

ANNEX N TO
OPLAN SOVEREIGN IRAQ
24 JUNE 2004

ANNEX N – CONTRACTOR SECURITY

- References:
- A. 16 Mar 04 Memo with Draft Policy for Army Personnel
 - B. CPA Order Number 3 (revised) (amended): Weapons Control
 - C. CPA Memorandum Number 5: Implementation of Weapons Control Order #3 (with 2 page annex)
 - D. CPA Order Number 17 (Amended): Status of Personnel and Contractors
 - E. Info Memo: “Securing the Contractor in Iraq”
 - F. Rebuilding Iraq: FY 2003 Contract Award Procedures and Management Challenges

Challenges

- G. Draft MEMORANDA for CPA, MOI, Private Security Company Coordination Office; RE: Request for weapons import certification letter.
- H. Army MEMORANDUM 18 March 2003; RE: Managing Contractors on the Battlefield. John L. Della Jacono, Colonel, GS, Deputy Chief of Staff.
- I. DODD 5210.56; 1 NOV 2001; RE: Use of Deadly Force and the Carrying of Firearms by DoD Personnel Engaged in Law Enforcement and Security Duties.
- J. DODD 1404.10; 10 APR 2003; RE: Emergency-Essential (E-E) DoD U.S. Citizen Civilian Employees.
- K. DODI 3020.37; 6 NOV 1990; RE: Continuation of Essential DoD Contractor Services During Crises.
- L. DD FORM 2760 “Qualification to Possess Firearms or Ammunition” (DEC 2002).
- M. CPA MEMORANDUM # 17, “Registration Requirements for Private Security Companies (PSC).”
- N. PA/PMO STATEMENT OF WORK, 26 JUN 2003, “Reconstruction Security Support Services (RSSS).”
- O. CPA ORDER Number 16 (Revised, Amended) 4 JUN 2004, “Temporary Control of Iraqi Borders, Ports and Airports.”
- P. CPA ORDER Number 3 (Revised, Amended) 31 DEC 2003, “Weapons Control.”
- Q. UNSCR 1546 (8 JUN 2004)
- R. CENTCOM Desert Shield GENERAL ORDER #1

1. Situation

- a. Current Situation. See Base Plan – OPLAN Sovereign Iraq
- b. Enemy Forces. See Annex B – Intelligence
- c. Friendly Forces. See Base Plan – OPLAN Sovereign Iraq
- d. Assumptions.

(1) Iraq will remain a non-permissive (hostile) environment for the foreseeable future.

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- (2) Multinational force (MNF-I) partners, as well as contractor support personnel from those nations will retain a role in Iraqi security (external / internal) through at least January 2005.

2. Mission

In order to achieve relief and reconstruction objectives in Iraq, the United States Government (USG) will establish mechanisms to ensure that U.S. and multinational contractors performing relief, reconstruction and stabilization efforts are properly trained, certified, coordinated, and provided with a viable weapons control policy. In addition, the USG will coordinate with the Iraqi Government to provide appropriate legal protection and immunity.

3. Execution

- a. Intent. In order to perform their relief, reconstruction, and stabilization tasks, U.S. and multinational contractors performing scopes of work funded through the Iraq Relief and Reconstruction Fund (IRRF), the Development Fund for Iraq (DFI) and other sources require clarity with regard to the following issues:

- (1) Scope of legal protection and immunity for contract personnel;
- (2) Legal authority for contractors and subcontractors (including third country nationals) providing contractor security to use arms to protect personnel and facilities;
- (3) Level of/access to US Mission and MNF-I support services.

This annex defines the scope of USG responsibility toward contractors, and addresses tasks to be accomplished to ensure contractors are provided an environment that is as secure as possible, with legal protection and immunity from the sovereign Iraqi Government.

- b. Concept of Operations.

- (1) The Chief of Mission (COM), in conjunction with the Commander, US Central Command (CENTCOM), will coordinate in the implementation of policies for US contractors in Iraq. The Chief of Mission is the primary USG interface with the Government of Iraq and its ministries.
- (2) COM and CENTCOM have agreed upon responsibilities for the security of USG personnel, as enumerated in other documents. In most cases, USG contractors are responsible for security of their own personnel, subject to the terms of their contract.
- (3) The COM provides policy guidance and oversight of all US assistance in Iraq. Implementation of these policies and performance of contracting activities is the responsibility of the Chief of Mission. A Contract Support Office (CSO) within the Project and Contracting Office (PCO) provides administrative coordination for USG contractors in Iraq performing contracts for PCO. Additionally, the CSO will serve as a single point-of-tracking for all USG contractors operating in Iraq (including those not controlled by PCO), as described in Section II below.

- (4) The PCO oversees security for contractors through its Security Operations Center (SOC). This SOC is under the authority of the PCO Director of Security, and is intended to provide coordination, assistance, and a common operating picture (COP) to all contractors and Private Security Contractors (PSCs) under contract with PCO. Additionally, the SOC will offer these coordination and assistance services to all USG contractors operating in Iraq, as described in Paragraph 3.b (5) below. However, participation in the services provided by SOC will not be mandatory for contractors not under contract with PCO, but will be strongly encouraged.
- (5) COM and CENTCOM will coordinate to ensure the National Civil Military Operations Center (NCMOC) in Baghdad coordinates with the SOC to develop and share a common operational picture.
- (6) As the Contractor Support Office (CSO) tracks in-country arrival/departure of USG contractors, it will keep COM informed of contractor status per Paragraph 3.b. (1). As the SOC tracks movement between regions in-country, it will keep COM and military forces informed, through the NCMOC.
- (7) Participation in the CSO contractor tracking system (described in Paragraph 3.b. (1)) will be mandatory for all USG contractors, and specified in their contract scope of work. Agencies will determine how to phase in this requirement, and how/if to make it retroactive. Participation/affiliation with the SOC security coordination effort (described in Paragraph 3.b. (5)) is not mandatory, except for PCO-funded contractors when it is specified in their contract. Again, non-PCO funded contractors will be strongly encouraged to participate in the services provided by the PCOSOC.
- (8) Unless otherwise specified, references to COM and CENTCOM include their appropriate designees.
- (9) Certification and Tracking.
 - (a) The intent is to establish a user-friendly, common set of certification standards applicable to all contractors, and to establish a simple tracking system with a single point of entry into and out of the country, so that all USG contractors can be accounted for.
 - (b) CSO will establish contractor categories, with certification standards with which all participating contractors will comply. Examples of certification categories should be broad, such as Prime Contractor, Subcontractor, Private Security Contractor (PSC), Non-PSC Contractors with Armed Personnel, and other categories as required. Specific certification requirements for these categories will be made known to contractors seeking to engage PSCs to meet their security requirements. Certification standards should be straightforward and support or directly utilize existing regulations and administrative law or rules promulgated by the MOI. The CSO will consult members of the Executive Steering Group (ESG) in establishing these standards. The ESG will be formed by both the COM and CENTCOM and will include representatives from the Regional Security Office (RSO), MNF-I, IIG, CSO, PSO, and other USG agencies, contractors, international partners, and any

additional members as determined by the COM. The ESG will be chaired by the COM or his designee.

