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## WEDNESDAY SESSIONS VOLUME I

### **Reforming Acquisition: This Time Must Be Different**

Jacques S. Gansler, UMD  
William Lucyshyn, UMD

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# Reforming Acquisition: This Time Must Be Different<sup>1</sup>

**Jacques Gansler**—was the former Under Secretary of Defense for Acquisition, Technology, and Logistics, and is the Professor, Roger C. Lipitz Chair in Public Policy and Private Enterprise, at the School of Public Policy, University of Maryland. Dr. Gansler is the director of both the Center for Public Policy and Private Enterprise and the Sloan Biotechnology Industry Center. As the third-ranking civilian at the Pentagon from 1997 to 2001, Professor Gansler was responsible for all research and development, acquisition reform, logistics, advance technology, environmental security, defense industry, and numerous other security programs.

Before joining the Clinton administration, Dr. Gansler held a variety of positions in government and the private sector, including Deputy Assistant Secretary of Defense (Material Acquisition), Assistant Director of Defense Research and Engineering (Electronics), executive vice president at TASC, vice president of ITT, and engineering and management positions with Singer and Raytheon corporations.

Throughout his career, Dr. Gansler has written, published, and taught on subjects related to his work. Dr. Gansler recently served as the Chair of the Secretary of the Army's Commission on Contracting and Program Management for Army Expeditionary Forces. He is a member of the Defense Science Board and also a member of the National Academy of Engineering and a fellow of the National Academy of Public Administration. Additionally, he is the Glenn L. Martin Institute fellow of engineering at the A. James Clarke School of Engineering, an affiliate faculty member at the Robert H. Smith School of Business, and a senior fellow at the James MacGregor Burns Academy of Leadership (all at the University of Maryland). From 2003–2004, he served as interim dean of the School of Public Policy. From 2004–2006, Dr. Gansler served as the vice president for research at the University of Maryland.

**William Lucyshyn**—is the Director of Research and a Senior Research Scholar at the Center for Public Policy and Private Enterprise, School of Public Policy, University of Maryland. In this position, Lucyshyn directs research on critical policy issues related to the increasingly complex problems associated with improving public-sector management and operations, and how government works with private enterprise. Current projects include modernizing government supply chain management, identifying government sourcing and acquisition best practices, and Department of Defense business modernization and transformation. Previously, Lucyshyn served as a program manager and the principal technical advisor to the Director of the Defense Advanced Research Projects Agency (DARPA) on the identification, selection, research, development, and prototype production of advanced technology projects. Prior to joining DARPA, Lucyshyn completed a 25-year career in the U.S. Air Force. Lucyshyn received his bachelor's degree in engineering science from the City University of New York and earned his master's degree in nuclear engineering from the Air Force Institute of Technology. He has authored numerous reports, book chapters, and journal articles. [lucyshyn@umd.edu]

## Introduction

Defense acquisition reform has been pursued for decades within the Department of Defense (DoD), as cost and schedule growth has continued in major programs, and headline-grabbing incidences of waste, fraud, and abuse have gained the attention of Congress and the American public. Although countless reforms have been proposed and implemented, challenges within the defense acquisition system continue and may worsen in the face of emerging challenges, including continued budgetary pressure. Failure to address

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<sup>1</sup> This is a summary of the full report, which will be available in July 2015.



these problems will have negative impacts for our armed forces and national security policies.

The current defense acquisition system is a product of decades of reform initiatives, legislation, reports, and government commissions. Major reform efforts began in the 1960s under Secretary of Defense Robert McNamara. His main reform efforts centralized control in the Office of the Secretary of Defense (OSD), including the creation of the Planning, Programming, and Budgeting System (PPBS) for resource allocation. Throughout the rest of the latter half of the 20th century, each administration left its own mark on defense acquisition, mostly focusing on the acquisition process itself and DoD management; however, many ideas were recycled such as shifting decision-making authority between the services and the OSD, realigning oversight and accountability responsibilities, and altering the process itself (milestones, phases, etc.). Major changes in DoD management ended with the Goldwater–Nichols Act of 1986, which codified the current chain-of-command in acquisition.

Following the conclusion of the Cold War and the subsequent military drawdown, the focus of acquisition reform shifted onto the requirements generation and resource allocation processes, in addition to the acquisition workforce. Much of the 1990s reform efforts sought to streamline the acquisition process and become more efficient by “buying commercial.” Although defense spending increased drastically during the Global War on Terror in Iraq and Afghanistan, spending has declined in recent years as most U.S. forces have withdrawn from the region. The most recent reform initiatives undertaken by the DoD, Better Buying Power 1, 2, and 3, have sought to “do more with less” by achieving affordable programs, increasing efficiencies and removing regulatory burdens, and empowering the defense acquisition workforce.

Even with all of these reform initiatives, cost and schedule growth has remained a constant. The DoD’s 2013 *Performance of the Defense Acquisition System* report noted that median cost growth for Major Defense Acquisition Programs (MDAPs) development contracts from 1970 to 2011 was 44%, 30%, and 31% for the Army, Navy and Air Force, respectively (Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics [USD(AT&L)], 2013, p. 82). Moving forward, effective acquisition reform is an imperative for our national defense. Due to rising national debt service payments and entitlements obligations, defense budgets will continue to be cut in future years. At the same time, our mission needs are continually evolving and will require flexible and technologically advanced capabilities to fulfill. In order to retain our technological superiority, the DoD will have to acquire increasingly complex programs with inherently high risk; however, the DoD must do so affordably. Within the DoD, high turnover in senior leadership, as well as a wave of retirements, has left an inexperienced workforce that must be able to manage and lead increasingly complex hardware programs in addition to challenging information technology (IT) and service acquisitions.

