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Are the Department of Defense Outsourcing Efforts Smart Business for Military Operations and the Operational Commander?

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### Abstract
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Are the Department of Defense Outsourcing Efforts Smart Business for Military Operations and the Operational Commander?

By

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A paper submitted to the Faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations.

The contents of this paper reflect my personal views and are not necessarily endorsed the Naval War College or the Department of the Navy.

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16 May 2003

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Abstract

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American corporations (to include the powerful small business Political Action Committees or PACs) vigorously lobby members of congress to open up DoD jobs for outsourcing. DoD obliges congress by continuing to outsource military services which in-turn shifts significant control over to DoD contracting officers and away from commanding officers. Is this smart business for the operational commander?
TABLE OF CONTENTS

Introduction........................................4

Analysis........................................6

Recommendations................................16

Conclusion.....................................20

Notes(References)...............................22

Bibliography....................................26
“Are we ultimately trading their blood to save a relatively insignificant amount in the national budget? If this grand experiment undertaken by our national leadership fails during wartime, the results will be unthinkable.”

Quote by military officer regarding the concept of outsourcing

I. Introduction - Militaries throughout the world have relied on contractor support for a variety of services since the beginning of warfare. Even Athens depended on local markets to feed its Hoplites during 430 B.C campaigns against the Spartans. Senior Department of Defense (DoD) officials have long embraced (with a little help from the US Congress) the concept that contractors can best perform jobs that are well outside the realm of combat operations (i.e., food services, grounds maintenance, hospital maintenance, etc.) within DoD.

From 1978 to 1994, DoD allegedly saved $1.5 billion a year through outsourcing. Today, there is even a greater push to outsource within DoD and this drive is extending well beyond just blue-collar jobs. But considering that today’s DoD budget is approaching $400 billion per year, is the loss of control over military forces by the operational commander worth the meager savings netted from outsourcing? This is a very important aspect when one considers the ramifications on mission accomplishment. Our national leaders should not take replacing troops with contractors
lightly. Operational commanders are directly affected by actions taken to increase outsourcing in acquisition of services.\textsuperscript{4} With operational commanders depending more and more on services that are being provided by contractors, one is driven to pose the question; \textit{how much is too much?}

Throughout this paper, I plan to introduce several examples of where outsourcing may not be producing the huge returns that DoD had envisioned. In many respects, outsourcing simply moves funds from one account to another in order to pay contractors for the same services. Contractors not only earn profit (and charge for overhead expenses) on their contracts but they are often forced to pay higher salaries to private sector individuals in order to accomplish the same work that is likely being done by moderately paid military members. \textit{Is this saving money?}

In April of 2002, an article was written in the New York Times that highlighted the plans by the Pentagon to “increase profit margins” on DoD contracts. Apparently, since acquisition personnel are advocating “commercial like” contracts within DoD, the new sentiment is that profit margins also need to be more commercial like (raising the ceiling from 15% to 45%) on DoD contracts. With this mind, is continued outsourcing a smart move for the operational commander? Is the military actually saving
huge sums of money or is it surrendering troops for pennies on the dollar?\textsuperscript{5}

II. Analysis - The Pentagon is counting on the savings from outsourcing measures to fund various projects in the coming years. From an operational perspective, one needs to ascertain the impact on operational readiness when it comes to outsourcing. It is worth the cost in the loss of troops and the resulting loss of “control” over personnel? An operational commander can switch gears and change directives to troops on the spur of a moment. This capability offers tremendous flexibility to operational commanders. A government contract is much different. An operational commander cannot just order contractors to return to their duty stations when they elect to leave (for whatever reason) a position at a company. In the 1991 Persian Gulf War, a few contractors left the Gulf region for fear of a chemical attack. They simply quit their jobs rather than risk death.\textsuperscript{6} Another example in the gulf war came when a helicopter went down and a civilian maintenance contractor refused to go "help fix it" because the Army would not issue him a sidearm.\textsuperscript{7} \textit{Wartime is no time to negotiate contractual changes}....
Also, in a wartime situation, large numbers of contractors in the area of operations could quickly become a center of gravity (from an enemy perspective) if an adversary can bring about mass departures of contractor personnel by making threats against their lives.

Of course, you don't have to be an operational commander in a combat zone to understand what it is like to lose operational control of your troops. Base level commanders have surrendered huge amounts of control by the way their base services have been outsourced. At many military installations, contractors have replaced troops in the chain of command and "executing" operational orders has taken on a whole new meaning. How is the work getting done?