- (c) Certification standards will, at a minimum, address the following issues:
 - (1) Training
 - (2) Compliance with weapons policies
 - (3) Acquisition of appropriate licenses, permits, etc
 - (4) Bonding
 - (5) Evidence of appropriate hiring practices
 - (6) Capability to coordinate on proper radio channels, etc
 - (7) Procurement of visas and work permits
- (d) Certification levels/categories required by contractors will be specified in contracts as they are issued.
- (e) All contractors, including PSCs contracted to conduct security operations in Iraq, or operating as a subcontractor for another company to provide security services, must first register with the CSO. This registration will provide general information about the company, its certification, its expected duration of work, the agency for which it is working, points-of-contact in-country, the location of its work effort, and other information as determined by COM policy. When engaged as a subcontractor, PSCs will update this registration by providing the name(s) of the prime contractor(s), the area(s) of operations, and anticipated start and end dates of the subcontract. The CSO will track this information in a database. When a contractor ceases operations in Iraq, it will again notify the CSO. The CSO shall comply with all applicable law such as the privacy act in the protection of private information of contractors. Contractors participating in USG sponsored contracts may refer to this database to ensure that their PSC subcontractor is properly certified.

(10) Legal Rights for Contractors

- (a) Contractors will have the privileges and immunities provided by Iraqi law, including Coalition Provisional Authority (CPA) Order 17, as amended, until such time as it is further modified or revoked.

(11) Weapons

The intent of the weapons policy is to ensure that all USG personnel and USG contractors carrying weapons will do so safely, with full understanding of the use of deadly force and in compliance with Iraqi law or other provisions negotiated between the IIG and USG. It is also intended that CENTCOM (for military personnel), the COM RSO (for COM

personnel), the Ministry of Interior (MOI) (for PSC personnel), and other government agencies as appropriate will maintain awareness of armed personnel under their jurisdiction. To that end, all contractors, even those not carrying weapons and not providing private security services, should be trained in elemental weapons safety and Rules of Force (ROF) as part of their basic certification. Training for contractors without weapons will focus on the security coordination of contractors, including how to seek help through the SOC, how to seek safe haven, how to respond to military and other PSC requests for assistance. Minimum levels and extent of this training/familiarization will be specified by the COM and self-provided by contractors prior to beginning security operations. COM Diplomatic Security (DS) personnel will maintain their own standards of training and certification. Personnel not assigned to the COM but to other USG agencies (e.g. Department of Homeland Security, Department of Justice, etc.), will be certified through their respective agency training and certifications procedures.

- (a) PSCs, their employees and individual subcontractors providing services for PSCs will be required to certify completion in weapons rules and training as outlined in applicable Iraqi law including CPA Orders 3, 91, and CPA Memorandums 5 and 17, and any requirements of the agency with which they hold contracts. This will include ROF training, security coordination of contractors, procedures for requesting outside support and contacting the SOC, reporting procedures, and how to respond to military and other requests for assistance.
- (b) Individual Armed Contractors (IAC) are those contractors not working for a PSC, but who desire authorization to carry a weapon for self-defense or in the conduct of their official duties. These will have additional weapons rules and training, and will be approved to carry a weapon through a process designed by the COM and CENTCOM. This process will minimally include a demonstration of weapons proficiency and the acquisition of a weapons permit through the MOI. Weapons qualification using a published standard by any USG agency will satisfy the requirement for qualification. IACs will carry a Weapon Card as prescribed by the policy.

(12) Applicable Rules

- (a) Private Security Contractors (PSCs) must comply with applicable Iraqi law, including CPA Memorandum 17.
- (b) Applicable law for all contractors also includes, but is not limited to, the following:
 - (1) CPA Order 3: Weapons Control
 - (2) CPA Memorandum 5: Implementation of Weapons Control Order #3
 - (3) CPA Order 27: Facilities Protection Service
 - (4) CPA Order 91: Regulation of Armed Forces and Militias within Iraq
 - (5) CPA Order 17 (Amended): Privileges and Immunities

(6) CPA Memorandum 17: Registration Requirements for Private Security Companies

(c) The Iraq Reconstruction and Management Office (IRMO), in coordination with the ESG, the Contractor Support Office (CSO) and the Overseas Security Advisory Council (OSAC), will generate a handbook for contractors, detailing these and all applicable rules. The ESG, Regional Security Officer (RSO), CSO and OSAC will coordinate to ensure all contractors are well informed, through periodic mailings, meetings, and web-based information.

(13) Coordination of Security Efforts

(a) The PCO administers USG sponsored construction and non-construction Iraqi support and relief contracts throughout Iraq. To coordinate movement control, security escort, and other security operations, among its many parallel operations and those of MNF-I forces, the PCO operates the SOC in concert with the NCMOC. This Operations Center includes participation from all PCO contractors, Major Subordinate Commands (MSCs) of the MNF-I, and the UN. The goal of the SOC is to enhance security operations for participating contractors. It is not responsible for contractor defense, and does not control any PSCs other than those directly contracted to the PCO. All contractors, including non-PCO funded contractors will be strongly encouraged to participate in the program and to coordinate their security operations with the SOC. When appropriate, it will be the goal of the US Government to make the benefits of the SOC services available to certain coalition partner contractors, including Iraqi contractors, as determined by the COM and CENTCOM.

(b) The security objectives of the SOC are to maintain situational awareness of security operations throughout Iraq, to collect, analyze, and disseminate timely and accurate information critical to the protection of facilities, supplies, and key or essential personnel, and to maintain a common relevant operating picture among all participants

(c) The SOC will:

- (1) Maintain location on all major participating contractors by quadrant/ area within Iraq
- (2) Provide tactical advice and coordination on routes, traffic issues, and operations
- (3) Coordinate with NCMOC to obtain timely sanitized operational and security information
- (4) Coordinate with NCMOC to enable deconfliction between contractors and military forces on routes, etc
- (5) Coordinate with the Mission Operations Center (MOC) (which includes representatives from COM and CENTCOM) and the NCMOC at the national level and the Joint Operations Center (JOC) and provisional CMOCs)MNF-I

FRAGO #34) at the MSCs throughout Iraq to share information and provide mutual support

- (6) Assist in MEDEVAC services for contractors, if required
- (7) Coordinate communications and frequencies
- (8) Maintain a common operational picture (COP) between military and contractor forces to assist in mutual support and to avoid potential blue-on-blue confrontations between friendly forces
- (9) Coordinate with the US Mission Consular Affairs Section for initial mortuary affairs response as needed
- (10) Facilitate the exchange of operational information between contractors

(14) Non-PCO Participation in SOC Activities

All USG sponsored contractors, including their employees and sub-contractors performing under legal agreement with a USG department or agency, are strongly encouraged to participate in the services provided by the SOC. The situational awareness and information dissemination offered through the SOC will significantly mitigate risk and enhance contract fulfilment. However, SOC participation is limited to contractors and other PSCs who have met the certification requirements described above. The cost of maintaining and operating the SOC is embedded in the congressionally approved authorizations for the IRRF, and does not include the additional capabilities or expenses required to support additional, non PCO-funded contractor tracking and coordination requirements. The PCO may request compensation from USG agencies or Coalition partners to cover the additional costs incurred by providing this service through coordination with the COM and CENTCOM. These costs may be passed on by these agencies to participating contractors.

