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THE DILEMMA FOR USSOCOM:
TRANSITIONING SOF-PECULIAR TO SERVICE-COMMON

by

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14. ABSTRACT In 1986, the fiscal year 1987 Defense Authorization Act containing the Nunn-Cohen amendment passed creating United States Special Operations Command (USSOCOM). Among the many authorities it was given, is the requirement to organize, train, and equip Special Operations Forces (SOF). Concomitant to this responsibility was the creation of a funding stream, Major Force Program 11, dedicated solely for the purchase of SOF-peculiar equipment, material, supplies, and services for SOF where there is no Service-common equivalent.1 From inception, there was no overarching organization charged with adjudication or determination of items that are contentious, or are currently paid for by SOF, but now used as Service-common, and thus should transition.					
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Biography

Lieutenant Colonel Jonathan “Jon” Duncan is a U.S. Air Force aviator assigned to the Air War College, Air University, Maxwell AFB, Alabama. He graduated from the University of Texas in 1990 with a Bachelor of Arts in Mathematics, Troy State University in 1999 with a Masters of Public Administration, and Air University (Air Command and Staff College) in 2005 with a Masters of Military Operational Art and Science. He began his Air Force career as an Aircraft Maintenance Officer in 1991, and went on to earn his navigator wings in 1995. He has nearly 2,000 flying hours in the T-37, T-39, T-43, AC-130U, AC-130H, NC-130E, MH-53M, and MC-130H. Lieutenant Colonel Duncan has served at the MAJCOM, COCOM, and Air Staff levels, and is the former commander of the Personnel Recovery Academy, Spokane, Washington.

Abstract

In 1986, the fiscal year 1987 Defense Authorization Act containing the Nunn-Cohen amendment passed creating United States Special Operations Command (USSOCOM). Among the many authorities it was given, is the requirement to organize, train, and equip Special Operations Forces (SOF). Concomitant to this responsibility was the creation of a funding stream, Major Force Program 11, dedicated solely for the purchase of SOF-peculiar equipment, material, supplies, and services for SOF where there is no Service-common equivalent.¹ From inception, there was no overarching organization charged with adjudication or determination of items that are contentious, or are currently paid for by SOF, but now used as Service-common, and thus should transition. Presently, transition decisions are piecemeal, occurring through mutual agreements between a Service and USSOCOM; binding acquisition decisions; or through budget documents. In an internal audit, USSOCOM found that it is paying for items which meet the definition of Service-common. The audit also revealed there are currently fielded and funded SOF capabilities that already meet or could meet a Service requirement. Armed with this data, and pressed by growing fiscal DoD austerity, and the mandate to seek efficiencies, USSOCOM has set out on a campaign to publicize the issue. Its petitions have largely fallen on deaf ears, for relatively few DoD organizations or empowered bodies agree this is a problem. Despite USSOCOM's best efforts, to date no alterations to DoD processes or procedures have been made, leaving USSOCOM to seek resolution through an amalgamation of disparate venues and processes. In the end, there is no one-stop adjudication authority in the DoD to determine SOF-peculiar to Service-common transitions.

Background

On 7 January 2011, Brig Gen Eugene Haase, United States Special Operations Command (USSOCOM or SOCOM) J-8, traveled to the Pentagon to brief the Joint Capabilities Board (JCB). The purpose of his brief, *SOF to Service Transition Brief to JCB*, was to highlight the fact that SOCOM is meeting SOF (Special Operations Forces) requirements with a host of capabilities which could be, should be, or are already Service-common.² If true, this fact prompts several implications. First, SOCOM may be paying for items or capabilities that rightly should be paid by one of the three Service departments. Two, there are items or capabilities developed and fielded by SOCOM that can satisfy current Service requirements, but for various reasons have not been directed to do so. Or, three, there are items or capabilities developed and fielded by SOCOM which could be used to satisfy a Service need or requirement, but have not been highlighted or considered as an alternative. The first two implications seem to suggest a lack of higher-level authority above SOCOM and the Services in directing transitions from Special Operations-peculiar (SO-peculiar or SOF-peculiar) to Service-common, while the third implication suggests a lack of “advertising”, i.e. the need for a clearing house of ideas. General Haase’s brief suggested the DoD did not have a defined process for the Services to adopt SOF capabilities. In effect, there is no push-pull system(s) for which, and from which, SOF-peculiar items, services, and capabilities can transition to Service-common. He further suggested the JCB, and its subsidiary Functional Capabilities Boards, are the ideal forums to discuss joint SOF to Service transition candidates and requirements. In open discussion, the general’s assertions and recommendations met great resistanceⁱ from statutory members of the JCB, as

ⁱ Author witnessed events as recording representative for AF/A5R

well as non-statutory advisors in the audience. The body recommended non-concurrence with the brief.

