Announcing the CDI Military Advisory Board

BY MANDY SMITHBERGER

In September, CDI announced the creation of a Military Advisory Board. This is the most recent POGO undertaking to continue CDI’s legacy of challenging the military-industrial-congressional complex and providing the public with the information it needs about how tax dollars are so often misused in the name of national security.

My first introduction to the military-industrial-congressional complex was the F-22 program. As an intern at POGO, I helped our national security investigator at the time, Todd Bowers, on a report on the decision to commit taxpayers to a three-year production contract for the F-22. Testing was far from complete, and all of the independent analysts agreed this was a bad decision—except for one, the Institute for Defense Analyses. While investigating why they came to a different conclusion, I found that the president, Dennis Blair, was also the president of a subcontractor for the program. As a result, Dennis Blair was soon out of a job both at the contractor and at IDA.

I first learned from Todd how important it was to reform the system and how our spending was almost totally disconnected from the needs of our troops on the ground. For those who don’t know him, as a Marine, he was nearly killed when a sniper round was deflected by his scope. His father had personally bought and shipped that scope to him, since the military wasn’t buying that necessary equipment for the troops. Years later, under-equipping troops was still a problem. While at POGO, Todd discovered that Congress was cutting funds for night vision goggles and other equipment needed by the troops in the field in order to fund earmarks for V-22 Ospreys, which weren’t being deployed in battle.

Most people who enter public service, both in the military and civilian sectors, want to make this country a better place. Far too often, though, they lose this purpose, or give up to the entropy of a bureaucracy that doesn’t want to change its ways. Those few who are still fighting for reforms need support from outside...
A NOTE ABOUT THE MILITARY ADVISORY BOARD FROM FORMER CDI PRESIDENT ADMIRAL GENE LAROCQUE

The following prepared speech from Admiral Gene LaRocque was delivered by his granddaughter, Sarah Grace Fitzsimmons, at the CDI event announcing the creation of the Military Advisory Board.

From the earliest days of the Center for Defense Information, the primary focus was on three goals:

Number One: Avert a nuclear war with the Soviet Union.

Number Two: To end the Vietnam War.

And Number Three: To monitor the sought and unsought influence of the military-industrial complex.

Obviously, the Vietnam War ended and we no longer have to worry about a nuclear war with the Soviet Union. But, the sought or unsought influence that Eisenhower warned about is growing in power. I am very pleased to learn that the Center for Defense Information is making efforts to counter this growing influence.

It is understandable that candidates for office would like to create jobs in their districts. But the military-industrial complex is not designed to create jobs. It is simply to defend the United States. We have many opportunities to create jobs here in America by focusing our efforts in pursuing peaceful and nonmilitary goals. I am very pleased that CDI is undertaking efforts to counter the military-industrial complex.

The Center for Defense Information deserves our support in this effort and I personally will do everything I can to assist the leadership of CDI in this endeavor.

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Treatment of War Hero Reveals Broken Military Whistleblower Protection System

BY DANIELLE BRIAN AND MANDY SMITHBERGER

Lieutenant Colonel Jason Amerine earned a bronze star and purple heart for his heroic actions during an Afghanistan firefight, a battle that was immortalized in a best-selling book. He’s a Green Beret who was a guest of President George W. Bush at a State of the Union Address. He taught at West Point and even inspired the Army to create an action figure in his likeness.

The word hero gets thrown around a lot and is probably overused, but there’s not much debate when it comes to Amerine’s decorated Army career.

None of that, however, seemed to matter in September when Amerine was told to report to Army Criminal Investigation Command. There were no official charges against him but that didn’t stop the Army from trying to humiliate him by taking his mug shot, fingerprints, and DNA in order to list him in a criminal database.

His alleged crime? He had spoken to a Member of Congress about the U.S. government’s broken and dysfunctional hostage recovery process.

It was a textbook example of retaliation against someone who had spoken the truth and, in doing so, had embarrassed government officials.

We met Amerine in February when he was already under investigation for having talked to Representative Duncan Hunter (R-CA). He wanted to expose and correct the ultimately fatal bureaucratic infighting over hostage recovery between the FBI, Army, Department of Defense, State Department, and CIA. He was still active duty, but his security clearance had been suspended, he had been stripped of his duties, and he was forced to spend mind-numbing hours doing nothing all day.