(15) Support

(a) Military Support: Limited support to USG contractors is available through MNF-I armed forces and Iraqi emergency management agencies. PSCs should coordinate their activities with the MSCs in areas where they are either operating in or transiting through. This coordination is essential to enable MSC response to attack, MEDEVAC requirements or other medical support. All MSC support is contingent on availability. The SOC will effect necessary coordination on behalf of all participating contractors including PSCs. Military operations and internal support to the MSCs will take precedence over all contractor requests.

(a) Quick Reaction Forces (QRF): MSC QRCs may be available to assist USG contractors including PSCs who are in serious danger through enemy action. OPLAN SOVEREIGN IRAQ describes QRF capabilities and procedures. The SOC will coordinate QRF activation for participating contractors.

(b) Medical: Medical Treatment Facilities will be available for hospitalization and care of USG-funded contractor personnel who are US Nationals, per the Memoranda of Agreement signed between the Department of State and the Department of Defense.

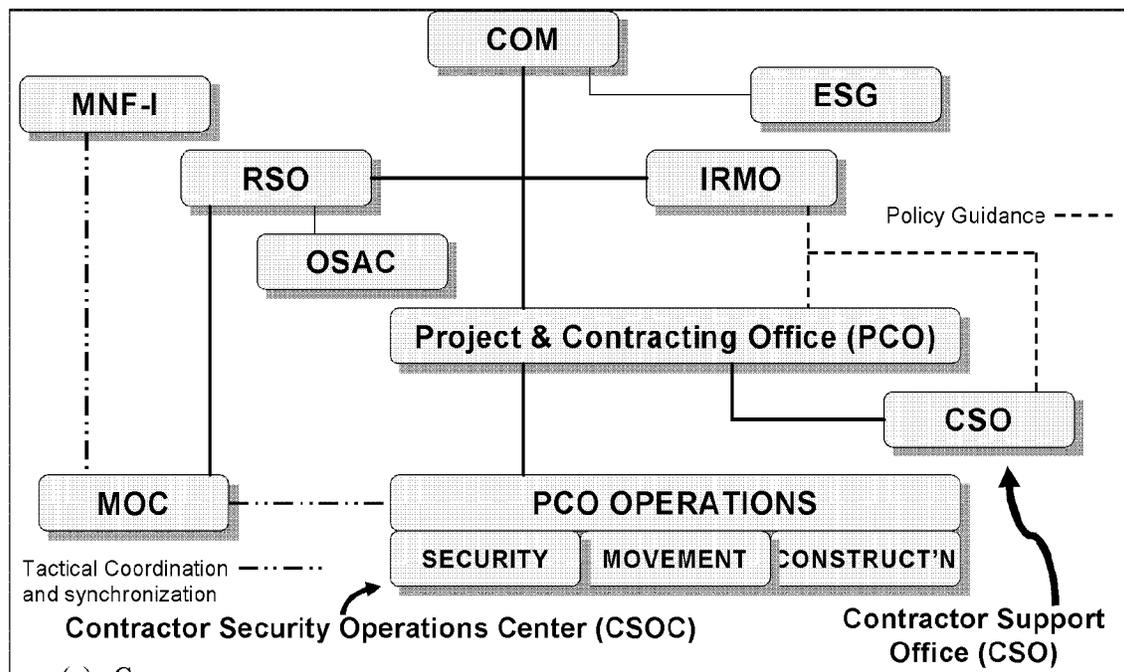
(c) Medevac: CENTCOM will continue to provide health and human services to private US citizens, third-country nationals, and foreign nationals when necessary for life, limb, and eye-sight saving support.

(d) Mortuary: Contractor mortuary rights are protected by the right of the US military commander to take charge and transfer out of Iraq the remains of any contractors who die in Iraq, as well as their personal property, subject to any applicable evidentiary rules. Mortuary services will be coordinated through the US Military and the Chief of Mission (Consular Affairs Section), and provided to contractors on a reimbursable basis, per existing policies and regulations.

(e) Identification Cards: COM and CENTCOM will coordinate to produce policies for identification card requirements and issuance. Policies should give contractors appropriate identification to allow for required access to military compounds and base camps, aerial ports of debarkation, and other COM and CENTCOM facilities including safe havens as identified..

(14) Responsibilities Germane to This Guidance. Organizational roles and responsibilities characterized in Figure 1 are described in the subsequent paragraphs:

Figure 1. Contractor Security Organization Chart



(a) COM:

(1) Overall oversight and responsibility for USG Contractors in Iraq

- (2) Chair of ESG
- (3) Approval authority for Individual Armed Civilians
- (b) CENTCOM:
 - (1) Approval authority for Individual Armed Civilians
- (c) MNF-I:
 - (1) Participation in Mission Operation Center
 - (2) Coordination with CSOC to maintain COP, as appropriate
- (d) RSO:
 - (1) Policy standards on Force Protection of COM personnel, including PCO
 - (2) Oversight of in-country OSAC
 - (3) Oversight of Mission Operation Center
- (e) IRMO:
 - (1) Policy guidance on certification categories and standards
 - (2) Policy guidance on CSO tracking system for USG contractors in Iraq
- (f) PCO:
 - (1) Oversight of SOC
 - (2) Oversight of Contracting Support Office
- (g) SOC:
 - (1) Oversight of PCO contractors for security matters
 - (2) Security guidance and coordination for non-PCO contractors, on a voluntary basis
- (h) CSO:
 - (1) Tracking of certification of contractors
 - (2) Tracking of contractors in Iraq, through a single database
 - (3) Tracking of Individual Armed Contractors

(i) Contracting Agencies:

- (1) Require contractor participation in CSO tracking system per contract, or provide tracking information to CSO on a no-cost-to-contractor basis
- (2) Determine how to phase in the requirements of this guidance, based on contract renewal schedules, potential cost of retroactively applying to existing contracts through contract modifications, etc

c. Tasks.

- (1) Within ninety days of signature, appropriate parties will provide implementation guidance on the following issues:
 - (a) Certification standards for contractors (IRMO)
 - (b) ESG composition and reporting method (COM)
 - (c) Tracking methodology and rules (CSO)
 - (d) Guidance for contractor participation in the SOC (PCO)
 - (e) Policy and plan for identification cards (COM, CENTCOM)
- (2) IRMO will generate a handbook for contractors detailing applicable rules.
- (3) The Project and Contracting Office (PCO), (formerly the Program Management Office (PMO)) will establish a Security Operations Center (SOC) within its PCO Operations Center.

d. Coordinating Instructions.

- (1) COM and CENTCOM will form an Executive Steering Group (ESG), consisting of representatives from the Regional Security Office (RSO), Multi-National Force Iraq (MNFI), Government of Iraq, CSO, PCO, other USG agencies, Contractors, international partners, and others as determined by the COM. The ESG will be chaired by the COM, and provide periodic reports of contractor status and activity.