Introduction

To be sure, SOCOM leadership believes this is a problem. As with most disagreements in government, where you stand depends on where you sit. Certainly, there are other organizations, or vested parties, who can or could counter these assertions. Yet, as this paper will later show, with the exception of SOCOM's insistence, no other interested parties have resoundingly stepped forward to either confirm or refute SOCOM's claims, at least publicly. However, SOCOM found through an internal audit there are items for which they are paying, but should not. Therefore, conventional wisdom would seem to support SOCOM, especially as there is evidentiary proof that items or services have fallen through the gap. Based on that, this paper asserts that the DoD lacks a single process/adjudicating authority to decide when, or if, an item or service should transition (from SOF-peculiar to Service-common), or who should own the fiscal responsibility. Furthermore, in this era of fiscal conservatism and shrinking budgets, the lack of process is proving detrimental to USSOCOM, and paradoxically, an opportunity lost for the Services. In order to support this assertion, this paper will take an investigative look at the issue by first taking an historical look at the foundation for SOF-peculiar items as intended and established in law. Next, with this foundation, the paper will provide insight for SOCOM's possible motives for following this path, including the results of an internal audit. The paper will then shift to chronicle actions SOCOM has taken to highlight the issue. Afterward, in an effort to provide an objective look at the issue, this paper will endeavor to provide the other side of the argument. This monograph will then turn to an analysis of the various forums which could offer a solution. Finally, it will offer possible solutions as to a way ahead.

Foundations of SOF-peculiar

United States Special Operations Command was created on October 14, 1986 under the Nunn-Cohen Amendment to the fiscal year 1987 National Defense Authorization Act.³ This amendment was a watershed event for the SOF community in the same way Goldwater-Nichols was for joint warfare. The amendment essentially did three main things. First, it created SOCOM and the Office of the Assistant Secretary of Defense, Special Operations and Low-Intensity Conflict (ASD SO/LIC).⁴ Along with this provision, it provided for a four-star general or admiral to command all active-duty and reserve SOF.⁵ Second, it formalized the elements or missions of special operations.⁶ Finally, the amendment created a “checkbook” for SOCOM within a new DoD funding category, Major Force Program 11 (MFP-11).⁷ Central to MFP-11 is the SOCOM commander’s authority to develop and acquire Special Operations-peculiar equipment, material, supplies, and services.⁸ By definition, SOF-peculiar “is equipment, material, supplies, and services required for special operations missions for which there is no Service-common requirement.”⁹ This begs the question of what is a Service-common requirement or item. Joint Publication 1-02 describes it as equipment, material, supplies, and services adopted by a Service for use by its own forces and activities.¹⁰ The definition goes on to say these things may even be provided to support and sustain its own forces assigned to the combatant commands.¹¹ The definition finishes by saying that items and services defined as Service-common by one Service are not necessarily Service-common for all Services.¹² In practice, labeling items as SOF-peculiar or Service-common is not as easy as it seems. In fact, more often than not, SOCOM will take a Service-common item and then modify it with SOF-peculiar equipment. Take for instance the AC-130U Spooky Gunship. The basic C-130 platform is Service-common, i.e. it was bought and paid for by the Air Force. The “mission

equipment”, sensors, guns, and defensive gear are specific to the SOF mission and therefore SOF-peculiar. The support and sustainment for this aircraft follows along similar categories. Ironically, this is a simple example of distinctions. Where it becomes less clear is when an item or service used by multiple SOF componentsⁱ is Service-common to one Service or military department, but not to others. Take for instance PVS-14 Night Vision Goggles (NVGs)ⁱⁱ. The Army provides these NVGs for its Army SOF soldiers. The Navy does not for its SEALs. The former is a Service-common, Army bill, and the latter a bill for SOCOM. To complicate the issue further, as a result of the conflicts in Iraq and Afghanistan, many items purchased for SOF were done so in an expedient fashion through Overseas Contingency Operations (OCO) Funds under less than traditional requirements processes. The same was done by the Services. This resulted in Service-common items being bought using SOF funds (MFP-11 OCO), and in some cases the Services using their OCO funds to purchase SOF designed and fielded equipment. The key distinction, at least from a legal definition standpoint, is that in many cases the approved requirements lagged, or never followed the purchases, largely because these were wartime use, subject to later disposal or disposition. In short, if a Service did not codify the requirement for the item it purchased, whether or not it was a SOF item, it technically is not a Service-common bill. Therefore, SOCOM technically cannot now claim the item is Service-common. Admittedly this is murky, and can cause dispute. Dispute is the operative word here, and the center of much of SOCOM’s push for an adjudication authority or body which would settle or decide such conflicts. But, what is behind SOCOM’s push to do this? Is there more to it?

