

MEMORANDUM FOR ALL MILITARY PERSONNEL AND DEPARTMENT OF DEFENSE EMPLOYEES

SUBJECT: Our Responsibility to Safeguard our Nation

Public service, notably service in the United States, is a privilege and a public trust. That trust is bounded by the Oath of Office we took willingly. It is a legally enforceable obligation to support and defend our Constitution, keeping our leadership and carrying out our orders in order to safeguard the American people. We have troops in harm's way, carrying out their orders and putting their lives on the line.

In order to carry out our responsibilities, we are privy to some of the most sensitive and closely held information in our land. It is a violation of our oath to divulge, in any fashion, non-public DoD information, classified or unclassified, to anyone without the required security clearance as well as a specific need to know in performance of their duties. Divulging information in violation of these precepts places at risk our troops in harm's way, our operations, and our technological advantages over our foes. Our integrity as individuals and our department imparts special responsibility on each of us to protect our secrets. Cavalierly protecting non-public information, classified or unclassified, or intentional release of information to unauthorized persons, is a serious matter in this Department. Our duties to office and our demand we preserve and protect all matters vital to defending the Nation.

We must be vigilant in executing our responsibility to prevent unauthorized disclosure of information not authorized for release outside of the Department of Defense. We must be alert to prevent unauthorized disclosure of non-public information, whether by implied acknowledgement or intentional release. Misconduct resulting in unauthorized confirmed disclosure must be reported at once.

Protecting non-public information in no way inhibits our ability to communicate with Congress and the public.

TRANSPARENCY

PHOTO OF JAMES MATTIS: DOD / ARMY SGT. AMBER I. SMITH; ILLUSTRATION: CJ OSTROSKY / POGO

## The Pentagon's War on Transparency

It'll take more than a press briefing to reverse the Department of Defense's troubling retreat into secrecy

BY JASON PALADINO

On August 28, Mark Esper held the first televised press briefing by a sitting secretary of defense in over a year. His predecessor, James Mattis, had stopped televised press briefings altogether, favoring informal but on the record conversations with reporters.

During the briefing, which was reportedly packed, Esper spoke of his apparent desire to improve the department's relationship with the

public. "The United States military has a proud history and a great story to tell," he said. "It is my commitment to the American people, who entrust us with their sons and daughters, to keep them informed of the work that our soldiers, sailors, airmen, Marines and Department of Defense civilians do every day to keep our nation safe."

Weeks later on September 19, Jonathan R. Hoffman, chief spokesman for the department, took to the podium to hold a televised press briefing, breaking a 15-month silence by his predecessor. "Keeping with our

regular briefing schedule, we will see you guys again next September," he joked at the end.

While the reintroduction of press briefings is a welcome development, the reality is that it will take much more than that to pry open doors nailed shut under Mattis. There are already signs that despite Esper's touted commitment to openness, he is continuing some of Mattis's more secretive practices.

A timeline created by the Project On Government Oversight (POGO) shows that under Mattis and the Trump

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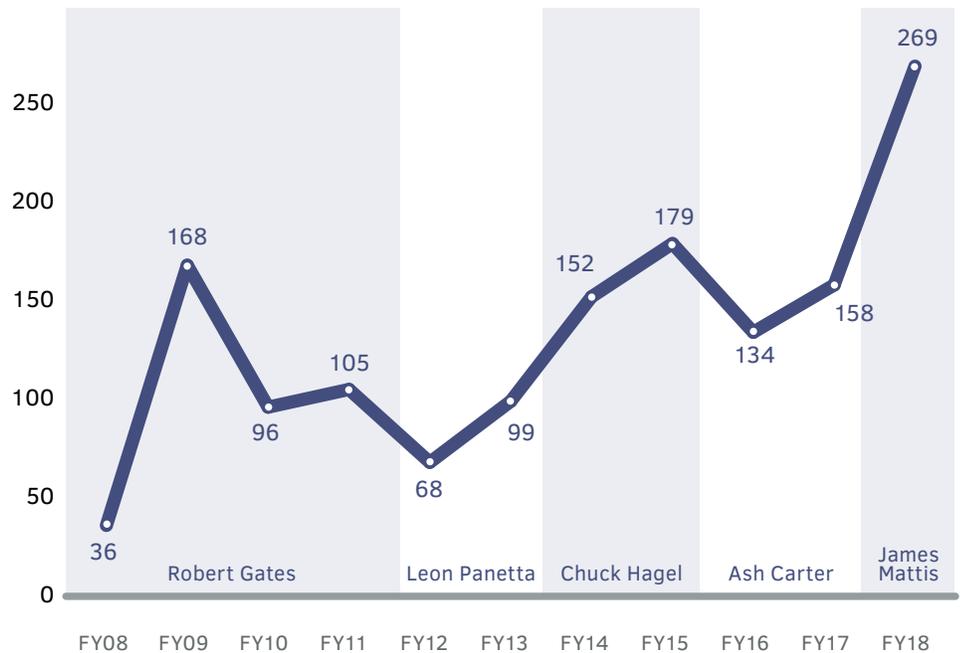
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administration, a wave of increased secrecy swept through the Department of Defense. An analysis by POGO of Freedom of Information Act (FOIA) data from the Department of Defense shows a similar trend. From fiscal year 2014 through the end of fiscal year 2018, even as total FOIA requests were down by almost 7%, information withholding went up 16%. In 2018, the government used FOIA exemptions to redact information in over 60% of requests, a five-year high,

compared to in 47% of requests in 2014. Some of that withholding may have gone too far: The data also shows a large spike in administrative appeals that resulted in a total reversal of the agency's initial decision to conceal the information.