Contractors are covered under a Statement of Work normally referred to as a “SOW.” The SOW is the tool by which a service is received. It serves as the new OPERATIONAL ORDER and is the tool to give direction to a contractor. The SOW, because it is a contractual legal document, is cumbersome to change or alter. Adding or deleting activities in a government contract involves costly contract modifications and can greatly increase the cost of a contract after initial award. A contract offers less flexibility when it comes to making changes to the services that have been contracted. Additionally, a
contract usually is written in a bilateral fashion and therefore requires agreement by both the government and the contractor before any changes are executed.

Simply looking at a recent contract award made by the Air Force can reveal one example of a loss of operational control. In 2000, the Air Force outsourced aircraft maintenance at Andrews AFB. It was later determined, after contract award, many daily activities that were once performed by the 800 plus military members were not being performed unless they had been specifically written into the contract SOW. The base commander found he had very little day-to-day control over maintenance operations and virtually no control of the 500 contractor personnel who replaced the military members. Recent Government Accounting Office (GAO) reports have reported similar situations throughout DoD with regards to the tendency of the government to leave out work during outsourcing activities and then to add it to the contract after contract award. This reduces the actual savings but by then it is too late - the contract has been awarded and the military billets are gone.9

In many cases, the full weight of outsourcing actions is not fully recognized by members of DoD until after the action is completed. For example, when outsourcing is
undertaken and military jobs are outsourced, these positions are essentially gone forever. It is nearly impossible to bring military positions back onto the personnel roles once they are contracted out. Why is this significant? One good example can be seen in the time period right after 9/11. Using the Air Force once again as an example, the impact of losing military positions to contractors can readily be seen in the ability of a base commander to provide security to a military installation. After 9/11, the need for security forces (especially at Andrews AFB in Washington DC – home of Air Force One) rose abruptly overnight. Normally, the military forces needed to augment the existing security forces came from mission support career fields such as, civil engineering, maintenance, transportation, etc. After 9/11, the Air Force in general was in short supply of security personnel because the career fields from which augmented security forces come from (previously mentioned) had undergone heavy outsourcing and simply did not have the military personnel left to fulfill security force augmentee duties. After 9/11 protection of the military forces (and the public /government) was first and foremost in the minds of US national leaders. One could even say that after 9/11, the
security of US military forces rose to the national-strategic level (Strategic Protection).

Contractors would not be able to fulfill this function in a similar manner if the need arose. In 1993, this point was vividly illustrated when military support personnel came to the rescue of the trapped Army Rangers in the country of Somalia. It is highly unlikely that middle-aged (and unarmed) contractors would have been able to repeat such a feat given the conditions surrounding the rescue. Military officers have made comments that “the Department of Defense is gambling future military victory on contractor’s performing operational functions in the battlefield.” Is saving money worth this sacrifice? Is the US military reaping a horde of money by having contractors perform work previously done by military personnel?

Looking intently at studies that have examined outsourcing activities conducted by DoD can provide further clarifications of this issue. The GAO has consistently questioned the savings that DoD officials have repeatedly cited as the reasons for undertaking A-76 studies within DoD.

There are many reasons why savings don't materialize as projected by DoD. One lies in the fact that when
military personnel are dropped off the payrolls, their jobs still have to be done and so contractor personnel end up replacing military personnel. Another version of this scenario rests in the fact that when outsourcing does take place, military personnel remain on the payroll somewhere else within the service.\textsuperscript{15}

Although troop strength dropped dramatically in the early 1990’s, the number of contractors indirectly on the DoD payroll soared. Additionally, the level of outsourcing efforts will only increase in the first decade of the 21\textsuperscript{st} century.\textsuperscript{16} It is impossible to make an exact determination as to the number of contractors replacing military members because many contracts are “Performance Based” and don’t direct the contractor to hire a specific number of people.\textsuperscript{17} Discerning the exact number would be very interesting indeed for it would most likely expose the magnitude of the shift from military personnel to contractor personnel during the 1990’s.\textsuperscript{18} It would almost appear that we are in fact playing an expensive shell game and simply moving money from one account (Personnel) to another (Operations and Maintenance) with no aggregate savings being realized by the government.