Understanding SOCOM’s Motives

Since 9-11, popularity and use of SOF on the battlefield has grown immensely. They

ⁱ USSOCOM Components are: Army Special Operations Command, Naval Special Warfare Command, Air Force Special Operations Command, and Marine Special Operations Command.

ⁱⁱ AN/PVS-14 is a monocular night vision device issued by the Army. The Navy SOF variant is designated the PVS-18.

have popularly become the “pinch hitters” of national security.¹³ In fact, even with projected conventional drawdown in Afghanistan through 2014, there will be an increasing dependence on SOF.¹⁴ That is, “conventional force reductions will not equate to comparable reductions in SOF.”¹⁵ In addition to being a functional combatant command that traditionally organized, trained, and equipped SOF, SOCOM is now also charged with synchronizing DoD’s planning against terrorists and their networks.¹⁶ Of course, with the rise in SOF demand and new missions has come concomitant growth, the bulk of which is a result of budget actions derived from Quadrennial Defense Reviews (QDR) 2006 and 2010. The command today contains approximately 54,000 active duty, Reserve, and National Guard Soldiers, Sailors, Airman, Marines, and DoD civilians.¹⁷ That is double the manpower since 9/11.¹⁸ And, the budget has nearly tripled to \$10.5 billion.¹⁹ While that might sound like a substantial budget, consider that it is just 1.4% of the DoD budget.²⁰ By comparison, the Air Force’s FY12 budget request is \$119 billion. Nevertheless, while SOCOM has grown in size, scope, and funding, demand for SOF and fiscal pressures have outstripped its resources. To compound the problem, the DoD writ large is anticipating cutting approximately \$450 billion over the next decade.²¹ Additionally, DoD has begun to move OCO funding into the baseline budget, which has in effect created additional bills. What does this mean for SOCOM? To put it succinctly, in a growing fiscally austere environment, SOCOM seeks to manage its resources closely. Hence, SOCOM is looking for more efficient expenditure of its resources. Accordingly, SOCOM looked for, and continues to look for, ways it can cut away from unnecessary and duplicative expenses. In an internal SOCOM reviewⁱⁱ of 77 programs, 9 different programs were found to already be in use

ⁱ FY2012 Budget Request; includes \$7.2B in baseline budget plus \$3.3B in OCO budget.

ⁱⁱ Response to USD AT&L-SOCOM summit tasker. Review conducted by SOCOM Comptroller in conjunction with SOCOM J8, and SOCOM Special Operations Research, Development and Acquisition Center (SORDAC). Results briefed back to AT&L representatives 1 Feb 11.

by one or more Service.²² These items spanned a wide spectrum of capabilities, from weapons and ammunition to Intelligence, Surveillance, and Reconnaissance assets to maritime craft.²³ In fiveⁱ of these programs, SOCOM currently has \$68 million in their FY13-17 budget request.²⁴ The same review went on to note six other programs SOCOM researched, developed, and fielded that met current Service requirements.²⁵ Once again, it totaled a small amount. While seemingly insignificant, given the relative size of the SOCOM budget it adds up. However, SOCOM's motives may also be about principle.

Former Secretary of Defense Robert Gates, while in office and seeing the gathering storm, beat the drums for efficiencies in the budget, and acquisition reform. To him, there was a nexus between the two, especially in a threat environment characterized by irregular threats, where speed is important. In a 2009 *Foreign Affairs* issue, he said “[t]he United States cannot expect to eliminate national security risks through higher defense budgets, to do everything and buy everything”.²⁶ Later in the same article he said the DoD often seeks a 99% solution over a period of years, but stability and counterinsurgency missions, which the U.S. has often been engaged in, require 75% solutions over a period of months.²⁷ It is the premise of these two statements that guided ADM Eric Olson, commander of SOCOM from 2006 to 2011. In fact, in his 2011 guidance to the command, he said “[w]e must innovate in how we address these challenges (budgetary); requests for additional resources must not be our first response...improvised solutions, hallmarks of SOF, must guide our decision making as we navigate this new environment.”²⁸ He further believes that in the current environment, the DoD should collectively transition from a platform-based acquisition cycle to one that is capabilities-based, wherein capabilities can be modularly employed on a variety of ground, maritime and air platforms.²⁹ SOCOM is already doing this by using its unique U.S. Code Title 10 rapid