And even though requests were down, the department's FOIA backlog increased. By the end of 2018, the FOIA backlog was 11,391, the highest in almost a decade. It seems unlikely that the backlog size is due to

## PENTAGON FOIA DECISIONS OVERTURNED ON APPEAL



This chart reflects the number of DOD FOIA decisions that were completely remanded on appeal; that is, the number of times that the DOD denied a FOIA request, then that decision was appealed, and the appeal decision completely overturned the denial. A remand may indicate that the DOD's decision to withhold the information was improper. (Chart uses data from the Department of Justice, obtained by POGO)

# DEFENSE GOING DARK

MARCH 1, 2017

Chief of Naval Operations John Richardson sends a memo telling staff not to "over-share."

## A Timeline of Pentagon Security Increases

insufficient resources, as the department's data showed a big boost in FOIA personnel. From 2017 to 2018, staffing jumped from 712 to 954 full-time FOIA employees, the biggest increase since 2011. It is unclear why the backlog has grown so dramatically despite more FOIA employees to handle requests. The department failed to respond to multiple inquiries by POGO.

Creeping secrecy is, of course, not unique to the current administration. Under President Barak Obama, who on the second day of his presidency committed to "an unprecedented level of openness in Government," several indicators suggest he didn't live up to that promise. A scathing Committee to Protect Journalists report pointed at the administration's "aggressive" prosecution of leakers and whistleblowers, reduced White House access to the press, warrantless spying, and secrecy around the drone assassination program. During George W. Bush's presidency, especially in the aftermath of 9/11, there was a predictable explosion of secrecy given the intelligence failures and vulnerabilities the attacks exposed, with broad laws expanding what information was able to be withheld from the public. For example, Bush issued Executive Order 13292, which among other things eliminated the "presumption of disclosure" of

government records. The number of original classification decisions soared, and agencies were given more authority to classify documents. The PATRIOT Act, passed during the Bush administration, allowed secret surveillance and warrantless searches of business records, and moved once public processes into the dark.

The legacy of post-9/11 secrecy is still with the United States today, but there is evidence of a renewed push for secrecy under the Trump administration.

The push began sometime around March 1, 2017, when then-Chief of Naval Operations John Richardson issued a memo to his senior civilian staff and flag officers that included a forceful reminder. "Sharing information about future operations and capabilities, even at the unclassified level, makes it easier for potential adversaries to gain an advantage."

*The National Interest* obtained an email dated March 2 to public affairs officers across the Department of Defense, this time from the Pentagon's then-spokesman Jeff Davis. The email took a similar tone:

*While it can be tempting during budget season to publicly highlight readiness problems, we have to remember that our adversaries watch the news too. Communicating that we are broken or not ready*

*to fight invites miscalculation. Know that he [the enemy] is well aware of our readiness shortfalls, as are our elected leaders on both ends of Pennsylvania Avenue. They don't need news stories to remind them. Help is on the way.*

When asked about the memo, said to be interpreting guidance directly from Mattis, Davis told *The National Interest*, "I'm glad you got it and I hope you do quote from it because we stand by it."

A number of lawmakers across the political spectrum appeared to see this as a departure from normal operations. As Republican Representative Mike Gallagher told *Defense News*, "It is precisely because of the scale of the challenges before us that transparency is more important than ever. I worry that by failing to discuss problems, we will only ensure there is no public pressure to fix them." Similarly, Democratic Representative Adam Smith called the changes "chilling" and wrote that they were "efforts to wrap the Pentagon in a blanket of unaccountability."

In the months preceding this guidance, press reports were documenting low readiness rates and a sharp increase in military aviation accidents. According to a House Armed Services Committee fact sheet, "In 2017, nearly four times as many members of

MARCH 2, 2017

**Pentagon spokesman Jeff Davis sends a second memo citing Mattis.**

OCTOBER 3, 2017

**Mattis sends a memo to all Department of Defense personnel and employees warning against disclosure.**

OCTOBER 30, 2017

***The Hill* reports: "Watchdog criticizes Pentagon for making data on Afghan forces classified."**

the military died in training accidents as were killed in combat.” As *Real Clear Defense* reported that same year, “Navy and Marine Corps have suffered enough accidental fatalities since 2015 to eclipse the total number of all uniformed American personnel killed in Afghanistan through both hostile and non-hostile action over the last three years.”

While the true root causes of the crisis are debatable, some point to the 2011 Budget Control Act, and the Pentagon and its boosters jumped at the opportunity to call for increased spending. Yet over the next three years, Mattis and his subordinates would deny the public the ability to understand the Pentagon, the health of the military, and the country’s military activities abroad. Bit by bit, the Pentagon has become more secretive, in stark contrast with its “Principles of Information,” which states that “Information will not be classified or otherwise withheld [sic] to protect the government from criticism or embarrassment.”

Mattis made his interpretation of these principles clear when he sent an unwavering memorandum, dated October 3, 2017, addressed to all Department of Defense employees:

*We must be vigilant in executing our responsibility to prevent disclosure of any information not authorized*

*for release outside of the Department of Defense: All hands must be alert to prevent unauthorized disclosure of non-public information for any reason, whether by implied acknowledgement or intentional release. Misconduct cannot be tolerated and suspected or confirmed disclosure must be reported at once.*

The tone of the memo is unmistakably blunt. And Mattis uses the term “non-public information” rather than classified information, effectively widening the bubble of secrecy not only to classified information, but to include any information produced within the walls of the world’s largest office building.

These events are detailed in the timeline of events compiled by POGO.

One of the earlier and more surprising changes following these policy directives was reported by Tara Copp, then a reporter at *Military Times*. Sometime before Copp reported the story in April 2018, the Pentagon decided the public shouldn’t be allowed to know the number of troops deployed in active warzones around the world, broken down by country. Historically, the department had posted each quarter’s data after a 3-month delay. The data, previously posted on a website maintained by the Defense Manpower Data Center,

appeared to be missing the numbers of troops deployed in Afghanistan, Iraq, and Syria. A note at the bottom of the spreadsheet now reads: “with ongoing operations, any questions concerning DoD personnel strength numbers are deferred to OSD Public Affairs/Joint Chiefs of Staff.”

