and all other contractor personnel authorized to carry weapons, regardless of the length of the performance or contract value, will register in SPOT-ES by name.

(4) During operations other than contingency operations, humanitarian assistance, or peace operations, defense contractors will use SPOT-ES in situations required by the CCDR and as follows:

(a) To account for:

1. All U.S. citizen and TCN contractor personnel.

2. All private security contractor personnel and all other contractor personnel authorized to carry weapons, where the designated area and place of performance are outside the United States, regardless of the length of performance or contract value.

(b) The contracting officer will account for an estimated total number of LNs employed under the contract, by country on a monthly basis.

(5) Contract linguists will register in SPOT-ES in the same manner as other contractor personnel and will also be tracked using the Contract Linguist Enterprise-wide Database, in accordance with DoDD 5160.41E.

(6) LNs will be registered in SPOT-ES by name to improve data quality and reduce confusion during a transition to accountability requirements during a contingency operation which will require by-name accountability. This early by-name registration in SPOT-ES will ease the transition of accountability requirements into contingency or response operation.

b. SPOT-ES.

SPOT-ES assists the CCDRs in maintaining awareness of the nature, extent, and potential risks and capabilities associated with contracted support for applicable operations. To facilitate integration of defense contractors and contractor personnel, and to ensure the accurate forecasting and provision of accountability, visibility, force protection, medical support, personnel recovery, and other related support, the procedures in this paragraph will help establish, maintain, and validate the accuracy of information in SPOT-ES.

(1) SPOT-ES will:

(a) Serve as the central repository for deployment status and reporting on the contractor personnel identified in Paragraph 3.11., as well as other contractor personnel supporting other U.S. Government agencies, as applicable, in accordance with the SPOT Business Rules.

(b) Track information for all DoD contracts that are awarded in support of applicable operations outside the United States, in accordance with the SPOT Business Rules and as directed by the USD(A&S), Subpart 225.3 of the DFARS, CJCSM 3150.13, or the CCDR. SPOT-ES will collect and report on contractor personnel identified in Paragraph 3.11:

1. Performing on contracts entered into as of the end of each calendar quarter.
2. Performing security functions under contracts entered into with the DoD.
3. Killed or wounded while performing under any contract entered into with the DoD.

(c) Provide personnel accountability via unique identifier (e.g., electronic data interchange personnel identifier or foreign identification number) of contractor personnel and other personnel, as directed by the USD(A&S), Subpart 225.3 of the DFARS, CJCSM 3150.13, or the CCDR.

(d) Contain or link to minimum contract information necessary to:

1. Establish and maintain accountability of contractor personnel in accordance with the requirements in Paragraph 3.11.
2. Maintain information on specific equipment related to the performance of private security contracts.
3. Maintain oversight information on contracted support in applicable operations.

(e) Comply with:

1. The personnel identity protection program requirements in DoDI 1000.25 and policy for the collection, use, processing, storage, maintenance, dissemination, and disclosure of personally identifiable information and protected health information found in DoD 5400.11-R and DoDM 6025.18.
2. The DoD Information Enterprise architecture found in DoDD 8000.01.
3. The requirements for interoperability and secure information sharing in DoDIs 8320.02, 8330.01, and 8500.01.

(2) Before registering in SPOT-ES, U.S. Government and contractor personnel must meet the minimum training requirements in the SPOT Business Rules.

(3) The contractor must enter all required data into SPOT-ES before its employees may deploy to or enter a theater of operations and maintain such data, as directed by the USD(A&S), Subpart 225.3 of the DFARS, or the CCDR.

(4) The contracting officer will enter the required information for all contracts that are awarded to support applicable operations, including theater support, external support, and systems support contracts into SPOT-ES in accordance with Subpart 252.225-7040 of the DFARS.

(5) In accordance with applicable acquisition policy and regulations and under the terms and conditions of each affected contract, all contractors performing under contracts that support

applicable operations must input employee data and maintain accountability, by name, of contractor personnel in SPOT-ES pursuant to Subpart 252.225-7040 of the DFARS.

(a) Defense contractors must maintain the current status of the daily location of their employees and, when requested, submit up-to-date, real-time information reflecting all personnel deployed or to be deployed in support of applicable operations to the COR.

(b) Defense contractors must enter up-to-date information regarding their subcontractors at all tiers into SPOT-ES.

(6) Users providing classified information in response to the requirements of this issuance must report and maintain that information on systems approved for the level of classification of the information provided.

c. LOA.

(1) The contracting officer or their designee will ensure a SPOT-ES-generated LOA has been issued to all contractor personnel with CAAF status who are approved to deploy, as required by Clause 252.225-7040 of the DFARS, and contractor personnel with non-CAAF status as designated by the CCDR, pursuant to Subpart 225.3 of the DFARS, or as otherwise designated by the CCDR.

(2) The contract will require that all contractor personnel who are issued an LOA always carry the LOA with them.

d. JAMMS.

JAMMS records and tracks the presence of contractor personnel during applicable operations. The GCC OCS integration cell, in conjunction with the GCC Manpower and Personnel Directorate and the SPOT-ES program manager, will agree on the appropriate number of JAMMS terminals and their locations to meet operational requirements.

3.12. THEATER ADMISSION REQUIREMENTS.

Special area, country, and theater clearance documents must include current entry requirements for contractor personnel, in accordance with the DoD FCG, and be coordinated with affected agencies to ensure entry requirements do not adversely affect meeting mission requirements.

a. Contractor personnel with CAAF status providing support to DoD missions are considered DoD-sponsored personnel for DoD FCG purposes.

b. Contracting officers must ensure contracts include a requirement for contractor personnel to meet theater personnel clearance requirements and obtain personnel clearances as appropriate through the Aircraft and Personnel Automated Clearance System, in accordance with DoDD 4500.54E, before contractor personnel enter designated theaters of operations.

c. Contracts must require contractor personnel to obtain proper identification credentials, such as passports, visas, and other documents required to enter and exit a designated operational area, and have a required Geneva Conventions identification card or other appropriate DoD credential from the deploying center.

3.13. DEPLOYMENT PROCEDURES.

The CCDR or subordinate JFC must provide specific deployment and theater admission requirements to the DoD Components for each applicable operation. Contracts must contain terms and conditions that detail the need for defense contractors to follow deployment and theater admission requirements, pursuant to Subpart 225.3 and Clause 252.225-7040 of the DFARS and as outlined in the DoD FCG. At a minimum, contracting officers must ensure contracts address operational area-specific contract requirements and procedures applicable to the deployment of contractor personnel.

a. Deployment Center Designation.

A formally designated joint or Service deployment center will be used to conduct deployment and redeployment processing for contractor personnel with CAAF status, unless the defense contractor is authorized to perform theater admission preparation in accordance with Paragraph 3.13.d. or the requirement for processing through a designated deployment center is waived by the CCDR or their designee pursuant to Paragraph 3.13.g. If the contract contains clauses that specify another U.S. Government-authorized deployment and/or redeployment process that incorporates all the deployment and redeployment processes of a deployment center, the contracting officer may permit the defense contractor to use such process to conduct deployment and redeployment processing for contractor personnel with CAAF status in lieu of deployment and redeployment processing through a formally designated joint or Service deployment center.

b. Medical Preparation.

(1) In accordance with Section 4, contracts must require that defense contractors provide medically and physically qualified contractor personnel to perform duties in applicable operations, as outlined in the contract.

(a) Any contractor personnel with CAAF status found unsuitable for deployment based on the assessment of a medical health care provider during the deployment process will not be authorized to deploy.

(b) The contract will document any specific immunizations that are mandatory for contractor personnel with CAAF status performing essential contractor services.

(c) For contractors that employ contractor personnel with CAAF status who are U.S. citizens, the contract must require the defense contractor make the medical and dental records of deploying contractor personnel available the purpose of verifying medical, dental, and psychological fitness, in accordance with this issuance, DoDD 6485.02E, applicable cognizant

medical authority guidance, and relevant Military Department policy. These records will include current panoramic x-rays.