ⁱ The other four programs did not have cost estimates for FY13-17.

acquisition authorities to “buy, try, and modify capabilities” without being constrained by Service platform considerations.³⁰ Mirroring Secretary Gates’ aspirations for the DoD, Admiral Olson sought, and is seeking a better investment of MFP-11 in SOF-peculiar modifications or capabilities, which could in turn meet common solutions for Service requirements.³¹ Consider a few examples. The first is the Stand-off Precision Guided Munition (SOPGM), named “Best in Defense Acquisition”. It was fielded in under 11 months at a system cost of less than \$10 million.³² Since fielding, the SOPGM has been used in Operations ENDURING FREEDOM and IRAQI FREEDOM with devastating results.³³ A second example is the Mobile Multi-Band Jammer used to counter radio-controlled improvised explosive devices (IED). A SOCOM acquisition team was able to develop, test, and deliver 1200 kits in just nine months.³⁴ As a testament to the team’s success, the system is now used by the Navy, FBI, DIA, and other government agencies.³⁵ So, while it may be true SOCOM is trying to make available resources for its own reasons, it also believes it can help all of DoD with some of its unique and quickly-fielded SOF-peculiar capabilities. This is why during its internal audit, SOCOM not only found Service-common items it was funding through MFP-11, but also items currently funded by SOCOM MFP-11 that can or should meet Service requirements, as well as items that could meet Service-common requirements.³⁶ Therefore, one may conclude the motive of SOCOM, as articulated by General Haase at the JCB, is to not only look for a process to free up SOF funding by transitioning SOF-peculiar items to Service-common, but also offer the Services an opportunity to take advantage of some of the capabilities SOF has developed. Now, with an understanding of SOCOM’s motives, it is important to understand the steps SOCOM has taken to try to highlight the issue.

SOCOM Makes Its Case

In February 2009, SOCOM approached the Joint Requirement Oversight Council (JROC)ⁱ about improving the speed of the requirements process in order to keep pace with SOCOM's "acquisition at the speed of war"ⁱⁱ. In response, the JROC concurred, granting the SOCOM Special Operations Command Requirements Evaluation Board (SOCREB)ⁱⁱⁱ the authority to act equivalently to a Functional Capability Board (FCB)^{iv} or the JCB^v. This gave the SOCREB the authority to manage and approve all SOF-peculiar capability documents, to include assigning Joint Potential Designators (JPDs)^{vi} to all SOF-peculiar documents.³⁷ This would in effect bypass much of the process normally carried out with the FCBs and JCB in the Pentagon. Among the stipulations given to SOCOM was the JROC mandated use of the JROC's Knowledge Management/Decision Support (KM/DS)^{vii} tool, in order to give items visibility in DoD, as well as to schedule topics for the JCB and JROC.³⁸ The JROC also mandated SOCOM return in six months to report lessons learned, issues, and recommendations on the way ahead.³⁹ In October 2009, SOCOM J8, Maj Gen Eric Fiel reported back to the JROC that SOCOM was pleased with the new arrangement, particularly the transparency and responsiveness of the new system, citing the average number of document staffing days had dropped from 156 to 51.⁴⁰ He

ⁱ The JROC assists the Chairman of the JCS in: identifying, assessing, and approving joint military requirements to meet national strategy, and ensuring the consideration of trade-offs among cost, schedule, and performance objectives for military requirements among other duties. It is chaired by the Chairman, but delegated to the Vice-Chairman. Other members are in the grade of general or admiral from each of the services. (CJCSI 5123-01E)

ⁱⁱ Ubiquitous term used in most of SOCOMs public statements regarding acquisition following the timelines on the warfighters in the field, and the not the timelines established by the acquisition system.