It was clear the systems set up to both protect whistleblowers and enhance congressional oversight were failing him. What we didn’t know at the time was this was just the beginning of what would become a many months-long ordeal that would get much, much worse before it got better.

Working behind the scenes

When Amerine came to us for help, we were vaguely aware of his storied career. We knew there was a book about his experiences as a warrior, but we decided we had better not read it—we needed to be able to tell him what to do to focus on the battles ahead here in Washington, and that would have been a lot harder if we were treating him as the war hero he is.

We partnered with his original and dogged ally Representative Hunter and Hunter’s Chief of Staff, Joe Kasper.

At first we tried to bring the Army bureaucracy to its senses behind the scenes, asking them to reconsider their decision to investigate Amerine for making protected disclosures to Congress. Representative Jackie Speier (D-CA), the Ranking Member of the House Armed Services’ Oversight and Investigations subcommittee, co-signed a letter with Hunter to the Army challenging this improper interference with a member of the military’s right to speak to Congress and urging the Army to cease its retaliatory investigation. Their pleas were largely ignored.

The House Armed Services committee had also interviewed Amerine about the hostage recovery mess, but they were not moved to protect their right to access information—or their sources—so they decided not to try to help stop the investigation.

We turned next to the Senate.

Help from Senator Grassley

Senator Charles Grassley (R-IA), Chairman of the Senate Judiciary Committee, has been a dogged protector of whistleblowers for his whole congressional career. When Amerine explained his case to Grassley’s staff, they immediately understood what was going on and offered to help, asking Amerine to write a letter to the Senator asking for assistance. Little did we know this second protected communication would become the subject of a separate retaliatory investigation by the Army.

Amerine’s retirement orders were
deleted—our first sign that this had turned into a criminal investigation. Representative Hunter was able to determine how this had started: when the FBI had learned that Amerine was speaking to Congress, they decided Amerine “needed to get back into his lane.” They started a whisper campaign suggesting that Amerine was improperly disclosing classified information, triggering an Army Criminal Investigation Command investigation. His pay was temporarily suspended.

In June, Chairman Ron Johnson (R-WI) invited Amerine to testify at a Senate Homeland Security and Governmental Affairs Committee hearing about weaknesses in whistleblower protections—in Amerine’s case, the utter failure of military whistleblower laws. It almost didn’t happen. In the days before Amerine was scheduled to testify, the Army yet again tried to interfere and nearly convinced some committee staff that he should not be allowed to testify, creating the specter that his testimony would compromise classified information.

Incredibly, the Afghanistan war hero was now being targeted by bureaucracies back in DC. “Worst for me is that the cadets I taught at West Point, now officers rising in the ranks, are reaching out to me to see if I’m OK,” he told the Senate. “I fear for their safety when they go to war, and now they fear for my safety in Washington.”

**DoD Inspector General = FAIL**

Amerine had earlier filed a complaint with the Department of Defense Inspector General (DoD IG) alleging retaliation for his communications with Congress. We filed an expedited Freedom of Information Act request to the DoD IG for their investigative report. Even though they are supposed to act as a safeguard for whistleblowers, we were pessimistic that they would actually help in Amerine’s case. A POGO investigation had previously found the DoD IG refused to release investigative reports that would embarrass high-level officials, and whistleblowers within the DoD IG’s own office allege that the office watered down and changed investigative findings to avoid political controversy. We also worried about their basic competence and capacity to do the work. An internal review of the DoD IG’s investigation of military reprisal cases found gross mishandling of the cases, with its own investigators disputing the dismissal of more than half of the cases it reviewed.

This time the DoD IG’s failure was spectacular, and the story shifted from the bizarre into the absurd. Despite evidence that the Army’s investigation into Amerine was retaliatory, and therefore illegal, the flaccid DoD OIG yet again failed to do their job in protecting a whistleblower.

To make matters even worse, the DoD IG provided a summary of their investigation into the Amerine case—concluding that he had not been retaliated against—to the Army, which promptly leaked it to The Washington Post. Yet, the IG refused to provide the report to any Congressional office that requested it, even to staff who had the specific clearances and privacy waivers required to receive it.