When POGO inquired about the most recent releasable troop numbers, the Office of the Secretary of Defense refused to give numbers for Syria, citing “operational security concerns,” and gave only approximate numbers for Afghanistan (14,000) and Iraq (5,200). A few weeks ago, the House passed legislation condemning the president’s decision to withdraw U.S. troops from Syria. The American public has been denied the ability to have an informed debate about a topic of extreme gravity—where and how many U.S. armed forces are deployed. Instead, the public must rely on vague or piecemeal information. While the department refused to disclose troop numbers in Syria, the *Washington Post* estimated the number of troops arriving based on photographs of U.S. convoys emerging from the region.

The Defense Manpower Data Center appears to have briefly erased and then reentered the historical troop level data a few days later, Copp reported on Twitter.

“There is such a thing as operational secrecy that does provide a

MARCH 1, 2018

**Defense News reports: “US Air Force orders freeze on public outreach.”**

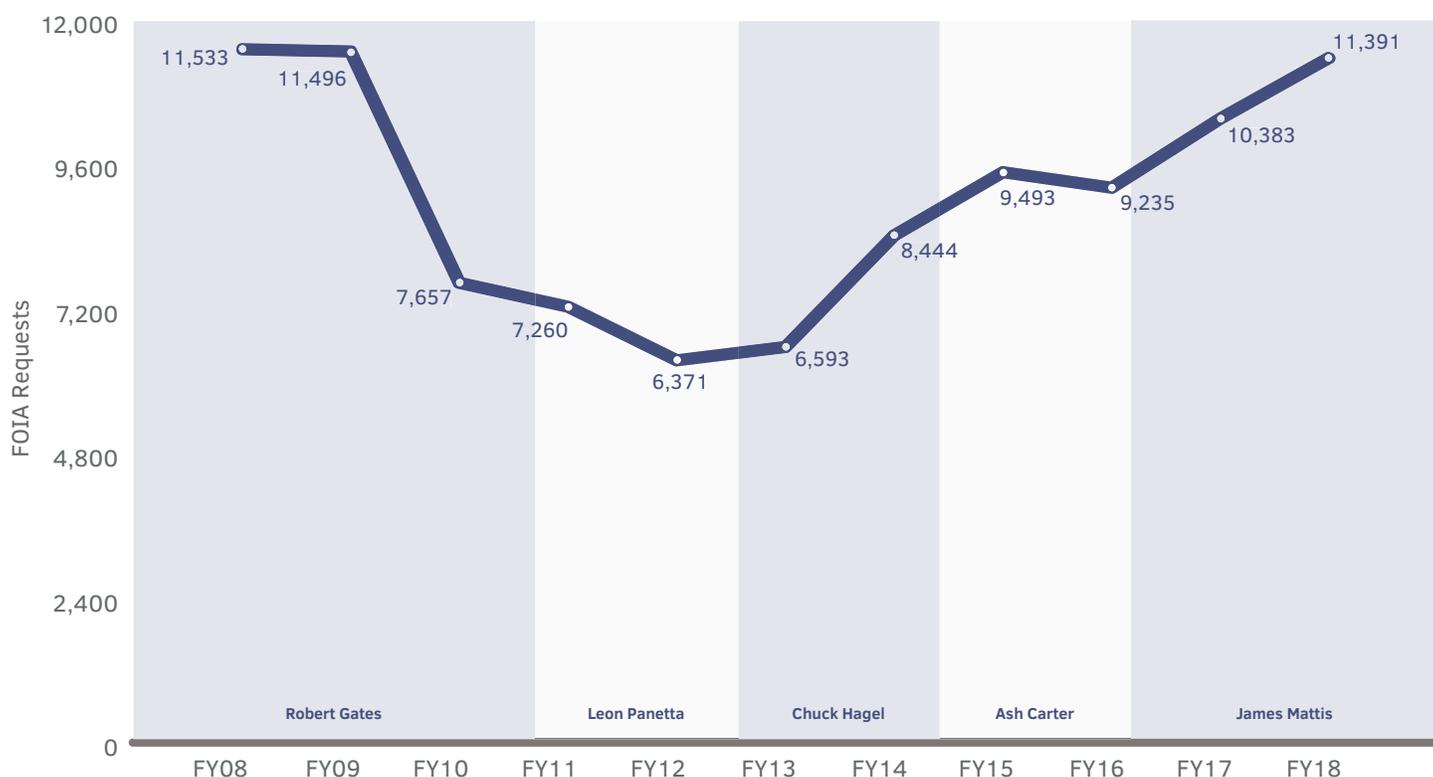
MARCH 30, 2018

**Defense Manpower Data Center, a data warehouse for the Pentagon, publishes deployment data with blank fields for Iraq, Syria, and Afghanistan.**

MAY 31, 2018

**Chief Pentagon spokesperson Dana White gives her last televised press briefing.**

## PENTAGON FOIA REQUEST BACKLOG



Even though FOIA requests were down over the past ten years, the department's FOIA backlog increased. By the end of 2018, the FOIA backlog was 11,391, the highest in almost a decade. (Chart uses data from the Department of Justice, obtained by POGO)

tactical or strategic edge, but this isn't it," Steven Aftergood, the director of the Federation of American Scientists Project on Government Secrecy, told POGO. "It's an arbitrary move that simply tends to decrease public awareness of the scope of U.S. operations in those areas."

On May 10, 2018, a month after the data removal became known, members of the House Subcommittee on

National Security of the Committee on Oversight and Government Reform wrote a letter to Mattis denouncing the change.