(2) U.S. Government personnel may not involuntarily immunize contractor personnel or require contractor personnel to involuntarily disclose their medical records. The contracting officer will document the requirement for disclosure of medical records and any required immunizations in the contract as a requirement for deploying defense contractor personnel. The contracting officer will provide defense contractors time to notify and/or hire employees who consent to U.S. Government medical requirements, including receiving U.S. Government-required immunizations and disclosing their private medical information to the U.S. Government in accordance with the requirements in the contract.

(3) All contractor personnel with CAAF status will receive medical threat pre-deployment briefings prior to their deployment to communicate health risks and countermeasures in the designated operational area in accordance with DoDI 6490.03.

(a) In accordance with GCC or JFC plans and orders, contracts must include terms and conditions that specify health readiness and force health protection capability, either as a responsibility of the defense contractor or the U.S. Government, to ensure appropriate medical staffing in the operational area.

(b) Health surveillance activities, as detailed in DoDD 6490.02E and DoDI 6490.03, also must include plans for contractor personnel with CAAF status. Section 4 further addresses deoxyribonucleic acid (DNA) collection and other medical requirements.

c. Training.

Joint training policy and guidance applies to both Service members and contractor personnel in accordance with CJCS Instruction 3500.01. CCDRs will place standing training requirements on the GCC OCS webpages for reference by defense contractors and contractor personnel. Other training requirements that are specific to an applicable operation will be placed on the GCC OCS webpages shortly after identifying the requirement so contracting officers can incorporate the training into the appropriate contracts as soon as possible. Training requirements:

(1) Must be included, or incorporated by reference, in contracts that require the deployment of contractor personnel to support applicable operations.

(2) Include specific requirements established by the CCDR and training required in accordance with this issuance and:

(a) DoDDs 2310.01E, 2311.01, and 3115.09.

(b) DoDIs 2000.12, O-3002.05, and 3020.50.

(c) Volume 1 of DoDI O-2000.16.

d. Deployment Center Procedures.

Affected contracts must require that all contractor personnel with CAAF status deploy to and redeploy from an applicable operation in the same manner. The deployment process includes, but is not limited to:

(1) Verifying registration in SPOT-ES.

(2) Issuing applicable U.S. Government-furnished equipment.

(3) Verifying medical and dental screening is complete.

(4) Administering required theater-specific immunizations and medications not available through public healthcare providers.

(5) Verifying and, when necessary, providing training as required by the CCDR. Examples of required training include, but are not limited to:

(a) Law of war, including the 1949 Geneva Conventions and DoD policy to implement the law of war.

(b) Law and policy applicable to detainee operations and intelligence interrogation operations, as appropriate.

(c) General orders.

(d) Standards of conduct.

(e) Force protection.

(f) Personnel recovery.

(g) First aid.

(h) Combating trafficking in persons.

(i) OPSEC.

(j) Anti-terrorism.

(k) Counterintelligence reporting.

(l) The use of CBRN protective ensemble.

(m) Deployment health threats briefing.

e. Certification.

Contracts supporting applicable operations must include terms and conditions requiring defense contractors to certify to the authorized U.S. Government representative, before deployment, that each individual contractor personnel has completed all required deployment processing actions.

f. Legal.

Contractor personnel are not entitled to military legal assistance in-theater or at deployment centers. Individual contractor personnel should have their personal legal affairs in order (e.g., preparing and completing powers of attorney, wills, trusts, and estate plans) before reporting to deployment centers.

g. Waivers.

For required contracted support that will be provided in an operational area for 17 calendar days or fewer, the CCDR or designee may waive a portion of the deployment process in Paragraph 3.13.d., which may include waiving the requirement for processing through a physical deployment center. However, the CCDR may not waive the requirement to possess appropriate identification cards in accordance with Paragraph 3.9.d., the requirement to establish and maintain accountability for all contractor personnel, or any medical requirement without the prior approval of the cognizant medical authority or their designee. If a contract authorizes contractor personnel to be armed, the requirements for arming contractor personnel described in Paragraph 3.15.d. cannot be waived.

3.14. RECEPTION.

It is critical that any contractor personnel with CAAF status who enter into an operational area are properly integrated into the military operation through a formal reception process. In applicable operations, all contractor personnel with CAAF status must enter the operational area through a designated reception site.

a. Personnel at the designated reception site will verify contractor personnel are entered into SPOT-ES, possess a copy of the LOA detailing AGS, and meet theater-specific entry requirements.

b. Contractor personnel already in the designated operational area when an operation becomes a contingency operation must report to the designated reception site as soon as it is operational.

c. Contractor personnel must possess any required IPE, including CBRN protective ensemble if applicable.

d. Any contractor personnel with CAAF status who do not have the proper documentation to perform in that theater will be refused entry into the theater. The contracting officer will notify the defense contractor to resolve the issue. If the defense contractor does not resolve the issue,

the individual will be sent back to their departure point or directed to report to the DoD Component responsible for that specific contract.

3.15. IN-THEATER MANAGEMENT.

When contractor personnel are performing in support of applicable operations, the DoD Components must adhere to the following in-theater policies:

a. Defense Contractor and Contractor Personnel Use Restrictions.

CCDRs may place specific restrictions on locations or timing of contracted support based on prevailing operational situations, in coordination with subordinate commanders and the Defense Agencies and DoD Field Activities responsible for those contracts.

b. Contractor Personnel Security Screening.

OPSEC programs and plans will include screening requirements for all contractor personnel who require access to U.S. facilities to perform contract requirements.

c. Conduct and Discipline.

Contract terms and conditions must require that contractor personnel with CAAF status comply with CCDR theater orders and applicable directives, laws, and regulations. Contractor personnel with non-CAAF status who require access to U.S. facilities to perform contract requirements must follow base force protection and security related procedures, as applicable.

(1) The contracting officer may appoint a designee (usually a COR) as a liaison between the contracting officer and the defense contractor and requiring activity.

(a) The requiring activity has no direct contractual relationship with or authority over the defense contractor. In emergency situations (e.g., enemy or terrorist actions or natural disasters), the CCDR or designee may recommend or issue warnings or messages urging contractor personnel to take emergency actions to remove themselves from harm's way or to take other appropriate self-protective measures.

(b) During armed conflict contractor personnel are not exempt from the authority, described in the DoD Law of War Manual, that commanders may exercise to control the movement of persons and vehicles within the immediate vicinity of operations.

(2) The defense contractor is responsible for disciplining contractor personnel, as necessary and appropriate. However, in accordance with Paragraph (h)(1) of Clause 252.225-7040 of the DFARS, the contracting officer may direct the defense contractor, at its own expense, to remove and replace any contractor personnel who jeopardize or interfere with mission accomplishment, who threaten force protection measures, or who fail to comply with or violate applicable requirements of the contract. A commander has the authority to take certain actions affecting contractor personnel (e.g., the ability to revoke or suspend security access or impose restrictions from access to military installations or specific worksites).

(3) Contractor personnel with CAAF status and individuals employed by or accompanying the Military Services outside the United States are subject to potential prosecutorial action under the criminal jurisdiction of the United States, pursuant to the MEJA and the UCMJ, in accordance with Paragraph (9) of Section 7 and Sections 2441, and 3261 of Title 18, U.S.C., and under the policy of the March 10, 2008 Secretary of Defense Memorandum.

(a) Commanders possess significant authority to act whenever criminal activity is committed by anyone subject to the MEJA and the UCMJ that relates to or affects the commander's responsibilities. This includes situations in which the alleged offender's precise identity or actual affiliation is undetermined. The March 10, 2008 Secretary of Defense Memorandum provides guidance to commanders on the exercise of this UCMJ jurisdiction over contractor personnel accompanying the U.S. Armed Forces overseas during declared war and in contingency operations.

(b) Contracting officers will ensure defense contractors are aware of their employees' status and liabilities as contractor personnel with CAAF status and the required training associated with this status.

(c) CCDRs retain authority to respond to a security or law enforcement incident, restore safety and order, investigate, apprehend suspected offenders, and otherwise address the immediate needs of the incident.

(4) The Department of Justice may prosecute misconduct under applicable Federal laws, including the MEJA and Section 2441 of Title 18, U.S.C. Contractor personnel are normally subject to the domestic criminal law of the jurisdiction in which they are present.