4. Administration and Logistics

USG-sourced administrative and logistical services will be provided to contractor personnel as stipulated in individual contracts.

5. Command and Control

- a. Command. As specified in Annex A.
- b. Signal. See Annex H – Information Technology and Communications.

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- (3) The COM provides policy guidance and oversight of all US assistance in Iraq. Implementation of these policies and performance of contracting activities is the responsibility of the Chief of Mission. A Contract Support Office (CSO) within the Project and Contracting Office (PCO) provides administrative coordination for USG contractors in Iraq performing contracts for PCO. Additionally, the CSO will serve as a single point-of-tracking for all USG contractors operating in Iraq (including those not controlled by PCO), as described in Section II below.

- (4) The PCO oversees its contractors through a PCO Operations Center, which includes a Contractor Security Operations Center (CSOC). This CSOC is under the authority of the PCO Director of Security, and is intended to provide coordination, assistance, and a common operating picture (COP) to all contractors and Private Security Contractors (PSCs) under contract with PCO. Additionally, the CSOC will offer these coordination and assistance services to all USG contractors operating in Iraq, as described in Paragraph 3.b (5) below. However, participation in the services provided by CSOC will not be mandatory for contractors not under contract with PCO.
 - (5) COM and CENTCOM will coordinate to ensure the Mission Operations Center (MOC) in Baghdad coordinates with the CSOC to develop and share a common operational picture, per Paragraph 3.b. (5) below.
 - (6) As the Contractor Support Office (CSO) tracks in-country arrival/departure of USG contractors, it will keep COM informed of contractor status per Paragraph 3.b. (1). As the CSOC tracks movement between regions in-country, it will keep COM and military forces informed, through the Mission Operations Center (MOC).
 - (7) Participation in the CSO contractor tracking system (described in Paragraph 3.b. (1)) will be mandatory for all USG contractors, and specified in their contract scope of work. Agencies will determine how to phase in this requirement, and how/if to make it retroactive. Participation/affiliation with the CSOC security coordination effort (described in Paragraph 3.b. (5)) is not mandatory, except for PCO-funded contractors when it is specified in their contract.
 - (8) Unless otherwise specified, references to COM and CENTCOM include their appropriate designees.
- c. Policies and Procedures. (the content below didn't fit neatly into our standard categories... so I improvised with this title; agree? Alternative title?)

(1) Certification and Tracking.

- (a) The intent is to establish a user-friendly, common set of certification standards applicable to all contractors, and to establish a simple tracking system with a single point of entry into and out of the country, so that all USG contractors can be accounted for.
- (b) IRMO will establish contractor categories, with certification standards with which all participating contractors will comply. Examples of certification categories should be broad, such as Prime Contractor, Subcontractor, Private Security Contractor (PSC), Non-PSC Contractors with Armed Personnel, etc. Certification standards should be straightforward and use existing rules and regulations. IRMO will consult with members of the ESG in the establishment of these standards.
- (c) Certification standards should include evidence of the following, as applicable:

- (1) Training

- (2) Compliance with weapons policies
 - (3) Acquisition of appropriate licenses, permits, etc
 - (4) Bonding
 - (5) Evidence of appropriate hiring practices
 - (6) Capability to coordinate on proper radio channels, etc
 - (7) Procurement of visas and work permits
- (d) Certification levels/categories required by contractors will be specified in contracts as they are issued.
- (e) As each contractor begins work in Iraq, that contractor will register with the Contracting Support Office, providing general information on the company, its certification, its expected duration of work, the agency for which it is working, points-of-contact in-country, the location of its work effort, and other information as determined by IRMO policy. The Contracting Support Office (CSO) will track this information in a database. When a contractor leaves Iraq, it will notify the Contracting Support Office (CSO) of the same, to keep the database current. The CSO shall comply with all applicable law such as the privacy act in the protection of private information of contractors.

(2) Legal Rights for Contractors

- (a) Contractors will have the privileges and immunities provided by Iraqi law, including Coalition Provisional Authority (CPA) Order 17, as amended, until such time as it is further modified or revoked.

(3) Weapons

- (a) All contractors, even those not carrying weapons and not providing private security services, should be trained in elemental weapons safety and Rules of Force (ROF) as part of their basic certification. Training for contractors without weapons will focus on the security coordination of contractors, including how to seek help through the Contractor Security Operations Center (CSOC), how to seek safe haven, how to respond to military and Private Security Contractor (PSC) requests, etc. The level and extent of this training/familiarization will be specified by IRMO, and self-provided by contractors prior to entering Iraq. IRMO or PCO may choose to provide training materials (CDs, videos, training syllabus) to contractors to promote quality and consistency.
- (b) PSCs will have additional weapons rules and training, as outlined in applicable Iraqi law, including CPA Orders and Memorandum 15, and any requirements of the agency with which they hold contracts. COM Diplomatic Security (DS) personnel will maintain their own standards of training and certification.