"In the interest of continued force protection, transparency, and accountability relating to our military presence in key combat zones, we respectfully request that you immediately reverse this policy," wrote Representatives Stephen Lynch (D-MA),

Peter Welch (D-VT), Mark DeSaulnier (D-CA), Jimmy Gomez (D-CA), and then-Representative Elijah Cummings (D-MD).

Earlier in August 2017, Trump, during remarks on his Afghanistan policy, hinted at his plan to increase secrecy around troop deployment.

"I've said it many times how counterproductive it is for the United States to announce in advance the

AUGUST 28, 2018

**James Mattis gives his last televised press briefing.**

OCTOBER 28, 2018

**Then-Ranking Member of the House Armed Services Committee Representative Adam Smith writes in *Defense One*: "The Pentagon's Getting More Secretive – and It's Hurting National Security."**

JANUARY 9, 2019

***The Intercept* reports: "Defense Department Abruptly Stopped Releasing Key Details On Strikes In War Against ISIS."**

dates we intend to begin, or end, military options. We will not talk about numbers of troops or our plans for further military activities,” he said, echoing an earlier sentiment.

“The secrecy bit is always bullsh—the Taliban is not changing its strategy if it hears we’ve got 11,000 vs. 15,000 troops in Afghanistan,” said Jason Dempsey, a senior fellow at the Center for a New American Security and an Army infantryman with two deployments to the country, in an interview with POGO. Dempsey, who worked on veterans’ issues under the Obama administration, has written extensively on the relationship between the military and the public.

“That absolutely is something the American public needs to know ... we need to know which sons and daughters are being put in harm’s way and for what purpose and for how long,” Dempsey said.

The squeeze on information is apparently being felt inside the Pentagon as well. John F. Sopko, special inspector general for Afghan reconstruction, published his concerns in his public quarterly report in October

“We’re having trouble getting information, although we can get classified information. It’s just that we cannot share it with the American people who ultimately are paying for the Afghan military, the Afghan police, their salaries, weapons, et cetera,” Sopko told NPR in January 2018. By then, Sopko was also forbidden from publishing data on the territorial gains and losses in the country. Removing this information, Center for Strategic and International Studies national security analyst Anthony Cordesman told the *New York Times*, meant “there now is no official estimate of progress in the war.”

Things didn’t get any cheerier for Sopko, who watched as whole categories of information became classified. Sopko spoke frequently to the press about how the push for secrecy was making his oversight mission more difficult.

“The classification, in some areas, we think is needless, but we don’t have classifying authority,” Sopko told *Military Times* this April. “The only people who don’t know what’s going on are the people who are paying for all

The Pentagon backed down a week later, after Sopko criticized the classification decision in a quarterly report.

Secrecy without justification seems to have become the new normal. In the spring of 2018, the Department of Defense refused to declassify the size of the U.S. nuclear arsenal, reversing a seven-year trend. The Obama administration began declassifying the total size of the arsenal in 2010, in hopes that other nuclear-armed nations would follow suit. “Increasing the transparency of our nuclear weapons stockpile, and our dismantlement, as well, is important to both our nonproliferation efforts and to the efforts we have under way to pursue arms control that will follow the new START treaty,” the Pentagon told reporters at the time.

Declassification requires sign off from the Department of Energy and the Department of Defense, according to Aftergood. When the Federation of American Scientists requested the data for 2018, the Department of Energy authorized the release. The Pentagon, in a letter with no explanation, denied the request.

“The logic is opaque to me. Does this increase readiness? Does it increase deterrence? I would say no, and no. It increases ambiguity. And ambiguity is normally not what you want in nuclear weapons policy, you want clarity,” Aftergood told POGO, who had requested the data be made public. “I don’t really know how to assess DOD’s thought process that led to this conclusion but it occurred within the climate that Mattis established.”

Nuclear weapons policy wonks have historically been able to guess the size of the stockpile using open source methods. In 2010, for example,

*That absolutely is something the American public needs to know ... we need to know which sons and daughters are being put in harm’s way and for what purpose and for how long.*

2017 that the department was overclassifying information about Afghan forces’ capabilities. Key measures of progress were suddenly classified or restricted, hampering the mission of the office. Although his team could use the data internally, it could not make that data public.

of this and that’s the American taxpayer,” he added.

Although overclassification got worse under Mattis and Trump, it’s not a new issue. During the Obama administration, Sopko took issue with the sudden classification of data that had been public for six years prior.

Hans Kristensen and Robert Norris of the Federation of American Scientists were off by only 87 warheads. (They guessed 5,200, it turned out to be 5,113.) But once again, the effect is that the public and experts are left with piecemeal information and estimates, and ultimately are unable to hold the government accountable.

This is true of the Navy as well. In 2018, the Navy removed data on aviation accidents from a public facing website, and offered no explanation. This change was made as the Navy faced an 82% spike in accidents between fiscal years 2013 and 2017, *Military Times* first reported. A Navy public affairs officer denied the change had anything to do with the Pentagon-wide Mattis guidance, saying it was part of a website redesign.

The creeping secrecy has since extended to the military's public acknowledgment of air strikes. Prior to 2019, the Air Force and Central Command released fairly detailed summaries of air strikes. Details like location, intended target, and number of enemy combatants killed or targets destroyed are crucial for human rights and watchdog groups that attempt to investigate reports of civilian casualties.

As the military began ramping up its airstrikes in Syria and Iraq this year, the releases have gone from weekly to biweekly and don't include key details, instead summarizing the airstrikes. Groups that track and investigate the aftermath of U.S. and coalition airstrikes were alarmed at the changes. Airwars tweeted that "[the U.S.-led coalition] has abandoned its 52-month record of saying where and on which dates it strikes in either Iraq or Syria - a major blow for public accountability." The group

estimates that, as of October 8, 2019, between 8,214 and 13,125 civilians have been killed, contrasted with the U.S.-led coalition's estimate of 1,335, according to their website.