(5) Upon becoming aware of disciplinary concerns or other problems involving contractor personnel, commanders should seek the assistance of their legal staff and the contracting officer responsible for the applicable contract(s).

(6) In conducting investigations of offenses allegedly committed by or against contractor personnel, the investigative authorities will keep the contracting officer informed of the status of the investigation, to the extent possible without compromising the investigation, if the alleged offense has the potential to impact contract performance.

d. Force Protection and Weapons Issuance.

CCDRs must include contractor personnel in their force protection planning and communicate force protection requirements to contracting activities and defense contractors via the GCC OCS webpage.

(1) In general, defense contractors are responsible for the security of their own personnel. Contractor personnel working within a U.S. military facility or close to U.S. Armed Forces may incidentally receive the benefits of measures taken to protect U.S. forces, in accordance with DoDI 2000.12.

(2) Where additional security is needed to achieve force protection and it is not operationally or cost effective for a defense contractor to provide force protection to its

personnel, the commander may determine it is in the interests of the U.S. Government to provide security for contractor personnel. When security is provided through military means, contractor personnel should receive a level of force protection equal to that provided to DoD civilian employees.

(3) When the CCDR deems military force protection and civil authority are unavailable or insufficient, the CCDR may authorize, in writing, contractor personnel to be armed for self-defense purposes only. In authorizing contractor personnel to be armed, the defense contractor, the armed contractor personnel, and the U.S. military must adhere to:

- (a) Applicable U.S., HN, and international law.
- (b) Relevant SOFAs and other agreements.
- (c) Arrangements with local authorities.
- (d) The rules for the use of force and guidance and orders regarding the possession, use, safety, and accountability of weapons and ammunition that are issued by the CCDR.

(4) Depending on the operational situation and contractor personnel's specific circumstances, the defense contractor may apply for its personnel to be armed for self-defense purposes on a case-by-case basis. The appropriate SJA to the CCDR, or their designee, will review all such applications to determine whether there is a legal basis to approve the application. In reviewing applications, CCDRs will apply the criteria mandated for arming contractor personnel for private security services in accordance with DoDI 3020.50.

(a) In such cases, the defense contractor will validate to the contracting officer, or designee, that the contractor personnel have received required training for arming defense contractor personnel including weapons safety, qualification, and briefings regarding the rules for the use of force in accordance with CCDR policies.

(b) Contractor personnel cannot be forced to be armed.

(c) In accordance with Paragraph (j) of Clause 252.225-7040 of the DFARS, the contract must require the defense contractor to ensure applicable U.S. law does not prohibit contractor personnel from possessing firearms if they are required to be armed to perform their duties or for self-protection.

1. When contractor personnel are armed for personal protection, the contract must state that contractor personnel are authorized to use force only for self-defense and must require the defense contractor to ensure U.S. law does not prohibit those personnel it intends to arm from possessing firearms, in accordance with Paragraph (j) of Clause 252.225-7040 of the DFARS.

2. Unless contractor personnel are not subject to local laws or HN jurisdiction by virtue of an international agreement or customary international law, the contract must include terms and conditions stating that the inappropriate use of force could subject contractor personnel to U.S. and/or local or HN prosecution and civil liability.

e. Personnel Recovery, Missing Persons, and Casualty Reporting.

(1) In accordance with DoDD 3002.01, the DoD personnel recovery program applies to all contractor personnel with CAAF status regardless of their citizenship. If a contractor's employee with CAAF status becomes isolated or unaccounted for, the defense contractor employing this individual must promptly file a search and rescue incident report to the theater's personnel recovery architecture (e.g., the component personnel recovery coordination cell or the CCMD joint personnel recovery center).

(2) Upon recovery following an isolating event, the returning contractor personnel with CAAF status must enter the first of the three phases of reintegration outlined in DoDI 3002.03. The contract will document that the defense contractor must offer the additional phases of reintegration to the returnee to ensure their physical and psychological well-being while adjusting to the post-captivity environment.

(3) DoDD 2310.07 addresses how to account for missing persons, including contractor personnel.

(4) DoDD 3025.14 addresses the evacuation of dependents of contractor personnel.

(5) The contract must require the defense contractor to report all contractor personnel casualties in accordance with GCC or JFC plans, orders, and the SPOT Business Rules.

3.16. REDEPLOYMENT PROCEDURES.

At the end of a contract's performance period, or in cases of early redeployment, contractor personnel with CAAF status must complete requirements for redeployment.

a. Preparation for Redeployment.

Contractor personnel with CAAF status must complete intelligence out-briefs and customs and immigration briefings and inspections in accordance with CCDR policy and applicable HN law. Contractor personnel with CAAF status are subject to customs and immigration processing procedures at all designated stops and their final destination during their redeployment. Contractor personnel with CAAF status returning to the United States are subject to U.S. reentry customs requirements in effect at the time of reentry to the United States.

b. Transportation Out of Theater.

The terms and conditions of the contract will state whether the U.S. Government will provide transportation out of theater.

(1) When the terms and conditions of the contract state that the U.S. Government shall provide transportation out of theater upon completion of the deployment or other authorized release, the U.S. Government must provide contractor personnel transportation from the theater of operations to the location from which they deployed, in accordance with each individual's LOA unless otherwise directed. If commercial transportation is not available, that should be

stated in the LOA in accordance with DoDI 4515.13. Contractor personnel with CAAF status must depart from the operational area through the designated reception site.

(2) Before redeployment, contractor personnel will, through their employing defense contractor, coordinate exit times and transportation with the deployment center or designated reception site.

c. Redeployment Center Procedures.

In most instances, the deployment center or site that prepared a contractor personnel with CAAF status for deployment will serve as the redeployment processing center. As part of CAAF redeployment processing, personnel at the designated reception site will screen contractor personnel records, recover U.S. Government-issued identification cards and equipment, collect the LOA, and conduct debriefings, as appropriate. The returning contractor personnel will spend the minimum amount of time possible at the redeployment processing center to complete the necessary administrative procedures.

(1) Contractor personnel must return all U.S. Government issued identification and access badges.

(2) Contractor personnel must return any U.S. Government issued clothing and equipment and report any lost, damaged, or destroyed clothing and equipment in accordance with the issuing facility's procedures.

(3) Contractor personnel will receive a post-deployment medical briefing on signs and symptoms of potential diseases (e.g., tuberculosis (TB)).

(4) If a country redeploying contractor personnel are traveling through prohibits items issued to that individual by the U.S. Government from entering its territory, CCDR or JFC guidance and contract terms and conditions will provide alternate methods of accounting for U.S. Government-issued equipment and clothing impacted by such prohibition.

d. Update to SPOT-ES.

Contracting officers or their designated representatives must: verify defense contractors have updated SPOT-ES to reflect a contractor's employee's change in status within 3 calendar days of the employee's redeployment; close out the employee's deployment; and revoke the employee's LOA.

e. Transportation to Home Destination.

The contract must document that transportation of contractor personnel with CAAF status from the deployment center to their home destinations is the employing defense contractor's responsibility.

SECTION 4: GUIDANCE FOR CONTRACTOR PERSONNEL MEDICAL AND DENTAL DEPLOYMENT FITNESS

4.1. GENERAL.

a. DoD contracts requiring the deployment of contractor personnel with CAAF status must include medical and dental fitness standards, as specified in this section. Under the terms and conditions of applicable contracts, defense contractors will be required to employ personnel who meet such medical and dental standards.

(1) With respect to contractor personnel covered by Section 791 of Title 29, U.S.C. (also known the “Rehabilitation Act of 1973”), or Section 12101 of Title 29, U.S.C. (also known as the “Americans with Disabilities Act of 1990”), these medical and dental fitness standards do not alter the legal obligations of DoD Components or defense contractors (as employers).

(2) Replacement of non-medically qualified contractor personnel already deployed to the theater will be at the defense contractor’s cost.

b. The GCC concerned will:

(1) Establish force health protection policies and programs for the protection of all forces assigned or attached to their command in accordance with applicable force health protection requirements and medical and dental fitness standards to promote and sustain a healthy and ready force in accordance with DoDD 6200.04.