Every system was broken.

When September came and Amerine found himself fingerprinted, we couldn’t help but ask ourselves, will this stop at a court-martial? Could he end up in jail?

The hero was now being treated as a criminal. The white-hot hatred with which institutions attack whistleblowers spares no one—and now it turned toward Amerine, the war hero.

**Victory**

It took Amerine assembling his “last guerrilla army” of Congressional supporters, POGO, lawyers at Katz, Marshall and Banks, and a few courageous military officers acting behind the scenes to turn it all around. We all pulled so many levers we’re still not sure what worked. But only a few weeks after Amerine was “processed” as a criminal suspect, we all gathered together in a private ceremony as he was awarded the prestigious Legion of Merit medal for his military service, reserved for “exceptionally meritorious conduct in the performance of outstanding services and achievements.”

While that battle is over, the war is not. What if a less-celebrated military service member had spoken to Congress about wrongdoing? Would we have seen the same resolution?

Our military whistleblower protections have fundamentally failed: we have a DoD IG that is at best a lapdog for the military services, and at worst a henchman for vindictive bureaucracies. The whisper campaign from the FBI almost succeeded in destroying a hero’s life. We need to completely clear Amerine’s name, and we must fix the laws that apply to military whistleblowers so that they actually work.

Oh, and yes, now we will read that book.

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Pentagon Testing Office Calls Foul on F-35B “Operational Test”

BY DAN GRAZIER AND MANDY SMITHBERGER

This July the Marine Corps declared its variant of the F-35 combat ready after conducting operational tests from the deck of the USS Wasp. Initial press reports about the aircraft’s performance heralded the success of the tests as a rebuttal to the program’s critics. But a complete copy of a recent memo from the Director of Operational Test and Evaluation (DOT&E)—obtained by the Project On Government Oversight through the Freedom of Information Act—reveals that a number of maintenance and reliability problems “are likely to present significant near-term challenges for the Marine Corps.”

The Marine Corps named this demonstration “Operational Test One,” but it turns out it wasn’t actually an operational test, “in either a formal or an informal sense of the term.” To count as an operational test, conditions should closely match realistic combat conditions. But DOT&E found the demonstration “did not—and could not—demonstrate that Block 2B F-35B is operationally effective or suitable for use in any type of limited combat operation, or that it was ready for real-world operational deployments.”

The details buried inside the report’s annexes also show just how much trouble the crew faced in attempting to keep the F-35s selected for the demonstration flight-worthy. Before the demonstration even began the Marine Corps had to swap out one F-35B with another “due to a fuel system fault that would have been impractical to fix at sea given the maintenance workload.” In combat, not only would this kind of replacement be impractical, it would likely be impossible.

Unrealistic Tests
DOT&E offered a laundry list of artificial advantages present in the demonstration:

- A relatively empty flight deck, without over 20 additional aircraft that make up the rest of the Air Combat Element (ACE). DOT&E notes that there are “additional complications that the presence of the other aircraft and personnel from the ACE would inject into the F-35B operations and maintenance.”

- The absence of key combat mission systems, since they were either not installed or not cleared for use. Specifically, the nose apertures for the infrared Distributed Aperture System, which provides missile launch warning and situational awareness to pilots, were not installed. Night vision camera use was restricted to elevations above 5,000 feet. And only limited radar modes were available for some of the Block 2B aircraft. Critical warfighting systems like these cannot operate without advanced software which was unavailable at the time of the demonstration. If these systems had been available, they would likely have added additional maintenance burdens.

- For the software that was installed, DOT&E noted that degradations that would have to be addressed in combat “were often ignored during this event, as long as the aircraft were able to safely conduct the event’s limited training objectives.” This meant that in some

instances, planes were flown when they were not fully combat ready.