Defense acquisition can be broken down into four components: what goods and services are acquired, how they are acquired, from whom they are acquired, and who does the acquiring. Much of the focus of historical reform efforts focused on the how, the specific acquisition process consisting of phases, milestones, and reviews, while recent efforts have focused more heavily on what is acquired and the workforce that acquires those goods and services; however, problems still exist in each area. From the onset, there is a continued mismatch between the requirements generation and resource allocation processes due to lapses in accountability and an erosion of the programming process. As Congress has been unable to pass budgets on time and continually relied on continuing resolutions (CRs) to fund the government, the programming phase of the Planning, Programming, Budgeting,



and Execution (PPBE) process has shifted from program offices into the budget offices, with grave implications for program performance. Further, there is a lack of accountability in the requirements generation process for requirements stability and cost containment throughout a program's duration. Within the acquisition process itself, the DoD has struggled to mitigate the challenges posed by the acquisition of IT and of services, which now comprise more than half of the DoD's acquisition spending. In contracting, the DoD has struggled to break through their "risk averse" culture that has valued low cost over best value.

In order to equip a fighting force capable of addressing the mission needs of the 21st century, the DoD needs an industrial base that can produce capabilities to fulfill mission needs and develop cutting edge technologies. However, competition is limited to a small number of domestic defense firms. This is due to a multitude of barriers to entry facing small domestic firms, commercial firms, and foreign firms. Unfavorable rights in technical data have deterred entry from commercial firms and small businesses from entering the defense market, cutting off the DoD's access to cutting-edge and disruptive technological innovations available in the commercial market. For other similar firms, the "costs to play" are far too high; costs of complying with cost accounting standards, auditing burdens, and legal compliance with government regulations outweigh the small profits from doing business with the government. Further, due to import and export regulations, the DoD is limited in its ability to acquire high-quality goods from foreign firms, while the U.S. defense industry is unable to access foreign markets, and in turn, earn higher revenues to invest back into their businesses. Last, the acquisition workforce lacks empowerment within the "risk averse" culture permeating the DoD, while turnover in senior leadership has led to instability, and an inability to sustain successful reform initiatives. This is complicated by an aging workforce that will experience a wave of retirements in coming years, leaving an inexperienced workforce in its place at a time when fewer and fewer programs are being started, providing fewer opportunities to gain valuable experience.

### **What Is Acquired**

Based on these challenges and external conditions, DoD acquisition reform needs to have three main objectives: (1) do more with less, (2) respond much faster, and (3) maintain technological leadership. With this in mind, we developed our recommendations. We began with addressing what is acquired:

- Realign lines of accountability as originally envisioned in the Packard Commission recommendations and intended in the Goldwater–Nichols Act.
- Ensure requirements are stable and technically realistic.
- Use cost as a requirement.
- Reinvigorate DoD's programming process.
- Establish a program management funding reserve through congressional appropriation.

### **How Goods and Services Are Acquired and Supported**

Next, we put forth a series of recommendations for how the DoD can improve its tradecraft of services, IT, and mission equipment, strategies to reduce costs in life-cycle sustainment, and recalibrate the relationship between contracting officers (COs) and program managers (PMs):



- Increase the use of multi-year procurements.
- Develop strategies to mitigate risk and improve performance in system-of-systems acquisitions.
- Improve tradecraft of services and information technology.
- Leverage the benefits of public–private partnerships.
- Reintroduce public/private competitions for non–inherently governmental work.
- Combine the U.S. Transportation Command and the Defense Logistics Agency to create new Joint Logistics Command.
- Work to shift balance of power between the contract officer control and program manager, to produce a more balanced collaborative effort.

### **From Whom Goods and Services Are Acquired**

To address challenges in regards to the industrial base, our recommendations focused on two main areas: fostering a greater relationship and increasing communication with industry, as well as addressing barriers to entry, namely unfavorable intellectual property rights, regulatory and accounting burdens, and import and export controls:

- As budgets continue to shrink, the DoD must plan for ways to maintain the required industrial base.
- Review and relax import and export restrictions to encourage greater participation in the defense marketplace by domestic commercial firms.
- Remove barriers from doing business with nontraditional commercial defense contractors.
- Use intellectual property as an incentive for innovation.
- Formulate clear rules to encourage and define appropriate communications with industry.

### **Who Is Responsible for Acquisition, and Who Does the Acquisition?**

Last, in regards to the acquisition workforce, we recommended a number of strategies to train and empower the workforce to shift from a “risk averse,” strict compliance mindset, into a performance-oriented approach:

- Improve the defense acquisition workforce.
- Increase stability for senior leadership.
- Empower and incentivize program managers to achieve higher performance in their programs.

The success of these reforms will hinge on the commitment of senior DoD leadership and Congress. The DoD’s Better Buying Power initiatives represent a step in the right direction; however, more definitive action must be taken to overhaul the system, rather than continue to alter broken processes. Congress has also shown a new resolve in defense acquisition reform. Under the leadership of the new Chairman of the House Committee on Armed Services, Mac Thornberry, a joint initiative between the DoD and Congress has begun to perform a comprehensive review of the defense acquisition system. While these developments signal progress, there is still much work to be done to create a defense acquisition system able to produce technologically-advanced, yet affordable, capabilities on time to our warfighters that are capable of fulfilling mission needs.



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