(2) Establish a process for reviewing requests for waivers to the medical and dental fitness standards as specified by this section, on an individual basis, and will ensure a mechanism is in place to appropriately maintain records related to all approved and denied waivers, including any medical records, in accordance with DoDI 5015.02.

(3) Ensure medical fitness processes and procedures, including those pertaining to the removal of non-medically qualified contractor personnel from the theater at the defense contractor’s expense, are posted on the GCC OCS webpage. Contracting officers will incorporate these processes and procedures into clauses for all contracts for performance in the operational area.

c. Unless otherwise stated in the contract terms and conditions, all medical evaluations and treatment for contractor personnel are the defense contractor’s responsibility.

4.2. MEDICAL AND DENTAL EVALUATIONS.

a. All contractor personnel with CAAF status deploying in support of an applicable operation are subject to medical and dental fitness standards pursuant to DoDD 6200.04 and CCDR guidance. Fitness standards pertain to the individual’s ability to accomplish the tasks and

duties unique to a particular operation and the ability to tolerate the environmental and operational conditions of the deployment location.

b. All contractor personnel with CAAF status deploying in support of an applicable operation must undergo an initial medical and dental screening assessment within 12 months before arrival at a designated deployment center or before they deploy to the AOR concerned. This initial screening assessment, conducted by the contractor personnel's medical health care provider, will emphasize diagnosing medical or dental conditions that may preclude the contractor personnel from performing contractual requirements, especially in the austere environments encountered in some applicable operations.

c. In accordance with DoDI 6490.03, contractor personnel with CAAF status receive a health threat and countermeasures briefing from the applicable Military Service before deployment to the operational area.

d. Contractor personnel with CAAF status whose initial screening assessment or any subsequent medical evaluation identifies any of the medical conditions listed in Paragraph 4.9. or the need for extensive preventive dental care are considered "not medically fit" for deployment unless the CCDR approves a waiver authorizing such contractor personnel to be deployed.

e. Contractor personnel who are deemed "not medically fit" following an individual medical and dental screening assessment by a licensed medical provider are not authorized to deploy to the operational area unless they have been granted a waiver in accordance with Paragraph 4.2.f., below.

f. Contractor personnel with non-CAAF status will be medically screened by a U.S. Government designee when required by the contract based on the type of labor they will be performing (e.g., LNs working in a dining facility).

g. Contracts will require defense contractors to replace individuals who develop conditions that cause them to become medically unqualified to perform contractual requirements at any time during contract performance at the employing defense contractor's expense.

h. In accordance with DoDI 6490.03, contracts will require that contractor personnel with CAAF status complete a post-deployment health assessment in the Defense Medical Surveillance System at the end of their deployment or within 30 calendar days after redeployment.

4.3. GLASSES.

Contractor personnel deploying in support of an applicable operation who require vision correction must have two pairs of glasses and, if applicable, eyeglass inserts for a chemical protective mask. Contractor personnel also may provide a written prescription to the military medical component supporting the CCDR in the AOR to prepare eyeglass inserts for use in a compatible chemical protective mask. If the type of protective mask to be issued is known, and time permits, the military medical component should provide the eyeglass inserts to the contractor personnel before they deploy.

4.4. MEDICATIONS.

Other than those force health protection prescription products provided by the U.S. Government to contractor personnel with CAAF status and selected contractor personnel with non-CAAF status as designated by the GCC, contracts must require that contractor personnel deploy with a minimum 90-day supply of any required medications, which will not be at U.S. Government expense, in accordance with DoDI 6490.03.

a. The contracting officer must ensure that the defense contractor informs contractor personnel that deployed medical units are equipped and staffed to provide emergency care to healthy adults and are unable to provide or replace many medications required for routine treatment of chronic medical conditions (e.g., high blood pressure, heart conditions, and arthritis).

b. The contract must require the defense contractor to ensure contractor personnel review the amounts of prescribed medication and the suitability of their medications in the foreign area with their personal physicians and make any necessary adjustments before deploying. The contract must also hold the defense contractor responsible for re-supplying contractor personnel's required medications while contractor personnel are deployed.

4.5. IMMUNIZATIONS.

A list of immunizations, including those required for entry into the designated area of operations and those recommended by medical authorities, will be produced by the cognizant medical authority for each deployment, posted to the GCC OCS webpage and included in the DoD FCG, and incorporated in contracts for performance in the designated area of operations.

a. The GCC commander, upon recommendation from the cognizant medical authority, will identify and provide, via the GCC OCS webpage, contracting officers a list of immunizations necessary to protect against the communicable diseases assessed to be a potential hazard in the applicable area of operations. The cognizant medical authority will prepare and maintain this list.

b. The contract must require that contractor personnel with CAAF status complete any mandatory immunizations, subject to any legally required exemptions, to complete the pre-deployment process.

c. During pre-deployment processing, the U.S. Government will provide contractor personnel with CAAF status as well as other contractor personnel designated by the GCC Commander any theater-specific immunizations and medications not available to the general public at no cost to the defense contractor.

(1) Contractor personnel must obtain all other required immunizations before arrival at the deployment center, documented on the World Health Organization International Certificate of Vaccination or Prophylaxis or the Department of Health and Human Services Centers for Disease Control and Prevention Form 731, "International Certificate of Vaccination or Prophylaxis" available at <https://bookstore.gpo.gov/products/international-certificate-vaccination-or-prophylaxis-approved-world-health-organization-0>.

(2) The contract must require that contractor personnel with CAAF status and selected contractor personnel with non-CAAF status, as designated by the GCC Commander, obtain all necessary immunizations before their arrival at the deployment center. The TB skin test is required for all contractor personnel with CAAF status and selected contractor personnel with non-CAAF status, as designated by the GCC Commander, within 3 months before deployment.

d. The U.S. Government will provide theater-specific medical supplies and force health protection prescription products to contractor personnel with CAAF status and selected contractor personnel with non-CAAF status, as designated by the GCC Commander, as well as deployment medication information sheets for all vaccines or deployment-related medications that are to be dispensed or administered.

e. Defense contractors will ensure contractor personnel deploying in support of an applicable operation with a positive TB skin test be evaluated for targeted diagnosis and treatment of latent TB infection in accordance with the procedures outlined in the World Health Organization's guidelines on the management of latent TB infection.

f. The contract must require that contractor personnel with CAAF status and selected contractor personnel with non-CAAF status, as designated by the GCC Commander, bring a current copy of the International Certificate of Vaccination or Prophylaxis to the pre-deployment processing center and the operational area.

4.6. HUMAN IMMUNODEFICIENCY VIRUS (HIV) TESTING.

HIV testing is not mandatory for contractor personnel unless specified by the GCC commander or by HN requirements. If required, HIV testing must occur within 1 year before deployment.

4.7. ARMED FORCES REPOSITORY OF SPECIMEN SAMPLES FOR THE IDENTIFICATION OF REMAINS (AFRSSIR).

For identification of remains purposes, contracts must require that contractor personnel with CAAF status who are U.S. citizens will obtain a dental panograph and will forward a specimen sample suitable for DNA analysis to, and ensure it is on file with, the AFRSSIR before or during deployment processing. The defense contractor will also record in SPOT-ES that the samples have been filed with the AFRSSIR. The DoD Components must ensure all contracts require contractor personnel with CAAF status who are U.S. citizens to provide DNA specimen samples to the AFRSSIR as a condition of deployment, in accordance with DoDI 5154.30.

a. All contractor personnel with CAAF status who are U.S. citizens processing through a deployment center will have a DNA specimen sample collected and forwarded to the AFRSSIR for storage.

b. If contractor personnel with CAAF status who are U.S. citizens will not process through a deployment center, the contract must require that the defense contractor collect and forward DNA specimen samples to the AFRSSIR for all contractor personnel with CAAF status who are deployed to an operational area.

(1) Regardless of what specimen collection and storage arrangements are made, all defense contractors deploying contractor personnel with CAAF status who are U.S. citizens must provide such personnel's names, Social Security numbers, locations of the DNA specimen samples, facility contact information, and retrieval plans to the AFRSSIR.