- The aircraft were not cleared to carry any ordnance. This was hardly surprising because the F-35B will not be able to fire its gun until 2019.9

- Lockheed Martin, Pratt & Whitney, and Rolls Royce all provided Field Service Engineers (FSE) aboard with uniformed maintainers. The number of individuals varied, but the report notes approximately 80 contractor civilians participated. Such personnel would likely not be available during actual combat operations.10

- Due to an unreliable logistics management system—namely the Automatic Logistics Global Sustainment (ALGS) system—crew used “non-operationally representative [supply system] workarounds” to support the program, including for basic tasks such as fueling. The Marine Corps was able to support the aircraft only with “several ad hoc supply actions to obtain spare parts...that could not have been accomplished in a timely or a practical manner when operationally deployed.”11 This includes staging several extraordinary parts runs using MV-22 aircraft specially staged for the purpose.

**Poor Test Results**
The F-35Bs used for the demonstration were never able to achieve the planned number of flight hours over the 10 days of flight operations due to various maintenance issues. The report compares planned flight hours and hours actually flown for each day of flight operations; hours flown were only 70 percent of those scheduled.

Maintenance problems grounded the planes throughout the demonstration, with as many as four of six aircraft out of action on the evening of May 22. On May 23, the squadron commander cancelled two planned missions to give maintenance crews more time to complete aircraft repairs.12

The report shows the unusual lengths used to resolve some of the issues. When one plane needed a replacement fuel boost pump and none were available on board, one was flown in from Norfolk Naval Air Station. Maintainers attempted to install the replacement part, but it was damaged. Three more identical parts were later shipped to ensure at least one undamaged part would be available.13

In another instance, one F-35B needed a replacement voltage regulator to return to mission capable status. The part was unavailable locally, so one was flown from Fort Worth, Texas, out to the USS Wasp within 18 hours. The authors of the report noted, “This level of support should not be expected as normal for combat deployments once away from the continental United States.”14

The Marine Corps and Lockheed Martin anticipated issues and made special arrangements to support this event. The report notes the Marine Corps placed several MV-22’s on standby to conduct logistics runs for the test. Lockheed Martin also prioritized support for the deployment “very highly” and positioned contractors at bases across the country to rapidly move needed parts through the system.15 This is hardly surprising, since it was in Lockheed Martin’s interests to do everything possible to see that this demonstration went as smoothly as possible.

While there is nothing unusual about military equipment requiring maintenance to remain operational, the number of mechanical and electronic maintenance problems during this short period of time, and on such a highly publicized event, is remarkable. Combat requires a readiness rate of 80 percent.16 But during this demonstration, the F-35 struggled to maintain even a 50 percent readiness level.

The reliability and operational availability of an aircraft is important in terms of combat readiness and for
training purposes. But even the best aircraft in the world is useless without a skilled pilot, which requires them to fly as often as possible in conditions replicating those they will face in combat as possible. The USS Wasp operational test, which seems no more than a PR exercise, simply confirmed that beyond the highly publicized questions regarding the F-35's combat effectiveness, more pressing issues remain about its basic reliability. If the most expensive weapons system in history can’t even get off the ground often enough to train pilots adequately, then all the money spent on it has been wasted.

Despite this poor showing, and even though major combat capabilities are missing, the Marine Corps still declared its variant of the F-35 ready for combat in July. The Marine Corps’ statements to the press note that the early operational F-35Bs do not have the new night-vision helmet, the Small Diameter Bomb II, the GAU-22/A four-barrel 25mm Gatling gun essential for even minimal close support of ground troops, or the ability to stream video and simultaneously fuse sensor data from four aircraft.17 Block 2B was supposed to be the first block to have any claimed combat capability, but even this capability was not ready for the F-35s in the IOC test due to deficiencies identified in testing that cannot be resolved until later blocks.18 Now the first system to have “Full Operational Capability” (FOC) will be Block 4, currently scheduled to be declared fully capable in 2022—assuming no further schedule slips in the intervening seven years.19

Traditionally, declaring IOC has depended upon completing combat-realistic testing, as was the criteria for the F-22’s IOC declaration in 2005.20 The Marine Corps admits the “initial” deployments are several years down the road. F-35Bs will not be deployed to Okinawa until 2017 at the earliest, and won’t be deployed on amphibious assault ships until 2018.21 The F-35B’s IOC declaration does not establish that any necessary combat capabilities have actually been achieved. It simply shows that the Joint Strike Fighter Program Office and the Marine Corps were doggedly determined to reap the public relations benefits of meeting their artificial IOC deadline—even if in name only—no matter what. ■


**ADVISORY BOARD CONTINUED FROM PAGE 2**

authored and co-authored several books, which are used in numerous courses, including by the Department of Military Instruction at West Point. His next book, The Missing Link: Developing Personnel For Mission Command, a Superior Command Culture, will be published soon.