"In the period that we stopped releasing information we actually significantly ramped up airstrikes in Iraq and Syria and there was a significant increase in civilian casualties from U.S. coalition strikes," said

*Today's missile-defense gap echoes the imaginary 1950s U.S. missile and bomber gaps (compared to the Soviet Union) used to justify sharp increases in U.S. defense spending.*

Emily Manna, a policy analyst at Open The Government, in an interview with POGO, "so it's a really devastating loss of information for the groups trying to match reports of civilian harm with information that the U.S. military can actually confirm."

According to Manna, this data collection and analysis is crucial because the Pentagon does not do on-the-ground assessments of civilian harm.

As data on U.S. military operations becomes less available, reporters and the public will likely become more reliant on official narratives through public affairs personnel.

In March 2018, the Air Force decided to "retrain" their public affairs staff, citing concerns of "operational security," according to a memo obtained by *Defense News*. "As we engage the public, we must avoid giving insights to our adversaries which could erode our military advantage. We must now adapt to the reemergence of great power competition and the reality that our

adversaries are learning from what we say in public," the memo reads.

As John Donnelly, president of the Military Reporters and Editors Association, told Federal News Network at the time, "Given the ambiguity about what's allowed and the message from the top stressing secrecy, officials who are wary about their careers may err on the side of withholding information. And in a worst case scenario,

such guidance could be used to justify keeping out of public view data that may simply be embarrassing to the Air Force but that the U.S. citizenry needs to know."

"I think Mattis was terrible on transparency and access," Donnelly told POGO, when asked to reflect on the general's legacy. "He sent a chilling signal through the Defense Department when it comes to press access."

Across the Department of Defense, basic information is becoming harder to find, forcing journalists and the public to rely on leaks, whistleblowers, and, as long as they continue, the regularly scheduled press briefing. If Esper and his staff are serious about transparency, they'll have to do much more than appear in front of a podium to undo the corrosive effects of the Mattis directive. ■

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The first U.S. Air Force F-35A Lightning II aircraft to land at Hill Air Force Base (AFB), Utah, arrives Sept. 13, 2013. The aircraft was scheduled to undergo post-production modifications at the Ogden Air Logistics Complex after a ceremony Sept. 20, 2013. The ceremony marked the beginning of depot maintenance of the F-35 at Hill. (PHOTO: DOD / STAFF SGT. DEVIN DOSKEY, U.S. AIR FORCE)

## Deceptive Pentagon Math Tries to Obscure \$100 Million+ Price Tag for F-35s

Triumphant headlines mislead the public about the program's true costs

BY DAN GRAZIER

**P**entagon leaders are likely reveling in the news that they have negotiated an agreement with Lockheed Martin that they claim drives down the unit cost of the F-35 joint strike fighter to below \$80 million in the next few years. While any reduction in costs for the most expensive weapons program in history is an improvement, all is not as it appears in the industry trade press. A quick perusal of publicly available Pentagon budget

documents shows the real cost of the F-35 to be above \$100 million per copy for the fiscal year 2020 buy. Given the work that remains, and the way the Pentagon has surrendered many key responsibilities to the manufacturer, the price is likely to be at least that amount or higher for the foreseeable future.

The most commonly mentioned figure is for the F-35A, the Air Force's conventional takeoff variant and the least expensive model. The current estimate for the lot of aircraft currently in production is \$89.2 million

apiece. This figure is the unit recurring flyaway cost—the price tag for just the aircraft and engine, which by themselves do not make a fully functioning weapon system. That \$89.2 million does not include procurement funds spent on initial spare parts, flight training simulators, the expensive – and poorly performing – ALIS support system, and more, all unique to the F-35. You need all of it, not just an air frame and engine – literally not including the cost of fuel to fly it. When we also consider the future modifications necessary to correct

both the known and potential design flaws and the aircraft's \$44,000 per-flight-hour cost, it is easy to see why the F-35 program is the most expensive in history.

A handy tool for anyone interested in knowing more about actual costs of military programs and weapons is readily available online. The Pentagon posts budget materials for each fiscal year on the comptroller's webpage. Included are budget estimates and the justification documents containing more charts and figures than any reasonable person would care to view.

The Air Force's fiscal year 2020 budget pays for the 48 F-35As in Lot 11. The current \$89.2 million dollar price the Pentagon uses is calculated by separating out just the costs for the airframe and the engine from the larger total procurement cost that includes ALIS, simulators, initial spare parts, and more to get to the artificially low \$89.2 million. That is far from the whole story.

The Pentagon's own budget documents list the FY 2020 procurement cost for those 48 aircraft as more than \$101 million, nearly \$12 million more than the figure rolled out for press reports. Using the Navy's charts and the same math shows that the real costs for each F-35C is more than \$123 million, while each F-35B costs in excess of \$166 million. But even that figure doesn't tell the whole story.

None of this factors in the research and development costs of the program. Ellen Lord, the Pentagon's acquisition chief, announced on October 29 that the program needs more money to complete the developmental and testing phase of the program. The latest publicly available figures show that taxpayers will have spent

approximately \$55.5 billion for F-35 research and development. If the Pentagon purchases all 2,470 F-35s in the current plan, the true cost of each aircraft goes up by nearly \$22.5 million. Program officials had expected to complete development and operational testing by December 2019. But designers and engineers have struggled to complete the Joint Simulation Environment, a highly accurate simulator necessary to complete operational testing. The troubles stem from programming flight data and aircraft performance data gathered during real-world flights into the simulation software. The Joint Strike Fighter program will run out of development money before the simulator and the subsequent operational testing can be completed. The Pentagon expects to announce before the end of 2019 just how much more money beyond the program's current \$406.4 billion budget will be needed to complete this phase of the program.