(2) If AFRSSIR cannot provide a specimen sample for a contractor personnel with CAAF status who is a U.S. citizen that is killed during contract performance, the defense contractor must be able to retrieve a means of identification (e.g., DNA specimen or dental panograph) for use by the Armed Forces Medical Examiner or other competent authority to conduct a medical-legal investigation of the incident and identification of the victim or victims. Records to support identification must be retrievable within 24 hours of a request from the Armed Forces Medical Examiner or other competent authority for forwarding to the Armed Forces Medical Examiner when there is a reported incident that would necessitate their use for identifying human remains.

(3) The defense contractor will have access to the location of its employees' fingerprint, medical, and dental records, including panographs.

c. In accordance with DoD 5400.11-R, the AFRSSIR is responsible for implementing special rules and procedures to ensure the protection of privacy interests regarding the specimen samples and any DNA analysis of specimen samples. Specimen samples must be used only for the purposes outlined in DoDI 5154.30.

4.8. WAIVERS RELATED TO MEDICAL AND DENTAL FITNESS STANDARDS.

All evaluations of pre-existing medical conditions for contractor personnel will occur within the time windows specified in this issuance or pursuant to the applicable contract. Based on an individualized assessment, waivers may be appropriate for contractor personnel who have potentially disqualifying medical conditions if, with or without a reasonable accommodation:

a. The medical condition is not likely to have a grave outcome or a negative impact on mission execution if the medical condition unexpectedly worsens.

b. The medical condition is stable and reasonably anticipated by the medical health care provider conducting the assessment not to worsen during the deployment under defense contractor-provided medical care in the operational area, considering the physical, physiological, psychological, environmental, and nutritional effects of the duties required for contract performance and location.

c. Any required ongoing health care or medications must be available or accessible to contractor personnel, independent of the military health system, and not be subject to special handling, storage, or other requirements (e.g., refrigeration requirements or cold chain, electrical power requirements) that cannot be met in the specific operational area where the contractor personnel will be deployed.

d. The medical condition does not, and is not anticipated to, require duty limitations that would preclude performance of contractual requirements or require accommodation by the DoD

Component or requiring activity. When necessary, the cognizant medical authority or their delegated representative will evaluate the suitability of an individual based on any limitations that may impact the performance of their duties in an operational area.

e. Routine out-of-theater evacuation for continuing diagnostics or other evaluations is not required.

4.9. CONDITIONS USUALLY PRECLUDING MEDICAL CLEARANCE.

This paragraph is not comprehensive. A list of all possible medical conditions would be too expansive to list in this issuance. Contractor personnel may have additional medical clearance requirements based on their duties and local laws. The defense contractor must ensure its employees' medical clearances comply with any applicable local occupation-specific medical requirements.

a. In general, conditions listed in Paragraphs 4.9.b.(1) through 4.9.b.(2)(ad) disqualify contractor personnel from deployment to an operational area. The medical health care provider conducting the medical evaluation will carefully consider whether climate; altitude; the nature of available food and housing; the nature of medical, behavioral health, and dental services; or other environmental and operational factors may prove hazardous to the deploying person's health because of a known physical or mental condition.

b. Waivers for deployment of any contractor personnel with the conditions in Paragraphs 4.9.b.(2)(a)-4.9.b.(2)(ad) may only be approved by the GCC Commander or their designee.

(1) The cognizant medical authority makes recommendations and serves as the GCC Commander's advisor on conditions precluding the medical clearance of deploying contractor personnel.

(2) The GCC Commander is the final approval or disapproval authority for waivers, except as provided in Paragraph 4.10.c. The cognizant medical authority or their designated representative may determine if adequate treatment facilities and specialist support are available at the duty station for:

(a) Physical or psychological conditions resulting in the inability to wear IPE effectively, if wearing IPE may be reasonably anticipated or required in the deployed location.

(b) Medical conditions that prevent safe administration of applicable immunizations, prescription products, or other health protection measures, including atropine, epinephrine, and/or 2-pam chloride auto-injectors; certain antimicrobials; antimalarials; and/or pyridostigmine bromide.

(c) Any chronic medical conditions that require frequent medical treatment by a licensed health care provider, fail to respond to conservative treatment, or necessitate significant limitation of physical activity.

(d) Any medical conditions that require durable medical equipment or appliances or periodic evaluation or treatment by medical specialists not readily available in the operational area (e.g., continuous positive airway pressure machines for sleep apnea).

(e) Any unresolved acute or chronic illness or injuries that would impair duty performance in a deployed environment during the anticipated duration of the deployment.

(f) Active TB infection or known blood-borne diseases that may be transmitted to others in a deployed environment (See Paragraph 4.9.b.(2)(q) for information on HIV infections).

(g) An acute exacerbation of a physical or mental health condition that could affect duty performance.

(h) Recurrent loss of consciousness for any reason.

(i) Any medical condition that could result in sudden incapacitation, including a history of stroke within the last 24 months, seizure disorders, and diabetes mellitus type I or II, treated with insulin or oral hypoglycemic agents.

(j) Hypertension not controlled with medication or that requires frequent monitoring to achieve control.

(k) Pregnancy.

(l) Cancers for which individuals are receiving continuing treatment or that require periodic specialty medical evaluations during the anticipated duration of the deployment.

(m) Precancerous lesions that have not been treated or evaluated and that require treatment or evaluation during the anticipated duration of the deployment.

(n) Any medical conditions that require surgery or for which surgery has been performed that requires rehabilitation or additional surgery to remove devices.

(o) Asthma that has a forced expiratory volume-1 of less than or equal to 50 percent of predicted forced expiratory volume-1 despite appropriate therapy, has required hospitalization at least twice in the last 12 months, or requires daily systemic oral or injectable steroids.

(p) Any musculoskeletal conditions that significantly impair performance of duties in a deployed environment.

(q) HIV antibody positive with the presence of progressive clinical illnesses or immunological deficiencies. The contracting officer should consult the cognizant medical authority in all instances of HIV seropositivity before medical clearance for deployment.

(r) Hearing loss. The need to use a hearing aid does not necessarily preclude deployment. However, the individual must have sufficient unaided hearing to perform duties safely.

(s) Loss of vision. Best corrected visual acuity must meet job requirements to safely perform duties.

(t) Symptomatic coronary artery disease.

(u) History of myocardial infarction within 1 year of deployment.

(v) History of coronary artery bypass graft, coronary artery angioplasty, carotid endarterectomy, other arterial stenting, or aneurysm repair within 1 year of deployment.

(w) Cardiac dysrhythmias or arrhythmias, either symptomatic or requiring medical or electrophysiologic control (e.g., the presence of an implanted defibrillator or pacemaker).

(x) Heart failure.

(y) Individuals without a dental exam within the last 12 months or who are likely to require dental treatment or reevaluation for oral conditions that are likely to result in dental emergencies within 12 months.

(z) Psychotic or bipolar disorders. For detailed guidance on deployment-limiting mental disorders and psychotropic medications, see the October 7, 2013 Assistant Secretary of Defense for Health Affairs Memorandum.

(aa) Psychiatric disorders under treatment with fewer than 3 months of demonstrated stability.

(ab) Clinical psychiatric disorders with residual symptoms that impair duty performance.

(ac) Mental health conditions that pose a substantial risk for deterioration or recurrence of impairing symptoms in the deployed environment.

(ad) Chronic medical conditions that require ongoing treatment with antipsychotics, lithium, or anticonvulsants.

4.10. EXCEPTIONS TO MEDICAL STANDARDS (WAIVERS).

If a defense contractor believes an individual contractor personnel with CAAF status who has one of the conditions listed in Paragraph 4.9. can, with or without reasonable accommodation, accomplish the essential duties of their tasks and duties and tolerate the environmental and operational conditions of the location where they will be deployed, the defense contractor may request a waiver to the medical standards for that individual through the contracting officer, using process and procedures established by the GCC Commander.

a. Requests for waivers to medical standards must include:

(1) A summary of a detailed medical evaluation or consultation concerning the medical condition or conditions of the subject of the waiver request.