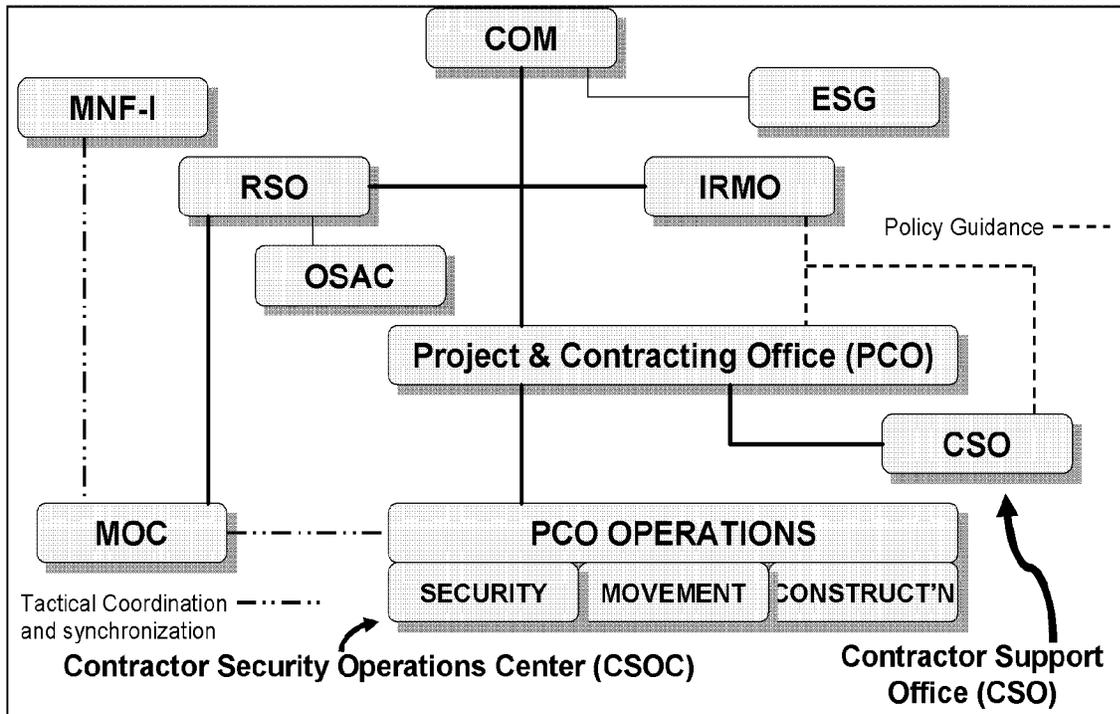
- (c) Individual Armed Contractors (IAC) are those contractors not working for a PSC, but who desire authorization to carry a weapon for self-defense or in the conduct of their official duties. These will have additional weapons rules and training, and will be approved to carry a weapon through a process designed by IRMO and approved by both COM and CENTCOM. Thereafter, both COM and CENTCOM can process and approve IACs. IACs will carry a Weapon Card as prescribed by the policy. The CSO will maintain a master database of individual contractor employees who have applied for permission to carry weapons, and those who have been approved.
 - (d) The intent of the weapons policy is that all USG personnel and USG contractors carrying weapons in Iraq will be tracked, either through the military (for military personnel), through the COM RSO (for COM personnel), through the Ministry of the Interior (for PSC personnel), through individual agency weapons procedures (for armed personnel associated with agencies such as the Departments of Justice or Homeland Security, but not associated with COM), or through the CSO weapons database (for armed contractors not working for PSCs).
- (4) Applicable Rules
- (a) Private Security Contractors (PSCs) must comply with applicable Iraqi law, including CPA Memorandum 15.
 - (b) Applicable law for all contractors also includes, but is not limited to, the following:
 - (1) CPA Order 3: Weapons Control
 - (2) CPA Order 5: Implementation of Weapons Control Order #3
 - (3) CPA Order 27: Facilities Protection Service
 - (4) CPA Order 91: Regulation of Armed Forces and Militias within Iraq
 - (c) IRMO, in coordination with the ESG, the Contractor Support Office (CSO) and the Overseas Security Advisory Council (OSAC), will generate a handbook for contractors, detailing these and all applicable rules. The ESG, Regional Security Officer (RSO), CSO and OSAC will coordinate to ensure all contractors are well informed, through periodic mailings, meetings, and web-based information.
- (5) Coordination of Security Efforts
- (a) The Project and Contracting Office (PCO) administers multiple USG contracts in Iraq, through its implementation of certain reconstruction contracting associated with the Iraq Relief and Reconstruction Fund (IRRF). The PCO Operations Center includes three cells: a Construction Operations Center, a Logistics Movement Control Center, and a Security Operations Center.

- (b) This PCO Security Operations Center will be known as the Contractor Security Operations Center (CSOC). It will:
 - (1) Maintain location on all major participating contractors by quadrant/area
 - (2) Provide tactical advice and coordination on routes, traffic issues, and operations
 - (3) Enable de-confliction between contractors and military forces on routes, etc
 - (4) Coordinate with the Mission Operation Center (which includes representatives from COM and CENTCOM) and the Joint Operations Centers (JOC) at the Major Supported Commands (MSC) throughout Iraq to share information and provide mutual support
 - (5) Assist in medevac services for contractors, if required
 - (6) Coordinate communications and frequencies
 - (7) Maintain a common operational picture (COP) between military and contractor forces to assist in mutual support and to avoid potential blue-on-blue confrontations between friendly forces
 - (8) Coordinate with the US Mission Consular Affairs Section for initial mortuary affairs response as needed
- (c) The goal of the CSOC is to enhance the efficiency and efficacy of security operations for contractors. It is not responsible for contractor defense, and does not control non-PCO contractors. Its goal is to provide a strong central point of contact for all contractors, and between contractors, the MOC, and applicable MNFI-I operations centers.
- (d) Only contractors certified to IRMO standards and properly recorded and tracked at the Contractor Support Office (CSO) can participate in the CSOC and derive the safety and efficiency benefits therein.
- (e) PCO will initially provide CSOC services to non-PCO contractors at no cost. After determination of the marginal costs (if any) of providing these security coordination services, PCO may charge a reasonable, nominal, and well-documented fee to participating non-PCO contractors. Contractors who do not want to pay the fee, if any, are not required to participate in the CSOC effort.
- (f) When appropriate, it will be the goal of the US Government to make the benefits of the CSOC services available to certain coalition partner contractors, including Iraqi contractors, as determined by the COM and CENTCOM.

(6) Support

- (a) Support to contractors is detailed in CPA Order 17.

- (b) Medical: Medical Treatment Facilities will be available for hospitalization and care of USG-funded contractor personnel who are US Nationals, per the Memoranda of Agreement signed between the Department of State and the Department of Defense.
- (c) Medevac: CENTCOM will continue to provide health and human services to private US citizens, third-country nationals, and foreign nationals when necessary for life, limb, and eye-sight saving support.



- (d) Mortuary: Contractor mortuary rights are protected by the right of the US military commander to take charge and transfer out of Iraq the remains of any contractors who die in Iraq, as well as their personal property, subject to any applicable evidentiary rules. Mortuary services will be coordinated through the US Military and the Chief of Mission (Consular Affairs Section), on a reimbursable basis, per existing policies and regulations.
- (e) Identification Cards: COM and CENTCOM will coordinate to produce policies for identification card requirements and issuance. Policies should give contractors appropriate identification to allow for required access to military compounds and base camps, aerial ports of debarkation, and other COM and CENTCOM facilities.

(7) Responsibilities Germane to This Guidance. Organizational roles and responsibilities characterized in Figure 1 are described in the subsequent paragraphs:

Figure 1. Contractor Security Organization Chart

(a) COM:

- (1) Overall oversight and responsibility for USG Contractors in Iraq

- (2) Chair of ESG
- (3) Approval authority for Individual Armed Civilians
- (b) CENTCOM:
 - (1) Approval authority for Individual Armed Civilians
- (c) MNF-I:
 - (1) Participation in Mission Operation Center
 - (2) Coordination with CSOC to maintain COP, as appropriate
- (d) RSO:
 - (1) Policy standards on Force Protection of COM personnel, including PCO
 - (2) Oversight of in-country OSAC
 - (3) Oversight of Mission Operation Center
- (e) IRMO:
 - (1) Policy guidance on certification categories and standards
 - (2) Policy guidance on CSO tracking system for USG contractors in Iraq
- (f) PCO:
 - (1) Oversight of PCO Operations Center, including CSOC
 - (2) Oversight of Contracting Support Office
- (g) CSOC:
 - (1) Oversight of PCO contractors for security matters
 - (2) Security guidance and coordination for non-PCO contractors, on a voluntary basis
- (h) CSO:
 - (1) Tracking of certification of contractors
 - (2) Tracking of contractors in Iraq, through a single database
 - (3) Tracking of Individual Armed Contractors

(i) Contracting Agencies:

- (1) Require contractor participation in CSO tracking system per contract, or provide tracking information to CSO on a no-cost-to-contractor basis
- (2) Determine how to phase in the requirements of this guidance, based on contract renewal schedules, potential cost of retroactively applying to existing contracts through contract modifications, etc

d. Tasks.