No matter how the production costs are calculated, that money alone will not buy you a fully functional F-35. Engineers were not able to complete all of the combat capabilities that were supposed to be included as part of the original development phase of the program. This incomplete work, which taxpayers have already paid for, will now be completed in a new development phase and called "follow-on modernization." Only time will tell how much will ultimately be spent in this effort, but taxpayers are already on the hook for \$10.5 billion.

There is also the matter of the cost of maintenance and ownership. Lockheed Martin stands to make most of its money from the F-35 program in annual non-competitive sustainment contracts. As POGO has reported

before, the services can't independently perform many of the most basic maintenance functions on the F-35 and must instead rely on civilian contractors. Lockheed Martin currently receives \$2 billion a year to keep the fleet of approximately 400 aircraft flying, meaning the annual operating cost for each F-35 is \$5 million.

Pentagon officials had expected to make the long-anticipated full-rate production decision for the F-35 program before the end of this year. Also known as a Milestone C decision, the program must complete all the steps, including operational testing, as required by federal law. No one appears to be letting such trifling details stand in their way, however. The recent cost estimates emerged as part of the announcement of a \$34 billion deal for three years' worth of F-35 production—478 aircraft for the U.S. services and international customers—beginning in 2020. Officials continue to call this "low-rate initial production," but this is essentially full-rate production in everything but name. The announced 169 F-35s for Lot 14 is the full-rate production figure for the program.

The public shouldn't fall for the gimmicks the Defense Department constantly uses on aircraft unit cost, but the press, amazingly, seems to fall for it every time. Congress shouldn't buy these phony cost projections and compound the program's problems, based on a phony buy-in price by buying more F-35s before testing is complete. ■

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# Will Third Time Be the Charm for Pentagon's Star Wars Bullet?

Doomed second missile-defense effort followed a familiar path

**F**unny how a silver bullet, when designed and built by the U.S. military-industrial complex, costs its weight in gold. And when you're trying to hit a silver bullet with another silver bullet—the goal of the Pentagon's national missile shield since 1983—it turns out to be far more costly than that.

Meeting the challenges associated with shooting a bullet into a bullet—in space, no less—requires a methodical approach. It should be taken one step at a time. The first step should be completed before the second step is started. Yet the hype that has surrounded missile defense for more than a generation has telescoped those steps, resulting in a very costly, and very leaky, shield.

The good news is that the Pentagon finally scrapped its latest pie-in-the-sky effort on August 21 (after spending \$1.2 billion on it since 2013). The bad news is that it was merely a replacement for the original Exoatmospheric Kill Vehicle. The EKV (“exoatmospheric” means outside the Earth's atmosphere, roughly 65 miles high), is a cobbled-together contraption,

not unlike Rube Goldberg's inane mid-20th century inventions that harnessed collections of pails, pulleys, and pendulums to try to accomplish simple tasks. It was rushed into operation in 2004 and hasn't worked reliably since. The worse news is that killing the second effort is already leading to a third try. (And that's not the worst news; more on that to come.)

All of this was so predictable. The Pentagon and politicians hyped the threat, so they had to accelerate development. That made even the slim chance of success impossible. Quality work takes a painstaking approach that builds upon previous successes, and should be immune to the political posturing that only increases chances for failure.

The Pentagon needed to replace the original EKV with the Redesigned Kill Vehicle (RKV) because it cost too much, wasn't reliable, and missed too many targets during tests. Such exercises have always been highly scripted, meaning its real-world performance would be even worse. Now the RKV has been canceled after a long series of problems. Boeing led

the \$5.8 billion project, although Raytheon was actually building the RKV itself.

President Ronald Reagan's Strategic Defense Initiative was intended to make the Soviet Union's thousands of atomic warheads “impotent and obsolete.” But that proved impossible. With the end of the Cold War, the U.S. government has opted for a much smaller system designed to stop only a handful of missiles from a rogue state like North Korea or Iran. (The Pentagon's rhetoric hasn't adjusted to that more modest reality: “Missile defense. It's not a game,” the Pentagon's Missile Defense Agency says. “But you do get to save the world.”)

The original kill vehicle remains perched atop 40 missile interceptors based in Alaska and four in California as part of the Pentagon Missile Defense Agency's (MDA) Ground-Based Mid-course Defense system. Their aim is to collide with any incoming enemy missile and turn it into space dust. Precise details on the highly classified kill vehicles are tough to verify. But each roughly 4-foot-long “bullet” reportedly weighs about 140 pounds.

Ever since the U.S. government embraced a national missile-defense system, there has been a rush to throw billions of dollars at a limited threat. Today's missile-defense gap echoes the imaginary 1950s U.S. missile and bomber gaps (compared to the Soviet Union) used to justify sharp increases in U.S. defense spending. A theology now surrounds missile defense, its choir pounding a constant drumbeat that the threat is growing and requires even more resources, faster.

"This hit-to-kill technology has been proven in a number of successful flight tests, including three using Ground-Based Interceptors," the Pentagon says on its official webpage about the program, without specifying "a number." But elsewhere, the Defense Department concedes its first-gen kill vehicle has intercepted 11 of 19 fake enemy missiles—58%—in highly planned exercises that are a far cry from a real-world attack. Only three of the hits have begun by firing the EKV's into space aboard the Ground-Based Interceptor rockets they would actually use against an incoming enemy warhead.