(2) A justification for the waiver, which must include:

- (a) Statements indicating the individual's qualifications and experience.
- (b) The position the individual will occupy while performing under the contract and the nature and scope of contractual duties assigned.
- (c) Any known specific hazards of the position or duties.
- (d) The care the individual is anticipated to need while deployed and the anticipated availability of such care in the operational area where the individual will be deployed.

b. Waivers to allow contractor personnel to continue performing in a deployed environment if the contractor personnel develops any of the conditions in Paragraph 4.9.b.(2) require an individualized medical assessment, a request for waiver, and a recommendation from the cognizant medical authority. The GCC Commander, or their designee, is the final decision authority for approvals and disapprovals of waivers except as provided in Paragraph 4.10.(c).

c. For contractor personnel with CAAF status performing under contracts for SOF requirements, the TSOC commander is the final decision authority for waiver requests.

GLOSSARY

G.1. ACRONYMS.

ACRONYM	MEANING
AFRSSIR	Armed Forces Repository of Specimen Samples for the Identification of Remains
AGS	authorized government support
AOR	area of responsibility
ASD(S)	Assistant Secretary of Defense for Sustainment
ASD(SO/LIC)	Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict
CAAF	contractors authorized to accompany the force
CBRN	chemical, biological, radiological, and nuclear
CCAS	contingency contract administration services
CCDR	Combatant Commander
CCMD	Combatant Command
CJCS	Chairman of the Joint Chiefs of Staff
CJCSM	Chairman of the Joint Chiefs of Staff manual
CMP	contractor management plan
CONPLAN	concept plan
COR	contracting officer's representative
DASD(Logistics)	Deputy Assistant Secretary of Defense for Logistics
DFARS	Defense Federal Acquisition Regulation Supplement
DNA	deoxyribonucleic acid
DoDD	DoD directive
DoD FCG	DoD Foreign Clearance Guide
DoDI	DoD instruction
DoDM	DoD manual
DoS	Department of State
DPCAP	Defense Pricing, Contracting, and Acquisition Policy
FAR	Federal Acquisition Regulation
FCC	functional Combatant Command
FCIB	Functional Capabilities Integration Board
GCC	geographic Combatant Command
HIV	human immunodeficiency virus
HN	host nation
IPE	individual protective equipment

ACRONYM	MEANING
JAMMS JFC	Joint Asset Movement Management System joint force commander
LN LOA	local national letter of authorization
MEJA MTF	Military Extraterritorial Jurisdiction Act military medical treatment facility
OCS OPLAN OPSEC	operational contract support operation plan operations security
PGI	Procedures, Guidance, and Information
SJA SOF SOFA SPOT-ES	staff judge advocate special operations forces status-of-forces agreement Synchronized Predeployment and Operational Tracker – Enterprise Suite
TB TBC TCN TPFDD TSOC	tuberculosis theater business clearance third country national time-phased force and deployment data theater special operations command
UCMJ U.S.C. USD(A&S) USD(C)/CFO	Uniform Code of Military Justice United States Code Under Secretary of Defense for Acquisition and Sustainment Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense
USD(P) USD(P&R) USSOCOM	Under Secretary of Defense for Policy Under Secretary of Defense for Personnel and Readiness United States Special Operations Command

G.2. DEFINITIONS.

Unless otherwise noted, these terms and their definitions are for the purpose of this issuance.

TERM	DEFINITION
acquisition	Defined in Section 2.101 of the FAR.
AGS	U.S. Government-provided support (e.g., billeting transportation, meals) that may be authorized to be provided to contractor personnel. AGS available to and authorized for contractor personnel will be documented in the contract and reflected in the SPOT-ES LOA.
applicable operations	Contingency operations, humanitarian assistance, or peace operations conducted outside the United States and other activities, including operations and exercises outside the United States as determined by a CCDR or as directed by the Secretary of Defense.
austere environment	Areas where applicable operations may be conducted that are in remote, isolated locations, where access to modern comforts and resources may be limited or non-existent.
CAAF	<p>Contractor personnel and all tiers of subcontractor personnel authorized to accompany the U.S. Armed Forces in applicable operations outside the United States and who have been afforded such status through the issuance of a LOA.</p> <p>Contractor personnel with CAAF status generally include all U.S. citizen and TCN employees not normally residing within the operational area whose area of performance is in the direct vicinity of U.S. Armed Forces and who routinely are co-located with U.S. Armed Forces (especially in non-permissive environments). In some cases, CCDR subordinate commanders may designate mission-essential HN or LN contractor personnel (e.g., interpreters) as CAAF. CAAF status does not apply to contractor personnel within U.S. territory working in support of contingency operations outside the United States.</p>
CCAS	A subset of contingency contracting that includes efforts to ensure supplies, services, and construction are delivered in accordance with the terms and conditions of the contract through delegated contracting authority.
contingency contract	A legally binding agreement for supplies, services, or construction let by a U.S. Government contracting officer in an operational area or that has a prescribed area of performance within an operational area.

TERM	DEFINITION
contingency operation	A military operation that is either designated by the Secretary of Defense as a contingency operation or becomes a contingency operation as a matter of law as defined in Section 101(a)(13) of Title 10, U.S.C.
contract administration	The process and procedures of contracting, from contract award through closeout, which includes oversight efforts by contracting professionals and designated non-contracting personnel to ensure supplies, services, or construction are delivered and/or performed in accordance with the contract's terms and conditions.
contract support integration	The coordination and synchronization of contract support executed in a designated operational area in support of military operations.
contracting	Defined in Section 2.101 of the FAR.
contracting officer	A person with the authority to enter into, administer, and/or terminate contracts and make related determinations and findings. The term includes certain authorized representatives of the contracting officer acting within the limits of their authority as delegated by the contracting officer. "Administrative contracting officer (ACO)" refers to a contracting officer who is administering contracts. "Termination contracting officer (TCO)" refers to a contracting officer who is settling terminated contracts. A single contracting officer may be responsible for duties in any or all these areas.
contracting support	The coordination of contracts and execution of contracting authority by a U.S. Government contracting officer that legally binds commercial entities to perform contractual requirements in support of DoD operational requirements.
contractor management	The oversight and integration of contractor personnel and associated equipment providing support to military operations.
contractor personnel	Any individual, employed by a firm, corporation, partnership, or association, performing under contract with the DoD to furnish services, supplies, or construction. Contractor personnel may include U.S. citizens and HN and TCN individuals.
contractor personnel accountability	The process of identifying, capturing, and recording the personally identifiable information and assigned permanent duty location of an individual contractor employee using a designated database.

TERM	DEFINITION
contractor personnel visibility	Information on the daily location, movement, status, and identity of contractor personnel.
COR	An individual designated and authorized in writing by the contracting officer to perform specific technical or administrative functions related to a contract.
defense contractor	<p>Any individual, firm, corporation, partnership, association, or other legal non-Federal entity that enters into a contract directly with the DoD to furnish services, supplies, or construction.</p> <p>Foreign governments, representatives of foreign governments, or foreign corporations wholly owned by foreign governments that have entered into contracts with the DoD are not defense contractors.</p>
dependent	Defined in the DoD Dictionary of Military and Associated Terms.
deployment centers	Centers at selected installations that ensure necessary accountability, training, and processing actions are taken to prepare personnel for onward movement and deployment to a designated operational area.
essential contractor service	A service provided by a defense contractor to support mission-essential functions. Services are essential if the effectiveness of defense systems or operations has the potential to be seriously impaired by the interruption of the services, as determined by the appropriate requiring activity functional commander or their civilian equivalent.
external support contracts	Contracts awarded by contracting organizations that do not derive contracting authority directly from the theater support contracting head(s) of contracting activity or from systems support contracting authorities.
FCC	A unified command with a broad continuing mission under a single commander, composed of significant assigned components of two or more Military Departments, that is established and so designated in the Unified Command Plan by the President through the Secretary of Defense with the advice and assistance of the Chairman of the Joint Chiefs of Staff. The Unified Command Plan designates these commands as having trans-regional AORs, as they operate world-wide across geographic boundaries and provide unique capabilities to the Military Services and to unified commands with physical AORs.