It is easy to see how the military conserves money when military installations are shuttered since support
services are simply no longer needed. It is very different with one examines outsourcing. Again, whether or not DoD is actually saving money by turning to outsourcing is difficult to assess. Savings are especially doubtful when military personnel are not removed from the payroll after completion of an outsourcing action. When the military outsources military positions, end strength does not always go down by a corresponding number at the end of the fiscal year. The US Army recently announced that it was going to outsource some military billets but keep the soldiers on active duty.19 Other services have also been found to keep military billets after outsourcing which results in additional costs not savings.20

Another argument can be made that savings are not being realized simply because many of the best contractors are not willing to undergo the A-76 competitive process because they have the mistaken impression that the process is rigged to favor the government.21 Senator Edward Kennedy brought up this issue (and significant other issues) when he introduced a bill to stop outsourcing within the Army Corps of Engineers.22

The Senator also rightly pointed out that "moving jobs to the private sector tends to take jobs that were union and move them to a company that in all likelihood is not
covered by a union contract."23 Unlike the private sector, military and civilians cannot be quickly fired or laid off due to workload reductions. When jobs are moved out of government and into the private sector, a certain amount of job protection is lost. DoD cannot just “eliminate jobs” because it needs to save money.

Additionally, employee morale (to include troop morale) normally depends on some sense of stability within our armed forces. Take away stability and morale goes to zero along with the effectiveness of the fighting force (or contractors), which is a huge operational commander problem!

Another example that suggests that outsourcing is not always in the best interest of DoD rests in the Defense Travel System (DTS). DTS is a system that was initially designed to put all DoD travelers under one gigantic travel system run by 11 regional contractors.24 The concept was originally conceived in the 1990s with hopes of having it fully operational by 1998. It is now 2003 and many military installations have yet to implement the new system. Andrews AFB is one example of a base that remains under an old SATO (Scheduled Airlines Traffic Office) agreement because of the numerous problems being encountered with DTS. The old SATO office (operated by Base
Transportation) provides military members with a high level of service and last minute changes in travel plans are still possible because of the availability of a SATO representative on-site at Andrews AFB. DTS will change this set-up because the on-site representation will be replaced with an on-line system that is centrally located within the “region.” It will be no different than logging on from your home computer to plan your official travel. With DTS, the burden of travel planning is simply being shifted from a travel office to the individual military member. A fine example of outsourcing placing a greater burden on the military member with no identifiable savings.

Another illustration where outsourcing cost savings is questionable lies in the area of Naval Depot maintenance. The GAO has conducted audits of the depot operations at Louisville, Kentucky and determined that cost savings were not realized as projected by the Navy prior to outsourcing the workload.\textsuperscript{25} The GAO calculated that the Navy would pay "$48.6\text{M over a 5-year contract period, rather than save $63.7\text{M as the Navy estimated.}"}^{26}

Additionally, a recent GAO report reinforces earlier reports about questionable savings. The report was issued in 2002 and stated, "developing and maintaining reliable estimates of savings were difficult" and "considerable
questions have been raised concerning to what extent DoD has realized savings from its A-76 studies."27

Finally, even when an organization undergoes an A-76 study, the decision to outsource may not always be the right decision. In 1999, Andrews AFB’s medical center outsourced its hospital maintenance activities. The decision to outsource the work was made with only a 5% saving over the in-house workforce. The immediate impact in the quality of the maintenance was readily apparent at the hospital when the contractor took over responsibility for maintenance. Maintenance discrepancy reports skyrocketed during the first year of the contract.28

Additionally, as maintenance suffered, so did the capability of the hospital to perform its mission. After the contractor took over, there were times when only one operating room (OR) was available for use due to faulty environment conditions (too hot) in the OR that were all maintenance related.29 Was the 5% in savings worth it?

A good counter argument to my analysis presented here can be found in the obvious fact that outsourcing does in fact release military personnel to perform purely combat related duties. According to Colonel Thomas W. Sweeney, professor of Strategic Logistics at the Army War College, “The main reason for using a contractor (to perform work)
is that it saves you from having to use troops, so troops can focus on war fighting.” 30 Colonel Sweeney also says that, “It’s cheaper (to use contractors) because you only pay for contractors when you use them.” Is this anyway to build loyalty from a workforce? Do you get the same people back every time? I argue that there is a cost here...