Stopping a missile aimed at the United States is an admirable goal, assuming it can be achieved, and thwarting that threat is worth the cost. Americans have always embraced the notion that their know-how is preeminent, and that it can be harnessed to shield them from harm. It's an attitude encouraged by both the Pentagon and Congress (and some White Houses) because it generates good jobs, both in and out of uniform. But that shield—as we learned, to our dismay, in Vietnam and on 9/11—is a mirage. The debate needs to be over what level of risk is acceptable.

There are two challenges asso-

ciated with building a functioning national missile-defense system—political and technical. The political challenge has evolved as potential foes, led by North Korea, have developed ocean-spanning ballistic missiles. Any suggestion that a missile shield may not be the best approach to the problem is denounced by backers as surrendering to ballistic blackmail. Why North Korea would commit suicide by launching a missile toward the U.S., whose source the Pentagon would pinpoint within seconds, goes unasked and unanswered. The need also seems weakened given the warm relations between President Donald Trump and North Korean dictator Kim Jong-un. The far more plausible threat—that someone could anonymously detonate a nuclear device hidden aboard a cargo ship in a U.S. harbor—tends to be brushed aside.

The \$67 billion Ground-Based Mid-course Defense system represents roughly a third of the roughly \$200

*Funny how a silver bullet, when designed and built by the U.S. military-industrial complex, costs its weight in gold.*

billion the U.S. has spent on missile defenses since fiscal year 1985. Its price soared by more than 60% over the past six years (from \$41 billion in 2013) due to purported increasing threats. It is now the Pentagon's fourth most costly program, eclipsed by only the \$366 billion F-35 fighter, the \$123 billion Arleigh Burke-class destroyer, and the \$96 billion Virginia-class attack submarine.

And like all big programs, jobs play a major role in their continued existence.

With consolidation in the defense

industry, all the big players were involved in the RKV program, including Boeing, Lockheed, and Raytheon. But all politics is local. Alaska has expressed concern that the RKV's recent death might derail the Pentagon's plan to build 20 new interceptor missile silos at the state's Fort Greely. But that work will continue, a Missile Defense Agency official told Alaska Public Media a week after the RKV's demise. Of course, building missile silos without their most important component is zany. So when will that third-generation kill vehicle be ready? "We're at the outset of developing and procuring the Next-Generation Interceptor," agency spokesman Mark Wright said, "so we don't have a timeline yet."

Think of it as a shield of dreams: Build the silos, and the actual working kill vehicles will come.

Turns out, putting a kill vehicle atop a rocket and getting it to work is rocket science. The technical challenges associated with blowing an

enemy rocket out of the sky with a kill vehicle—at a combined closing speed of more than 25,000 miles an hour—is immense. An M-16 round, by comparison, is traveling about 2,200 miles an hour when it leaves the barrel.

Congress urged the Pentagon to deal with the growing North Korean missile threat. So it sped up the RKV's development by about a year, calling for it to be deployed in 2023. It decided to boost the interceptor fleet from the current 44 to 64; all were slated to get the improved RKV's.

There's only one way to see how it all worked out: The Government Accountability Office (GAO) issued a blistering series of reports on the top-secret program. The congressional watchdog offers taxpayers a rare, and depressing, peek into military malpractice.

There were missteps right from the start. The Missile Defense Agency "began the RKV program, complete with a five-year funding request and schedule goals, before the AOA [analysis of alternatives] for homeland missile defense was completed," the GAO said in 2015, two years after the program's launch. Analyses of alternatives are critical to smart investments, the GAO said, yet the Missile Defense Agency has routinely failed, or has not been required, to do such

second-generation kill vehicle, and an "interim analysis" it produced to justify its development based on "design parameters and assessed design concepts provided by industry."

The red warning light flashed a little brighter the next year. Although the Missile Defense Agency "states that it does not plan to develop new technologies for the RKV, it intends to utilize some less mature technologies that have only been validated in a laboratory or simulated environment," the GAO said in 2016. "MDA plans to use commercially-available components in the RKV that may not have been designed to operate in the harsh environment in which the kill vehicle may operate."

In January 2016, Navy Vice Admiral James Syring, then the head of the

schedule." That haste echoed the original EKV, which "was deployed in 2004 as a prototype because of urgent national defense priorities," unnamed Raytheon officials told Space News in 2016.

But the Pentagon had a better idea for the RKV (as it always does when the first try flops): Instead of letting a contractor design it, the Missile Defense Agency would lead the effort, "using a blueprint that cobbles together the best ideas from concepts submitted by Boeing, Lockheed Martin and Raytheon," Space News reported.

Yet despite such hopes, troubles continued to mount in 2017. Ranking Pentagon officials "have raised concerns with the [RKV] seeker's capability to detect and track threats in an ICBM-range environment, which, when combined with the seeker's expected acquisition range, may impact its discrimination capability and warfighter decision timelines," the GAO said in its report two years ago. "The RKV program lacks department-wide support because organizations within DOD did not fully agree with the program's acquisition strategy and many of their concerns have gone unaddressed by MDA," GAO noted. "MDA has previously pursued weapon systems without obtaining sufficient buy-in from within the department." The fact that the Missile Defense Agency spends about \$10 billion annually that the Air Force, Army, Marines, and Navy would rather spend on their own pet projects only adds to tensions inside the Defense Department.

The Ground-Based Midcourse Defense program is a perfect example of the Pentagon's so-called self-licking ice cream cone, where programs take on a life of their own because they



The Pentagon conducts tests of its national missile defense system by firing fake enemy missiles from a Pacific island, hoping for a collision far over the ocean that destroys both instantly. (PHOTO: DOD / LISA SIMUNAC)

studies before launching new programs. The GAO found that instead of considering alternatives, the agency relied on "interim results" from a Pentagon assessment of how to build the

Missile Defense Agency, sketched out his timetable: A flight test in 2018, an actual intercept test in 2019, with the RKVs fielded around 2020. It represented, he conceded, "a very quick

take on a life of their own. “According to MDA, it could not perform a full and open competition” among kill-vehicle contractors, the GAO said in its 2017 assessment. Why not? “Because it would take too much time and the agency would not be able to meet its requirement to begin fielding RKVs in 2020—a requirement MDA established for itself.”