TERM	DEFINITION
GCC	A unified command with a broad continuing mission under a single commander, composed of significant assigned components of two or more Military Departments, that is established and so designated in the Unified Command Plan by the President through the Secretary of Defense with the advice and assistance of the Chairman of the Joint Chiefs of Staff. The Unified Command Plan designates these commands as having physical AORs, as they operate in clearly delineated AORs and have a regional military focus.
HN	A nation that permits, either in writing or through other official provision of consent, government representatives or agencies or agencies of another nation to operate within its territory under specified conditions.
hostile environment	Operational environment in which local government forces do not have control of the territory and population in the intended operational area.
isolating event	An incident where U.S. military, DoD civilians, or contractor personnel with CAAF status become separated from their unit (as an individual or group) while supporting a U.S. mission and are in a situation where they must survive, evade, resist, or escape.
law of war	Defined in DoDD 2311.01.
LN	A permanent resident of a nation in which the United States is conducting operations.
LOA	A document issued by a contracting officer or their designee that authorizes contractor personnel to accompany the force to travel to, from, and within an operational area, and outlines U.S. Government authorized support authorizations within the operational area, as agreed to under the terms and conditions of the contract. For more information, see Section 225.3 of the DFARS.
long-term care	A variety of services that help a person with comfort, personal, or wellness needs. These services assist in the activities of daily living, (e.g., bathing and dressing).
mission-essential functions	Organizational activities that must be performed under all circumstances to achieve DoD Component missions or responsibilities, as determined by the appropriate functional commander or civilian equivalent.
MTF	Defined in DoDD 5136.13.

TERM	DEFINITION
non-CAAF	Contractor personnel who are not designated as CAAF (e.g., LN employees and non-LN employees who are permanent residents in the operational area or TCNs not routinely residing with U.S. Armed Forces, and TCN expatriates who are permanent residents in the operational area), who perform support functions away from the proximity of, and do not reside with, U.S. Armed Forces. U.S. Government-furnished support to contractor personnel with non-CAAF status is typically limited to force protection, emergency medical care, and basic human needs (e.g., bottled water, latrine facilities, security, and food, when necessary) when performing their jobs in the direct vicinity of U.S. Armed Forces.
non-organic	Capabilities that are not provided by units and organizations that are assigned elements of a DoD Component.
non-permissive environment	Contested conditions in which the joint force does not have freedom of movement.
OCS	The ability to orchestrate and synchronize the provision of integrated contract support and management of contractor personnel providing support to command-directed operations within a designated operational area.
OCS boards, cells, and working groups	Formally established or ad hoc venues to synchronize OCS-related actions.
OCS FCIB	A joint senior executive-level forum to provide assessments, decisions, and recommendations to integrate OCS capabilities, policy, doctrine, processes, and procedures DoD-wide. The OCS FCIB's assessments, decisions, and recommendations must not conflict with statutory and regulatory requirements and will work within existing coordination processes (e.g., Defense Acquisition System, Planning, Programming, Budget, and Execution cycle).
operational area	An overarching term encompassing more descriptive terms (e.g., AOR and joint operations area) for geographic areas where military operations are conducted.
operationally critical support	A critical source of supply for airlift, sealift, intermodal transportation services, or logistical support that is essential to the mobilization, deployment, or sustainment of the U.S. Armed Forces in applicable operations.

TERM	DEFINITION
organic	Assigned to and forming an essential part of a DoD Component as listed in its table of organization.
redeployment	The transfer of defense contractor personnel from the operational area to another operational area or to the deployment center and onward to their home of record.
requiring activity	A military or other supported organization that identifies the need for and receives contract support to meet mission requirements during military operations. The requiring activity is responsible for meeting the mission if the contract is not in effect.
SPOT-ES	A common joint database used to maintain contractor personnel visibility and accountability in applicable operations. References to SPOT-ES in this issuance will refer to that system or any database system that supersedes it.
subcontractor	Any supplier, distributor, vendor, or firm that furnishes supplies or services to or for a prime contractor or another subcontractor.
systems support contract	Contracts awarded by Service acquisition program management offices that provide fielding support, technical support, maintenance support and, in some cases, repair parts support for selected military weapon and support systems.
TBC	A CCDR policy or process to ensure visibility of and control over systems support and external support contracts executing or delivering support in designated areas of operations.
theater support contract	A type of contract awarded by contracting officers deployed to an operational area serving under the direct contracting authority of the Service component, SOF command, or designated joint contracting authority for the designated operation.
total force	The organizations, units, and individuals that comprise the DoD resources for implementing the National Security Strategy. The total force includes DoD active and reserve component military personnel, retired Service members, DoD civilian personnel (including foreign national direct- and indirect-hires, as well as non-appropriated fund employees), contractor personnel, and HN support personnel.

TERM	DEFINITION
uncertain environment	Operational environment in which host government forces, whether opposed to or receptive to operations that a unit intends to conduct, do not have totally effective control of the territory and population in the intended operational area.

REFERENCES

- Assistant Secretary of Defense for Health Affairs Memorandum, “Clinical Practice Guidance for Deployment-Limiting Mental Disorders and Psychotropic Medications” October 7, 2013
- Assistant Secretary of Defense for Sustainment Publication, “DoD Business Rules for the Synchronized Predeployment and Operational Tracker (SPOT),” current edition¹
- Chairman of the Joint Chiefs of Staff Instruction 1800.01, “Officer Professional Military Education Policy,” current edition
- Chairman of the Joint Chiefs of Staff Instruction 3110.03, “Logistics Supplement for the Joint Strategic Campaign Plan,” current edition²
- Chairman of the Joint Chiefs of Staff Instruction 3500.01, “Joint Training Policy for the Armed Forces of the United States,” current edition
- Chairman of the Joint Chiefs of Staff Manual 3122.02, “Joint Operation Planning and Execution System (JOPES) Volume III (Time-Phased Force and Deployment Data Development and Deployment Execution),” current edition³
- Chairman of the Joint Chiefs of Staff Manual 3130.03, “Planning and Execution Formats and Guidance,” current edition²
- Chairman of the Joint Chiefs of Staff Manual 3150.13, “Joint Reporting Structure – Personnel Manual,” current edition
- Chairman of the Joint Chiefs of Staff Manual 3150.23, “Joint Reporting Structure Logistic Factors Report,” current edition
- Chairman of the Joint Chiefs of Staff Manual 4301.01, “Planning Operational Contract Support,” June 30, 2017
- Code of Federal Regulations, Title 32
- Defense Federal Acquisition Regulation Supplement, current edition
- Deputy Secretary of Defense Memorandum, “Implementation of Section 324 of the National Defense Authorization Act for Fiscal Year 2008 (FY 2008 NDAA) – Guidelines and Procedures on In-Sourcing New and Contracted Out Functions,” April 4, 2008
- Deputy Secretary of Defense Memorandum, “In-sourcing Contracted Services – Implementation Guidance,” May 28, 2009
- Directive-type Memorandum 17-004, “Department of Defense Expeditionary Civilian Workforce,” January 25, 2017, as amended
- DoD 5400.11-R “Department of Defense Privacy Program,” May 14, 2007
- DoD Dictionary of Military and Associated Terms, current edition
- DoD Directive 1000.20, “Active Duty Service Determinations for Civilian or Contractual Groups,” September 11, 1989
- DoD Directive 1100.4, “Guidance for Manpower Management,” February 12, 2005

¹ Available at: https://www.acq.osd.mil/log/LOG_CSD/spot.html

² Available to authorized DoD users on the Secret Internet Protocol Router Network at: <https://jdeis.js.smil.mil/jdeis/generic.jsp>.