**Col. Gary I. Wilson, USMC (Ret.),** is a recognized civilian and military subject matter expert on fourth-generation warfare. He has been published in numerous professional journals and has contributed to several books regarding national security and emerging threats.

**Col. Michael D. Wyly, USMC (Ret.),** has published prolifically in military journals, and has taught in Marine Corps Professional Schools. He has led a revision of Marine Corps tactics with a view toward making them fully relevant to the exigencies of modern war.

Veterans are often the ones most outraged by failed acquisition programs and waste because they understand the true cost, and what could have been done to prevent it. Our military advisors are also in a unique position to cultivate and support reformers inside the system. Already their addition has deepened the perspective of our work to focus more rigorously on how personnel reforms are intrinsically linked to the proper stewardship of our tax dollars.

Their voices may be more important now than ever. The waste at the Pentagon, the lack of spending transparency, and the inability of the Pentagon to pass an audit are all outrageous and unacceptable on their face. But this waste also represents a significant opportunity cost to the growth and vibrancy of the U.S. economy. Those who refuse to challenge this corruption surrounding the Pentagon make our country weaker. We look forward to working together to secure more effective and ethical military forces at a significantly lower cost, and we thank you for your continued support as we continue the mission. ■

Air Force Campaign Against the A-10 Takes Readiness Hostage

BY MANDY SMITHBERGER

The A-10 is very popular with combatant commanders—an inconvenient fact for the Air Force’s ongoing campaign to scrap the plane. The plane continues to perform daily with striking effectiveness in Afghanistan and Iraq. In Syria, Air Force headquarters claimed the A-10 couldn’t be used due to the country’s air defenses, only to later confirm that Central Command (CENTCOM) used A-10s in Syria against the Islamic State. Similarly, in Ukraine, Russia’s saber-rattling prompted urgent requests from European Command (EUCOM) for A-10s to return to Germany. In all of these instances, the requests overrode Air Force headquarters’ reluctance to deploy the Warthogs.

Now a letter signed by ten Senators reveals the Air Force has taken a number of actions to undermine the A-10 fleet’s readiness to deploy, appearing to violate the law and the intent of Congress. The cumulative—and apparently deliberate—effect of these actions is that there may soon come a day when a combatant commander requesting A-10 support will not be able to get it: the Air Force will simply not have the aircraft available to send.

Senator Kelly Ayotte (R-NH) and Senate Armed Services Committee Chairman John McCain (R-AZ), as well as eight other Senators, sent a letter to Air Force Secretary Deborah James on this backdoor retirement. The letter showed that the Air Force has a three-pronged approach to undermining the readiness of the A-10 fleet:

1. Cut Funding
   Between fiscal year 2014 and fiscal year 2015 the Air Force cut A-10 depot maintenance funding by 40 percent. As a consequence of this cut and reductions in A-10s cycling through essential depot-level repairs, the Air Force admitted that fewer A-10s would be available to be deployed. The Senators note that the Air Force’s request for depot funding and entries in its most recent budget request still fall short of projected combat, deployment, and training requirements. Congress prohibited the Air Force from retiring the A-10 (Sec. 133), including manning support, leaving 283 flyable A-10s. If the Air Force is allowed to continue these kinds of depot cuts, however, projections show that only approximately 89 A-10s would be deployable next September. Additionally, the Air Force transferred the top 30 A-10

THREE WAYS THE AIR FORCE IS TRYING TO RETIRE THE A-10 AGAINST CONGRESS’ WILL

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CUT FUNDING FOR DEPOT MAINTENANCE BY 40%
If allowed to keep depot cuts, only about 89 A-10s would be deployable next September. The Air Force has also transferred the top 30 A-10 maintainers to the F-16.

MOVING A-10s TO “MOTHBALED” STATUS
Without authorization, the Air Force has moved 18 A-10s into “XJ” status. XJ planes are deemed “excess to requirements” and are not flown.