Last year, things continued to deteriorate, according to the GAO’s 2018 accounting. The Missile Defense Agency “removed the previously-established alignment between flight tests and production decisions, which enables the program to begin production well before the system’s design is stabilized,” the GAO noted. “Starting production before stabilizing the design, and other risky practices greatly increase the likelihood a program will fail to deliver reliable, effective capabilities in an accelerated manner.” Once again, the Pentagon was rushing to produce something that wasn’t ready to be produced.

By the time the GAO issued its 2019 report in June, the writing was on the wall. The RKV program was “accumulating negative cost and schedule variances with no signs of arresting these trends,” the agency said. It had entered a typical Pentagon phase: Its delivery timetable was slowing down as its costs sped up.

The final chapter was inevitable. Two months later, on August 21, the Pentagon put the wounded RKV out of its misery. “Ending the program was the responsible thing to do,” Michael Griffin, the under secretary of defense for research and engineering, said in a statement. The Pentagon cited secret technical woes. “Development programs sometimes encounter problems,” Griffin added. “After exercising due dili-

gence, we decided the path we’re going down wouldn’t be fruitful, so we’re not going down that path anymore.”

The outcome was predictable. The Pentagon had ordered RKV development and production to overlap, along with a reduction in test flights. “MDA’s contracting plans for the RKV have been closely aligned to the test schedule, to the point that MDA will have more than half of its planned RKV buy under contract before conducting a successful intercept test,” the GAO had noted in its June report.

“We could do what some programs do and what the Missile Defense Agency did years ago, which was to go ahead and produce what we’ve got and then deal with reliability issues within the fleet and then erode the confidence of the war fighter,” Rear Admiral Jon Hill, the deputy director of the Missile Defense Agency, had told reporters back in March. “We know that is the wrong step.”

The GAO hinted that the military’s self-congratulations over its willingness to bite the silver bullet by killing the RKV was a tad disingenuous. “In multiple previous reports, we raised concerns regarding MDA’s use of these components as well as RKV’s aggressive development schedule. In our May 2017 report, we also recommended that [the Department of Defense] perform a comprehensive review of the RKV,” it said in its June report. “Although such a review could have potentially provided DOD with a better understanding of RKV’s technical and schedule risks, DOD indicated in its response that the comprehensive review we recommended was unnecessary and therefore did not perform the review.”

Boeing and Raytheon, the two companies most responsible for the sec-

ond-gen snafu, won’t have to return any taxpayer money. “We terminated for convenience, not default,” Griffin said, meaning it was the government’s discretion to cancel the contract and not because Boeing and Raytheon couldn’t fulfill it. “We learned quite a lot that we’ll carry forward into the Next-Generation Interceptor.”

Indeed. Instead of pausing to catch its breath and figure out if silver bullets are the best way to go, the Pentagon is jumping right back into the effort to build a third-generation interceptor. It handed out the classified specifications it wants to see in the next-gen interceptor on August 29, just over a week after it announced it had killed the RKV. Not surprisingly, Pentagon officials have been vague on the third kill-vehicle effort, including its timeline and cost.

And they’re already planning to develop a fourth. The Multi-Object Kill Vehicle (MOKV) is designed to destroy multiple incoming warheads and decoys from a single Ground-Based Interceptor. That’s critical to defeating incoming enemy missiles, which might mix decoy warheads among the real thing. Then-Defense Secretary Robert Gates killed it a decade ago, but it rose from the dead in 2015.

“While the number of [ground-based interceptors] is limited,” the Pentagon says in this year’s report on missile defense, “MOKV could improve the performance of the GMD system by increasing the probability of successfully intercepting the warhead.”

But first it has to master shooting down a single one. ■

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**ABOUT:** The Military-Industrial Circus is a regular column by Pulitzer-prize winning National Security Analyst Mark Thompson for the Center for Defense Information at POGO.



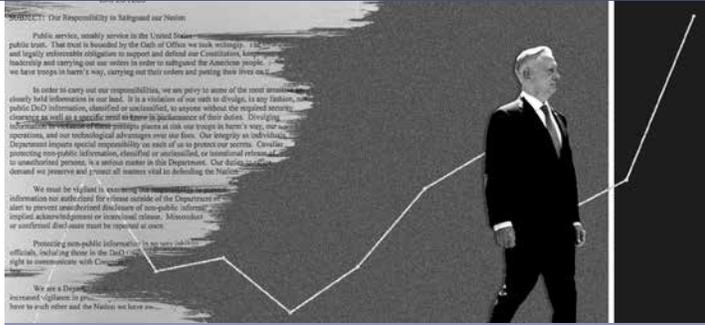
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INSIDE



TRANSPARENCY



WASTE



MILITARY-INDUSTRIAL CIRCUS

1

JASON PALADINO

THE PENTAGON'S WAR ON TRANSPARENCY

It'll take more than a press briefing to reverse the Department of Defense's troubling retreat into secrecy

+ DEFENSE GOING DARK: A TIMELINE OF SECRECY INCREASES AT THE PENTAGON

Pentagon policy has changed in ways that may undermine public access to information

9

DAN GRAZIER

DECEPTIVE PENTAGON MATH TRIES TO OBSCURE \$100 MILLION+ PRICE TAG FOR F-35S

Triumphant headlines mislead the public about the program's true costs

12

MARK THOMPSON

WILL THIRD TIME BE THE CHARM FOR PENTAGON'S STAR WARS BULLET?

Doomed second missile-defense effort followed a familiar path