- (1) Within ninety days of signature, appropriate parties will provide implementation guidance on the following issues:
 - (a) Certification standards for contractors (IRMO)
 - (b) ESG composition and reporting method (COM)
 - (c) Tracking methodology and rules (CSO)
 - (d) Guidance for contractor participation in the CSOC (CSOC)
 - (e) Policy and plan for identification cards (COM, CENTCOM)
- (2) IRMO will generate a handbook for contractors detailing applicable rules.
- (3) The Project and Contracting Office (PCO), (formerly the Program Management Office (PMO)) will establish a Contractor Security Operations Center (CSOC) within its PCO Operations Center. (Note to reader: this office has already been planned and funded, to be led by the PCO Security Chief, and staffed through a contract with Aegis, a British private security firm). This paragraph was in previous version, but not in v2.0. Delete or retain?

e. Coordinating Instructions.

- (1) COM and CENTCOM will form an Executive Steering Group (ESG), consisting of representatives from the Regional Security Office (RSO), Multi-National Force Iraq (MNFI), Government of Iraq, CSO, PCO, other USG agencies, Contractors, international partners, and others as determined by the COM. The ESG will be chaired by the COM, and provide periodic reports of contractor status and activity.

4. Administration and Logistics

USG-sourced administrative and logistical services will be provided to contractor personnel as stipulated in individual contracts.

5. Command and Control

- a. Command. As specified in Annex A.

- b. Signal. See Annex H – Information Technology and Communications.

ANNEX N TO
OPLAN SOVEREIGN IRAQ
XX JULY 2004

ANNEX N – CONTRACTOR SECURITY

- References:
- A. Memorandum of Agreement between the DOS and DOD Regarding Physical Security, Equipment, and Personal Protective Services (June 10, 2004)
 - B. CPA Order Number 3, Weapons Control (December 31, 2003)
 - C. CPA Memorandum Number 5: Implementation of Weapons Control Order #3 (May 25, 2003)
 - D. CPA Order Number 17 (Revised), Status of the Coalition, Foreign Liaison Missions, Their Personnel and Their Contractors (June 27, 2004)
 - E. CPA Memorandum No. 17, Registration Requirements for Private Security Companies (PSC) (June 26, 2004)
 - F. Memorandum of Agreement between the DOS and DOD Regarding Support Services (June 10, 2004)
 - G. CPA Order No. 16, Temporary Control of Iraqi Borders, Ports and Airports (June 13, 2004)
 - H. CPA Order No. 100, Transition of Laws, Regulations, Orders, and Directives Issued by the CPA (June 28, 2004)
 - I. Interagency Policy Memorandum between DOS and DOD Regarding Contractors in Iraq (July XX, 2004)
 - J. CPA Order No. 91, *Regulation of Armed Forces and Militias within Iraq* (June 2, 2004)

1. Situation

- a. Current Situation. See Base Plan – OPLAN Sovereign Iraq
- b. Enemy Forces. See Annex B – Intelligence
- c. Friendly Forces. See Base Plan – OPLAN Sovereign Iraq
- d. Assumptions.
 - (1) Iraq will remain a non-permissive (hostile) environment for the foreseeable future.
 - (2) Multinational force (Coalition) partners, as well as contractor support personnel from those nations will retain a role in Iraqi security (external / internal) through at least January 2005.

2. Mission

In order to achieve relief and reconstruction objectives in Iraq, the United States Government (USG) will establish mechanisms to ensure that U.S. and multinational contractors performing relief, reconstruction and stabilization efforts are properly trained, certified, coordinated, and

provided with a viable weapons control policy. In addition, the USG will coordinate with the Iraqi Government to maintain appropriate legal protections and immunities for contractors.

3. Execution

a. Intent. In order to perform their relief, reconstruction, and stabilization tasks, U.S. and multinational contractors performing scopes of work funded through the Iraq Relief and Reconstruction Fund (IRRF), the Development Fund for Iraq (DFI) and other sources require clarity with regard to the following issues:

- (1) Scope of legal protection and immunity for contract personnel;
- (2) Legal authority for contractors and subcontractors (including third country nationals) providing contractor security to use arms to protect personnel and facilities;
- (3) Level of access to US Mission and MNF-I support services.

This annex defines the scope of USG responsibility toward contractors, and addresses tasks to be accomplished to ensure contractors are provided an environment that is as secure as possible.

b. Concept of Operations.

- (1) The Chief of Mission (COM), in conjunction with the Commander, US Central Command (USCENTCOM), will coordinate in the implementation of policies for US contractors in Iraq. The Chief of Mission is the primary USG interface with the Government of Iraq and its ministries.
- (2) COM and USCENTCOM have agreed upon responsibilities for the security of USG personnel, as enumerated in other documents. In most cases, USG contractors are responsible for security of their own personnel, subject to the terms of their contract.
- (3) The COM provides policy guidance and oversight of all US assistance in Iraq. Implementation of these policies and performance of contracting activities is the responsibility of the Chief of Mission. A Contract Support Office (CSO) within the Project and Contracting Office (PCO) provides administrative coordination for USG contractors in Iraq performing contracts for PCO. The U.S. Army (USA) will develop a Contractor Accountability and Tracking System (CATS) database which will serve as a single point-of-tracking for all USG contractors operating in Iraq, including those not controlled by PCO.
- (4) The PCO oversees its contractors through a PCO Operations Center (PCOC), which includes security operations. This PCOC is under the authority of the PCO Director and is intended to provide coordination, assistance, and a common operating picture to all contractors and Private Security Contractors (PSCs) under contract with PCO. Additionally, the PCOC will offer these coordination and assistance services to all USG contractors operating in Iraq. However, participation in the services provided by PCOC will not be mandatory for contractors not under contract with PCO.

- (5) COM and USCENTCOM will coordinate to ensure the National Civil Military Operations Center (NCMOC) in Baghdad fully integrates with the PCOC to develop and share a common operational picture.
- (6) The CATS database which tracks in-country arrival/departure of USG contractors will be maintained as a resource for the PCOC and will serve to keep COM informed of contractor status. As the PCOC utilizes CATS to track the movement of contractors between regions in-country, it will keep COM and military forces informed, through the NCMOC.
- (7) Participation in the CATS database will be mandatory for all USG-funded contractors, and specified in their contract scope of work. Agencies will determine how to phase in this requirement, and how/if to make it retroactive. Participation/affiliation with the PCOC security coordination effort is not mandatory, except for PCO-funded contractors when it is specified in their contract.
- (8) Unless otherwise specified, references to COM and USCENTCOM include their appropriate designees.

4. Policies and Procedures.

(1) Registration

The Department of the Army will maintain a registry of contractors operating in support of USG activities or operations in Iraq. For this purpose, the U.S. Army will develop a contractor information and tracking database (CATS), which will be updated monthly or as appropriate and will provide information to those agencies supporting contractors. This database will serve as a database/census of contractors and will be used to provide information to those agencies supporting contractors. This registry will include Prime Contractors, Subcontractors, Grantees, Private Security Companies that are contractors or subcontractors, non-PSC contractors or subcontractors with armed personnel, and others as required.