³ Available to authorized DoD common access card users at https://jsportal.sp.pentagon.mil/sites/Matrix/DEL/CJCSJS Directives Limited/Forms/Manuals_CJCSJS.aspx

DoD Directive 1300.22, “Mortuary Affairs Policy,” October 30, 2015, as amended
DoD Directive 2310.01E, “DoD Detainee Program,” March 15, 2022
DoD Directive 2310.07, “Past Conflict Personnel Accounting Policy,” April 12, 2017,
as amended
DoD Directive 2311.01, “DoD Law of War Program,” July 2, 2020
DoD Directive 3002.01, “Personnel Recovery in the Department of Defense,” April 16, 2009,
as amended
DoD Directive 3020.49, “Program Management for the Planning and Execution of Operational
Contract Support,” August 14, 2020, as amended
DoD Directive 3025.14, “Evacuation of U.S. Citizens and Designated Aliens from Threatened
Areas Abroad,” February 26, 2013, as amended
DoD Directive 3115.09, “DoD Intelligence Interrogations, Detainee Debriefings, and Tactical
Questioning,” October 11, 2012, as amended
DoD Directive 4500.54E, “DoD Foreign Clearance Program,” May 31, 2022
DoD Directive 5105.64, “Defense Contract Management Agency (DCMA),” January 10, 2013,
as amended
DoD Directive 5111.10, “Assistant Secretary of Defense for Special Operations and Low-
Intensity Conflict,” May 5, 2021
DoD Directive 5135.02, “Under Secretary of Defense for Acquisition and Sustainment,”
July 15, 2020
DoD Directive 5136.13, “Defense Health Agency,” September 30, 2013, as amended
DoD Directive 5160.41E, “Defense Language, Regional Expertise, and Culture (LREC)
Program,” August 21, 2015, as amended
DoD Directive 5205.02E, “DoD Operations Security (OPSEC) Program,” June 20, 2012,
as amended
DoD Directive 5210.56, “Arming and the Use of Force,” November 18, 2016, as amended
DoD Directive 6200.04, “Force Health Protection (FHP),” October 9, 2004
DoD Directive 6485.02E, “DoD Human Immunodeficiency Virus (HIV)/Acquired Immune
Deficiency Syndrome (AIDS) Prevention Program (DHAPP) to Support Foreign Militaries,”
December 6, 2013, as amended
DoD Directive 6490.02E, “Comprehensive Health Surveillance,” February 8, 2012, as amended
DoD Directive 8000.01, “Management of the Department of Defense Information Enterprise
(DoD IE),” March 17, 2016, as amended
DoD Foreign Clearance Guide, current edition⁴
DoD Instruction 1000.01, “Identification (ID) Cards Required by the Geneva Conventions,”
April 16, 2012, as amended
DoD Instruction 1000.13, “Identification (ID) Cards for Members of the Uniformed Services,
Their Dependents, and Other Eligible Individuals,” January 23, 2014, as amended
DoD Instruction 1000.25, “DoD Personnel Identity Protection (PIP) Program,” March 2, 2016

⁴ Available to authorized users at <https://www.fcg.pentagon.mil/>

- DoD Instruction 1015.10, “Military Morale, Welfare, and Recreation (MWR) Programs,” July 6, 2009, as amended
- DoD Instruction 1100.22, “Policy and Procedures for Determining Workforce Mix,” April 12, 2010, as amended
- DoD Instruction 1300.18, “DoD Personnel Casualty Matters, Policies, and Procedures,” January 8, 2008, as amended
- DoD Instruction 1300.29, “Mortuary Affairs Program,” June 28, 2021
- DoD Instruction 1322.35, “Military Education,” April 26, 2022
- DoD Instruction 1330.21, “Armed Services Exchange Regulations,” July 14, 2005
- DoD Instruction 2000.12, “DoD Antiterrorism (AT) Program,” March 1, 2012, as amended
- DoD Instruction 2040.02, “International Transfers of Technology, Articles, and Services,” March 27, 2014, as amended
- DoD Instruction O-2000.16, Volume 1, “(U) DoD Antiterrorism Program Implementation: DoD Antiterrorism Standards,” November 17, 2016, as amended
- DoD Instruction 2200.01, “Combating Trafficking in Persons (CTIP),” June 21, 2019
- DoD Instruction 3002.03, “DoD Personnel Recovery – Reintegration of Recovered Personnel,” July 15, 2013, as amended
- DoD Instruction O-3002.05, “Personnel Recovery (PR) Education and Training,” April 12, 2016
- DoD Instruction 3020.50, “Private Security Contractors Operating in Contingency Operations, Humanitarian or Peace Operations, or Other Military Operations or Exercises,” October 13, 2022
- DoD Instruction 4161.02, “Accountability and Management of Government Contract Property,” April 27, 2012, as amended
- DoD Instruction 4515.13, “Air Transportation Eligibility,” January 22, 2016, as amended
- DoD Instruction 4525.09, “Military Postal Service,” July 10, 2018, as amended
- DoD Instruction 5000.72, “DoD Standard for Contracting Officer’s Representative (COR) Certification,” March 26, 2015, as amended
- DoD Instruction 5000.75, “Business Systems Requirements and Acquisition,” February 2, 2017, as amended
- DoD Instruction 5015.02, “DoD Records Management Program,” February 24, 2015, as amended
- DoD Instruction 5154.30, “Armed Forces Medical Examiner Systems (AFMES) Operations,” December 29, 2015, as amended
- DoD Instruction 5220.31, “National Industrial Security Program,” May 9, 2023
- DoD Instruction 5505.03, “Initiation of Investigations by Defense Criminal Investigative Organizations,” August 2, 2023
- DoD Instruction 5505.18, “Investigation of Adult Sexual Assault in the Department of Defense,” March 22, 2017, as amended
- DoD Instruction 6000.11, “Patient Movement (PM),” June 22, 2018
- DoD Instruction 6200.03, “Public Health Emergency Management (PHEM) within the DoD,” March 28, 2019

DoD Instruction 6490.03, “Deployment Health,” June 19, 2019

DoD Instruction 6495.02, “Sexual Assault Prevention and Response,” date varies by volume

DoD Instruction 8320.02, “Sharing Data, Information, and Information Technology (IT) Services in the Department of Defense,” August 5, 2013, as amended

DoD Instruction 8330.01, “Interoperability of Information Technology, Including National Security Systems,” September 27, 2022

DoD Instruction 8500.01, “Cybersecurity,” March 14, 2014, as amended

DoD Manual 1000.13, Volume 1, “DoD Identification (ID) Cards: ID Card Life-Cycle,” January 23, 2014, as amended

DoD Manual 1000.13, Volume 2, “DoD Identification (ID) Cards: Benefits for Members of the Uniformed Services, Their Dependents, and Other Eligible Individuals,” January 23, 2014, as amended

DoD Manual 6025.18, “Implementation of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule in DoD Health Care Programs,” March 13, 2019

Department of Defense Operational Contract Support Functional Capabilities Integration Board Charter, current edition⁵

Federal Acquisition Regulation, current edition

Geneva Convention Relative to the Protection of Civilian Persons in Time of War, August 12, 1949

Geneva Convention Relative to the Treatment of Prisoners of War, August 12, 1949

Joint Publication 4-10, “Operational Contract Support,” March 4, 2019

Joint Staff Manual 5100.01, “Organization and Functions of the Joint Staff,” current edition⁶

National Archives and Records Administration (NARA) Regulations, current edition⁷

National Security Strategy, current edition

Office of Federal Procurement Policy, Policy Letter 11-01, “Performance of Inherently Governmental and Critical Functions,” September 12, 2011

Office of the General Counsel of the Department of Defense, “DoD Law of War Manual,” June 2015, as amended

Office of Management and Budget Circular No. A-76, “Performance of Commercial Activities,” May 29, 2003, as amended

Public Law 112-239, Section 846, “Requirements for Risk Assessments Related to Contractor Performance,” January 2, 2013

Secretary of Defense Memorandum, “UCMJ Jurisdiction Over DoD Civilian Employees, DoD Contractor Personnel, and Other Persons Serving With or Accompanying the Armed Forces Overseas During Declared War and in Contingency Operations,” March 10, 2008⁸

United States Code, Title 10

United States Code, Title 18

⁵ Available to authorized users at https://as.sp.pentagon.mil/coi/DASD_Logistics_OCS/

⁶ Available to authorized users by request to the Joint Staff Directives Team at 703-697-6906.

⁷ Available at: <https://www.archives.gov/about/regulations/regulations.html>

⁸ Available at: <https://www.justice.gov/sites/default/files/criminal-hrsp/legacy/2011/02/04/03-10-08dod-ucmj.pdf>

United States Code, Title 29

United States Code, Title 31, Section 501

United States Code, Title 38, Section 106

World Health Organization, “Guidelines on the Management of Latent Tuberculosis Infection,”
2015, and subsequent supporting material⁹

⁹ Available at <https://iris.who.int/>