Additionally, DoD is being pushed to outsource by the abundance of studies that seem to conclude that there is "savings to be had" by outsourcing. A GAO report released in March of 1997 says the drive for outsourcing is largely being driven by reports produced in the early 1990s. DoD’s 1993 Bottom-Up Review, the 1993 National Performance Review, DoD’s 1995 report from the Commission on Roles and Missions of the Armed Services and the 1996 report produced by the Defense Science Board Task Force on Outsourcing and Privatization all inspired outsourcing.31 It is important to list these reports because it provides critical insight as to where DoD is getting its ammunition when it comes to promoting outsourcing. The majority of these studies concluded that DoD could save 20-40 percent a year in support costs by undergoing aggressive outsourcing.32

III. How do we solve this problem? - We need to examine the reasons DoD is rushing to outsource. One way
to ensure that cost alone is not a driving factor is by mimicking the use of "Best Value" (used by the procurement community) and applying it to the military personnel system. Since “Best Value” procurement offers the operational commander contracted services at the “Best Value” versus the lowest-cost, why not apply the same concept to military personnel? To do this, we need to look at the overall personnel system of the military.

One argument made for outsourcing lies in the fact that a contractor is normally able to employ fewer people because they multitask people. The military (in a “Best Value” world) needs to examine how multitasking can be exploited so that one individual can readily perform functions in a variety of career fields. For example, within the Air Force, there is a separate career field for contracting and a separate one for acquisition. Why can’t these be combined? This separation is a carryover from the Cold War days and was developed long before computers became so prevalent in the office space (which has led to “paperless” contracting). Contracting in 2003 is highly automated and has changed dramatically over the last 10 years. Acquisition (program management) has also changed during this same time period. Acquisition and Contracting should be one career field within the Air Force and the
other services should also look for ways to consolidate military career fields.\textsuperscript{35}

Changes in the way personnel are managed is yet another area that needs to be explored in order to alleviate the urge to outsource based upon the perceived inefficiently of current operations. What is the point here? Thinking outside the box with regards to personnel issues could eliminate perceived inefficiencies that fuel the DoD outsourcing frenzy. Again, it’s about “Best Value.”

Using the Navy as an example, the current Chief of Naval Operations (CNO) was using sound organizational decision-making when he provided guidance to the fleets in the area of Streamlining Shore Installation Management. This CNO directive will establish a new command called Commander Naval Installations on 1 October 2003.\textsuperscript{36} By taking this action, the CNO is going to make it easier to manage personnel actions that could directly impact personnel issues throughout the Navy. Why is this important? The operational commander must do everything possible to maintain the morale of his forces so they can be at their peak when they are called upon to perform their military duties.

For example, within the Navy there must be careful personnel monitoring in order to protect the "Sea-Shore
Rotations” that are needed to bolster morale of Navy personnel. In 1997, the CNO established a goal (for E-5s and E-9s) of four years in a sea billet for every three years in a shore billet. The positions dedicated for Sea-Shore rotations should be classified as inherently governmental since that are needed to provide shore billets for sailors returning from sea duty. The importance of taking such an action cannot be understated and should be explored by the Navy leadership. Again, the Navy should take steps to have its shore billets categorized as inherently governmental. It is important to keep in mind that the operational commander is wholly affected by actions taken by the Services in the training and maintaining of their service members. Morale is key!

Finally, we need to take another look at Joint Pub 4-0 because it does not adequately address contractors in an operational environment. Joint Logistic Pub 4.0 does very little in addressing how contractors are to be supported in forward-deployed locations. When contractors are part of the battle plan, their care and safety become just one more issue that the operational commander must concern himself/herself with as they conduct campaign planning. Operational commanders are in fact impacted when there are contractors in their area of responsibility because there
is an added cost (monetarily and militarily) by their mere presence.\(^{39}\) This additional expense needs to be accounted for during outsourcing operations in order to expose the full impact of outsourcing on the military and operational commander.

Finally, the Army recently came to grips with the whole issue of outsourcing activities related to battlefield support (and Joint Pub 4.0) and is now doing an "about-face in the use of battlefield contractors."\(^{40}\) The other services should be following the lead of the US Army...

**IV. Conclusion** - The push to outsource is not always met with success despite all the hype about savings and being more like the “private sector.” The simple fact remains, DoD is not like the private sector. Contracted employees do not take an oath to protect the nation. They are under no obligation to remain with a contract once it is awarded. Military personnel can be kept in one job or position for as long as the commander deems necessary. This total control is invaluable when one considers that there is no room for mission failure within DoD. When a company fails at its mission, it simply goes out of business. When DoD fails at its mission, it results in capitulation. What
price can be put on losing a war? Do we want a DoD that resembles an IBM or a General Motors? Voluminous dialogue has been made on how DoD needs to adopt the business practices of the private sector. Does that include copying Chief Executive Officers (CEOs) benefit packages that run into the millions just to run their companies?