REDUCING COMBAT EFFECTIVENESS
These cuts have reduced the number of operational test sorties by over 50%. This is significantly below the testing needed to keep the A-10 combat-ready.
maintainers at Nellis to F-16 squadrons, crippling essential A-10 operational testing and evaluation.6

2. Move More A-10s Closer to Mothball Status
In the final days of the 113th Congress, a “compromise” heavily pushed by the Air Force was tucked into the National Defense Authorization Act for FY 2015.7 The “compromise” allowed the Air Force to move A-10s into virtually retired “backup active status.” The Air Force expeditiously moved 18 A-10s into backup status in February, as allowed by the law.8 But what was not authorized was the Air Force moving these 18 A-10s into “XJ” status, as the Senators say they did in May. In backup active status, planes must be flown periodically to maintain their combat readiness—similar to how one occasionally drives an infrequently used car; in XJ status, planes are deemed “excess to requirements.” They aren’t flown, and are only one step from being mothballed.

3. Reducing Combat Effectiveness
The Nellis operational test squadron conducts the testing necessary to keep the A-10’s electronics and weapons completely current and effective for the plane’s ongoing combat deployments. Over the last twenty years, this operational testing has been critical to the A-10’s development and fielding of the most capable plane for ground attack of any aircraft today. The two squadrons at Nellis have already been decimated, including the shifting of 30 of their most skilled A-10 maintainers, and now Air Force headquarters has furthered that deterioration by including 3 of Nellis’s planes in the 18 that have been moved into XJ status. Depriving these squadrons of these planes and maintainers, along with cutting the number of operational testing pilots to 2, has reduced the number of test sorties by over 50 percent. This is significantly below the testing needed to keep the A-10 fully ready to use the latest Air Force weapons and to be fully combat effective in the face of evolving threats.

By defying Congress’s mandate to keep 283 A-10s fully supported and flyable, Air Force headquarters is undercutting the ability of our combatant commanders to carry out their missions. By cutting the A-10’s upgrade and operational testing and evaluation funding, the Air Force brass is slowing the modernization and effectiveness of the few A-10s available. As War is Boring points out, this is a repetition of the Air Force’s depriving the A-10 of needed maintenance and modifications in the 1990s. Taxpayers footed the bill for the additional costs of deferred maintenance while American soldiers in Iraq and Afghanistan suffered the costs of inadequate close support—just as they are likely to again if Air Force headquarters persists in this backdoor mothballing of the A-10 fleet.

In the letter, the Senators request that the Air Force provide a plan to increase maintenance to meet congressional law and intent, as well as that the Air Force provide an explanation for why 18 A-10s were deemed to be in excess of requirements and therefore taken out of flyable status.

“The Air Force should plan its A-10 depot level maintenance funding for the Future Years Defense Program based on the assumption that Congress will continue to prohibit the divestment of A-10s until an equally capable close air support aircraft achieves full operational capability,” the Senators wrote. Despite the protests of pilots and Joint Ter-

minal Attack Controllers, and three years of broad, bipartisan congressional rejection of the Air Force’s plan to retire the A-10, headquarters’ senior officers still persist in their schemes to get rid of the world’s most effective close support force.10

Air Force Chief of Staff General Mark Welsh has complained that he resents the portrayal of the Air Force as not supporting the close air support mission.11 But the ongoing actions by Air Force headquarters provide stark and compelling evidence of that portrayal. The only way for General Welsh to prove Air Force critics wrong is by providing Congress a plan and a budget for fully supporting the A-10 and the future of effective close air support for American troops.
Fortunately no one was hurt when the Joint Land Attack Cruise Missile Defense Elevated Netted Sensor System (JLENS) aerostat balloon broke loose from its mooring at Aberdeen Proving Ground, Maryland, in October. The snapped tether cable did cause some property damage and knocked out power for 30,000 residents of Pennsylvania, but that can all be repaired. So people are free to laugh at this latest blunder. Images of the runaway blimp floating north raced across social media faster than the blimp did across 160 miles of Maryland and Pennsylvania.