(2) Registration Requirements

Prior to working in Iraq, all contractors should first register with the CATS database. Contractors should provide general information about their company, its previous or current certification, its expected duration of work, points-of-contact in-country, and other information as required. Additionally, all prime contractors will be responsible for providing and updating the same information regarding their subcontractors, at whatever tier, including the name(s) of the subcontractor(s), the area(s) of operations, and anticipated start and end dates of the subcontract. When a contractor or its subcontractor ceases operations in Iraq, it/the prime contractor will ensure that the database is updated indicating its status. Contractors participating in USG-sponsored contracts shall ensure that their PSC subcontractors are properly licensed and they may refer to this database to obtain that information. Because data provided will as a general rule be publicly available, contractors and subcontractors shall be responsible for identifying any confidential business information included in their registration information so that it can be appropriately protected in accordance with U.S. law.

In many cases, these registration requirements will be mandated by USG contracts. Phase-in of this requirement for all relevant contracts will be determined by each USG contracting agency. Each agency will also be responsible for verifying database information known to that agency regarding that agency's contracts or grants such as the identity of contractors and grantees, the purposes of the contract, etc. Compliance with the registration process will be a requirement for participation in the cooperative security arrangements outlined in Section IV below.

5. Weapons

(1) Standards

All USG contractors and individual employees authorized to possess weapons will carry them safely, with full understanding of and adherence to the rules on the use of deadly force and in compliance with applicable USG, COM and USCENTCOM policies, Iraqi law, or other provisions negotiated between Iraq and the USG.

(2) Private Security Companies

PSCs, their employees, and individual subcontractors providing services for PSCs must comply with COM or USCENTCOM policies and rules in addition to applicable Iraqi law and any requirements of the USG contracting agency. This will include the rules for the use of force (RUF), security coordination of contractors, procedures for requesting outside support and contacting the Project and Contracting Operations Center (PCOC), reporting procedures, and how to respond to military and other PSC requests for assistance.

(3) Weapons for Personal Use

Individual contractors who wish to be armed with personal weapons for purposes of self-defense must obtain and carry a weapons card or other authorization that is sufficient for purposes of Iraqi law from the GOI, USCENTCOM, or other authorized issuing authority. All contractors armed for individual self defense shall carry a weapons card or other document evidencing such authorization. Only USG-approved weapons and ammunition may be carried by contractors authorized to carry weapons for individual self defense. Use of such weapons shall be consistent with applicable Iraqi law and any relevant USG policies or procedures.

(4) Rules of the Use of Force by USG Contractors

USG contractors have the inherent right to defend themselves as required for their personal self defense consistent with the rules outlined herein. The rules below apply to USG contractors who are authorized to carry weapons.

(a) Deadly Force

Deadly force is that force which one reasonably believes will cause death or serious bodily harm. The use of deadly force is authorized when there is a reasonable belief of imminent risk of death or serious bodily harm. For contractor personnel armed for personal protection, the use of deadly force is permitted only for individual self-defense. For contractor employees armed for security services, the use of deadly

force is permitted for individual self defense and in defense of persons. The details regarding this authorization will be provided for USG contractor personnel by appropriate USG agencies in the terms of the relevant contract. At present, relevant Iraqi regulations relating to PSCs does not authorize the use of deadly force solely to protect property of any type.

(b) Combatant Activities

Contractors shall not engage in combatant activities, combat, combat-like operations or offensive operations either alone or in conjunction with U.S., Coalition or Iraqi forces. No person or force is “declared hostile” for purposes of the rules for the use of force by armed contractors. Armed USG contractors shall cooperate with U.S. forces, Coalition forces, and Iraqi forces and police.

6. Security Operations

(1) Coordination

Security coordination provides a mechanism to maintain situational awareness over USG contractors, including PSC operations in theater. It also serves to de-conflict operations, prevent “blue-on-blue” events, and to enable mutual aid and assistance to and among contractors by sharing a common operating picture.

(2) PCOC Security Operations

The PCO administers many USG-sponsored contracts throughout Iraq. To coordinate movement control, security escort, and other security operations among its many parallel operations and those of the coalition forces, the PCO operates the PCOC, which is integrated with the National Civil Military Operations Center (NCMOC). This Operations Center includes participation from all PCO contractors, Major Subordinate Commands (MSCs) of the MNF-I, and the UN. The goal of the PCOC is to enhance security operations for participating contractors. It is not responsible for contractor defense, and it does not direct movement control and security operations for PSCs other than for those directly contracting through the PCO. Other PSCs, including non-USG PSCs, and their respective employers are strongly encouraged to participate in the PCOC.

(3) PCOC Security Objectives and Functions

The security objectives of the PCOC are to maintain situational awareness of security operations throughout Iraq; to collect, analyze, and disseminate timely and accurate information critical to the protection of facilities, supplies, and personnel; and to maintain a common relevant operating picture among all participants. Functions of the PCOC include:

- Maintain the location of all contractors by quadrant/area
Coordinate within the NCMOC to obtain timely unclassified operational and security information

- Provide tactical advice and coordination on routes, traffic issues, and operations

- Coordinate within the NCMOC to enable deconfliction between contractors and military forces
- Coordinate with the Overseas Security Advisory Council (OSAC) of the Department of State (DOS), to make unclassified security information and threat tearline language available to U.S. companies operating in Iraq through the U.S. Embassy's Baghdad Country Council (BCC), and constituent website
- Coordinate with the Commanders' Situation Room (CSR), which includes representatives from COM and USCENTCOM, and the NCMOC at the national level
- Coordinate with the Joint Operations Centers (JOC) and provincial Civil Military Operations Centers (CMOCs) at the Major Subordinate Commands (MSCs) throughout Iraq to share information and provide mutual support
- Assist in MEDEVAC services for eligible USG contractors
- Coordinate tactical communications and frequencies
- Maintain a common operational picture between military and contractor forces to assist in mutual support and to avoid potential blue-on-blue confrontations between friendly forces
- Facilitate the exchange of operational information between contractors
- Coordinate with the US Mission Consular Affairs Section for initial mortuary affairs response as needed

7. Responsibilities of Contractors

The benefits of PCOC participation will be limited to those contractors and subcontractors who meet the registration requirements described above.

Participating contractors will

- keep the PCOC apprised of the location and activities of their employees
- coordinate with PCOC to share and obtain unclassified operational, security, and threat information in a timely fashion
- coordinate with PCOC to ensure deconfliction among contractors and with military forces and other USG security personnel
- comply with all applicable procedures, policies, requirements, and laws

The cost of maintaining and operating the PCOC will be supported by the Iraqi Relief and Reconstruction Fund (IRRF), and does not include support for non-PCO contractors. Through coordination with the COM and USCENTCOM, the PCO can request compensation from USG agencies or multinational partners to cover the additional costs incurred by providing this service. Though voluntary, participation in the PCOC for non-PCO contractors is strongly encouraged by the Commanders of USCENTCOM, and MNF-I, and by the COM.