The May 2003 magazine “Government Executive” really hits a home run when it comes to describing outsourcing and the operational commander. “Even as precision-guided bombs were falling on Baghdad, the office (Office of Federal Procurement Policy) was turning back the clock on two decades of procurement reform..............insisting that the DoD compete thousands of jobs to meet arbitrary targets.”\textsuperscript{41} Is it smart business to risk our national security by continuing to outsource in order to save a little pocket change? One should always remember that the Airlines thought they were being financially prudent by paying airport screeners minimal wage..........

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Notes

1 Lt Col Lourdes A. Castillo, quote was in 2000, Aerospace Power Journal. His comment was made in reference to his viewpoints on outsourcing in today’s military.


4 Services are defined (within this paper) as those contract actions involving labor without materials. Service contracts are written as a means to provide labor to the government, not materials. Source of this information is the personal experience of the author who is a warranted contracting officer for the United States of America (with unlimited contractual authority).


8 Statement of Work (SOW) is a contractual legal document that is a central part of most government contracts. A SOW is the document that provides the legal direction for the contractor. If a function is not listed in the SOW, the contractor is not responsible for performing that function. Source of this information is the personal experience of the author who is a warranted contracting officer for the United States of America (with unlimited contractual authority).


10 Current A-76 rules essentially forbid the return of military billets after completion of an A-76 study (that resulted in work being outsourced.). If positions are ever (remotely possible) returned to the services, they may be government civil service positions but they will not be military positions. Source of this information is the personal knowledge of the author.
Within the context of this paper, A-76 is a term used to describe outsourcing actions taken by the federal government. The term A-76 is derived from 1950's federal statutes that implemented the original guidelines for A-76 studies. The legacy term is still in use today (some 50 years later) to describe federal outsourcing studies. Source of this information is the personal knowledge of the author.


“United States government federal outsourcing of services, which stood at $6.6 billion in fiscal 2002 will soar to $15 billion in fiscal 2007 for an annual growth rate of 18%.” This information came from Dr. Peter Palms who is president of Palms and Company Inc. Palms and Company has been in business for 65 years and has been intensively involved with a broad range of consulting work with various governments and organizations for the past seven years. (http://peterpalms.com/trade/outsourcing.html, 7 May 2003.

Performance based contracting does not specify specific numbers of personnel required to perform a contracting activity. In performance based contracting, the government tells the contractor what is needed as an end product and the contractor delivers that end product as part of the agreement under the contract. The government does not tell the contractor how to perform under the contract. Source of this information is the personal knowledge of the author.

For example, the Army does not track functions that have been eliminated, and officials cannot say how many functions have been outsourced in recent years. Information taken from Government Executive magazine, "Army plan to outsource soldiers' jobs will increase costs." Article written by Jason Peckenpaugh and based on 10 October 2002 Pentagon briefing by John Anderson, Assistant Deputy Secretary of the Army for Manpower and Management.

An Army plan to outsource the jobs of nearly 60,000 military personnel will not save any money, but “is necessary to move soldiers into warfighting positions and support the service’s transformation,” according to Army officials. The plan is part of the Army’s larger “Third Wave” initiative that could let private companies compete for the jobs of more than 200,000 Army employees, including 155,000 civilians. But Army officials admit that outsourcing military jobs will create new costs, because the Army will not cut its fighting force. Outsourced soldiers will be transferred to
other jobs within the Army, and civilian employees or contract workers will assume their previous jobs. "Third Wave" initiative


23 Ibid.


26 Ibid.


28 This information is from the author's personal account of the contract as he acted as the contracting officer both for the procurement and administration of the contract.

29 Ibid.


32 Ibid.

34 Paperless contracting is an accepted business practice in today's contracting organizations. Source of this information is the personal knowledge of the author.

35 Author holds an Air Force Specialty Code of both 63XX (Acquisition) and 64XX (Contracting) within the USAF.

36 Comments made by Chief of Naval Operations, 27 March 2003, Washington DC.


38 Joint Chiefs of Staff, Doctrine for Logistic Support of Joint Operations 4-0, "Contractors in the Battlefield" – Chapter V, 6 April 2000.


40 Ibid.

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