While a military balloon floating freely over rural America is unusual, nothing about the program is: the length of the development process, the massive expense, the dubious statements, and the political engineering are all-too typical. The JLENS program represents perfectly every over-inflated military program since World War II.

Most people had likely not heard about the Army’s JLENS program before the runaway blimp captured the public’s attention, but it has been underway for 17 years. The system is designed primarily to look for and track low-flying targets. That means it’s supposed to be able to track planes, helicopters, and land attack cruise missiles. Raytheon first won the $292 million contract to develop the program in January 1998. Reading through the timeline of the program’s development, one can see how the cost inflated through a series of modifications and negotiations:

**January 30, 1998:** Raytheon won an $11.9 million increment as part of the estimated $292 million contract.

**June 23, 2005:** Raytheon received a $79.5 million modification to a cost-plus-incentive fee contract for JLENS.

**November 15, 2005:** Raytheon announces “a $1.3 billion contract modification” for JLENS.

**January 3, 2007:** Raytheon announces that JLENS negotiations have been finalized at $1.4 billion.

**January 11, 2007:** Raytheon received a $144.3 million increment to the $1.43 billion JLENS contract.

**October 5, 2012:** Raytheon receives a $59 million cost-plus-incentive-fee contract modification, covering JLENS support until Sept 28, 2013.

By the time the aerostat floated away, the DoD had spent approxi-
A Soaring Beacon for Military Reform

The JLENS: A disgruntled former postal employee flew a gyrocopter low through miles of restricted airspace to land on the lawn of the Capitol Building, exactly the kind of threat JLENS is designed to detect. But even after all that time and money, the system was “not operational” that day. This latest incident has prompted renewed scrutiny from Capitol Hill. The House Oversight and Government Reform Committee has requested documents relating to the program to determine whether or not it is a wise investment of taxpayer dollars. Maryland Senator Barbara Mikulski (D-MD) has called on the Army and the North American Aerospace Defense Command (NORAD) to investigate the latest incident thoroughly.

Business as Usual

The JLENS program is now frequently dubbed as a “zombie” program because it just won’t die. Army leadership tried to cancel it in 2010 in favor of other systems to detect rockets, artillery, and mortars. Then-Senator Tom Coburn (R-OK) estimated in his 2011 “Back in Black” deficit reduction plan that the Army could save $5.8 billion by cancelling the JLENS program. Even with such efforts, the program survived, likely for two reasons: political engineering and the revolving door.

Raytheon has spread the work designing and building the JLENS across at least eight states, according to the LA Times. Several Members of Congress from both parties have a vested interest in protecting the program in order to ensure their districts receive more money and jobs. Representative “Dutch” Ruppersberger (D-MD) celebrated when he received word the JLENS would be deployed to his district, and touted the 140 jobs it would bring. The program received special attention during negotiations for this past year’s National Defense Authorization act when Senator Kelly Ayotte (R-NH) added a provision requiring the Army to brief Congress on options to deploy more systems around the world. Raytheon tests the JLENS at its facility in Pelham, New Hampshire.

This is a common practice of defense contractors, often described as political engineering, a phrase first identified by Pentagon reformer Chuck Spinney. James Fallows, a respected author about Pentagon reform matters, defines political engineering as “the art of spreading a military project to as many congressional districts as possible, and thus maximizing the number of members of Congress who feel that if they cut off funding, they’d be hurting themselves.” The infamous revolving door between the various elements of the military-industrial-congressional complex also appears to play a role in this story. The JLENS program survived Army attempts to kill it when the then-vice chairman of the Joint Chiefs of Staff, Marine General James Cartwright, came to its rescue. According to the LA Times investigation, the program would not have survived without his intervention. Within months of his retirement, Raytheon elected General Cartwright to its board of directors. He has since pocketed several hundred thousand dollars from the company.

The Future of JLENS

The Army quickly collected the wreckage of the blimp from the woods of Pennsylvania and vowed to undertake a thorough investigation. It has suspended the program until the investigation is complete. While this sounds like a prudent step, the Army had little choice in the matter: half of the working system is currently riddled with buckshot.

Still, the program lives on. Congress did not include the JLENS in the $5 billion it trimmed from the next defense budget. It is unclear what, if anything, can actually kill this program.

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