8. Identification Cards

The COM and USCENTCOM will coordinate to produce policies for identification card requirements and issuance to include Common Access Cards (CACs) or their equivalent. Contractors will be issued identification to allow for required access to military compounds and base camps, Embassy facilities, aerial ports of debarkation, safe havens and other COM and USCENTCOM facilities, as appropriate.

9. Support

(1) Iraqi Legal Process

Contractors will have such privileges and immunities as described in CPA Order No. 17 until such time that it is amended or rescinded. All contractors shall comply with relevant COM or CENTCOM policies and requirements, as well as agency requirements and applicable Iraqi law.

(2) Administrative

Administrative support to non-PCO contractors is provided through the USG agency or multinational partner with which they are under contract. For PCO contractors involved in IRRF projects, this administrative support will be delivered by the CSO.

(3) Emergency Services for Security

Each contractor is responsible for its entire security, as outlined in its respective contract. Some limited military Quick Reaction Force (QRF), and/or Iraqi emergency management agency support may be provided subject to force availability, operational priorities, and the determination of local commanders. Such limited assistance, if available, will be coordinated through the PCOC and regional CMOCs.

(4) Tactical Coordination for Security

Security coordination efforts for non-emergency efforts (routing, tactical advice, information sharing, etc) will be provided by the PCOC as described in Section IV above.

(5) Industry Assistance for Security

Security coordination and information efforts will be provided by OSAC which, through the BCC and U.S. offices, provides password-protected, web-based security and threat information, regular meetings for contractors, best-practices information sharing, and reports on security trends in Iraq. Additionally, OSAC serves as the conduit between the American private sector in Iraq and the USG, providing security assessments, unclassified threat information and trend analysis to the security directors of US companies. Through the COM, OSAC and PCO will coordinate to maintain consistent communications to contractors.

(6) Safe Haven

Contractors registered with the PCOC will have access to long-term established safe havens (such as the International Zone and some regional hubs) as allowed in accordance with procedures established by the Regional Security Officers and military commanders responsible for security within those areas, and within the provisions of existing contracts.

(7) Military Airlift

Contractors on USG travel orders can travel on a space-available basis on military airlift per Joint Travel Regulations (JTR) 4515.13-R, paragraphs C2.2.9.1, 2.2.9.2, and/or 2.2.9.3.

Additionally, contracting documents may specify the level of military airlift support to be provided.

(8) Medical

Subject to limitations of space and availability, DOD Medical Treatment Facilities (MTF) will be available for hospitalization and care of USG-funded contractor personnel who are US nationals, in accordance with the Memorandum of Agreement (reference f) signed between the DOS and DOD.

(9) MEDEVAC

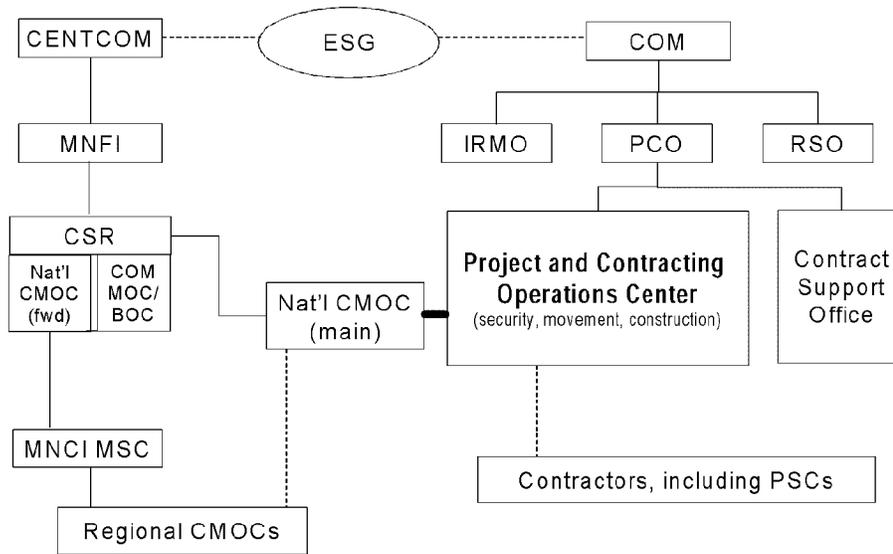
USCENTCOM will continue to provide as operations, resources and regulations permit, health service support and aeromedical evacuation (MEDEVAC) services to USG-funded contractors who are US nationals in accordance with the Memorandum of Agreement (reference f), signed between the DOS and the DOD.

(10) Mortuary

Authorized mortuary services for eligible USG-funded contractors who are US nationals are set out in the Memorandum of Agreement (reference f). CPA Order No. 17 further provides that the Force Commander and Sending States may take charge and transfer out of Iraq the remains of any contractors who die in Iraq, as well as their personal property located in Iraq. Mortuary services will be coordinated through the US Military and the COM Chief of Mission (Consular Affairs Section), and provided to eligible contractors on a reimbursable basis, per existing policies and regulations.

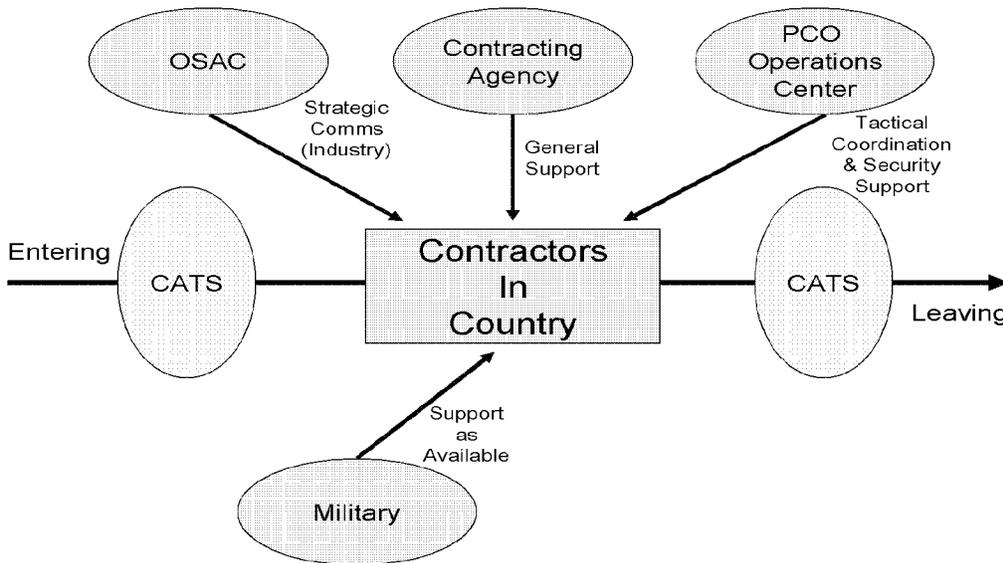
APPENDIX

Contractor Tracking and Security Coordination



Notes:

- 1. NCMOC, Mission Operations Center (MOC), Baghdad Ops Center (BOC), and equivalents are embedded in the MNFI Commander's Situation Room (CSR).
- 2. PCOC is integrated with the NCMOC allowing for synergy and interoperability.
- 3. National CMOC maintains a common operational picture with Regional CMOCs.



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