ⁱⁱⁱ SOCOM's SOCREB is chaired by the Deputy Commander USSOCOM, with representation from Staff Directors, components, subordinate commands, and Theater Special Operations Commands. It approves all SOF requirements documents submitted by capability sponsors. (USSOCOM D 71-4)

^{iv} FCBs support the Chairman and JROC in identifying, assessing, and prioritizing (if required) joint military capability needs. (CJCSI 3137.01D)

^v The JCB assists the JROC in carrying out its duties and responsibilities, and serves as a working/decision body between the FCBs and the JROC. (CJCSI 5123-01E)

^{vi} The JROC rescinded this authority in JROCM 155-11 on 15 November 2011, moving that back to the joint requirements Gatekeeper, the Joint Staff J-8.

^{vii} KM/DS is the JROC database for schedules, documents, and presentations. (CJCSI 3137.01D)

concluded by requesting permanent establishment of JCB authority with SOCOM.⁴¹ The JROC agreed, and on 2 November 2009 issued a memorandum with its concurrence.⁴² From here, with a modified requirements process in hand, SOCOM set its sights on the acquisition community. SOCOM initiated a series of acquisition summits, in conjunction with USD AT&L [Undersecretary of Defense for Acquisition, Technology and Logistics] and Service Acquisition Executives, to regularly review and solve a wide range of acquisition challenges.⁴³ These forums were also intended to minimize programmatic disconnects, to better align requirements, and co-sponsor development opportunities.⁴⁴ The first session occurred on 29 September 2010. Of importance, one of the due outs from this session decried that DoD did not have a defined process for the Services to adopt SOF capabilities. Then in December 2010, SOCOM met with the Air Force for its annual War Fighter Talks. The same issue arose, and eventually led to revisions of the USAF-SOCOM Memorandum of Agreement (MOA), the gist of which allowed for greater transparency of requirements and programs. Still lacking a defined process DoD-wide, SOCOM went back to the JROC, first stopping at the JCB (General Haase's brief mentioned at the outset of this paper). As mentioned previously, the JCB was less than enthusiastic about SOCOM's recommendations. Then between March and July 2011, SOCOM sought out each Service, briefing them on the results of their internal analysis. Based on all available indications, little was accomplished through this campaign. To date, no other MOAs or arrangements between the Services and SOCOM have been written. Frustrated, Admiral Olson, just prior to his retirement, sent a letter to the Deputy Secretary of Defense (DepSecDef) saying that "[o]ccasionally, issues arise between USSOCOM and the Services in determining Service common versus SO-peculiar and ultimately who is assigned as the bill payer...[g]ood-faith negotiations between both parties can usually resolve the issues; however there are certain

occasions where an impasse is reached...consequently, the need for a process that provides mediation and adjudications at a higher level is necessary.”⁴⁵ He went on to say the DoD lacked a process to ensure “MFP-11 resources are expended on valid Special Operations (SOF) requirements”.⁴⁶ Clearly, Admiral Olson did not think SOCOM was getting the support it needed through the JROC process, and despite the AT&L summits and new MOA with the USAF. With an understanding of SOCOM’s motives, and the campaign it undertook to highlight the problem, this paper will now offer the other side of the story, or at least the perceived other side.

The Other Side of the Story

Objections to SOCOM’s desire to have a process to transition SOF-peculiar to Service-common is largely muted. The Services themselves certainly have not complained, but then one would not expect them to, as any highlight of a deficiency or mislabeling would likely cause funding obligations (bills) for that Service. And, in these fiscally constrained times, no Service is going to voluntarily burden itself in order to fund something currently funded by SOCOM. Simply put, the Services do not have extra money. When one looks outside of the Service departments in the larger DoD enterprise there are no complaints either. In fact, there are no DoD IG reports on the subject, and no complaints by the Combatant Commands. As for organizations outside the DoD that routinely scrutinize the military, namely the Congress and its independent watchdog, the Government Accountability Office, there has been zero investigations into the misapplication of SOF-peculiar or Service-common monikers, or any process thereof. The latter organization did look at SOCOM’s management of weapon systems programs in 2007 at the request of Congress.⁴⁷ In their report they noted that while most of the command’s programs are small, and properly managed, the overall program performance of acquisition

programs is mixed.⁴⁸ This was due to the fact about 50% of SOCOM's funded programs tended to be larger and more costly, platform-based programs that rely heavily of Service-common programs and program management support.⁴⁹ With that said, there has been little complaint outside of SOCOM about the characterization of SOF-peculiar and Service-common, or any process which determines such. Undoubtedly equipment, material, supplies, and services have and do transition from SOF-peculiar to Service common. So, in the absence of a process, the question is how do things transition now, or how have they transitioned in the past?

Analysis

The fact of the matter is more often than not, transition ordinarily occurs out of mutual agreement, and usually at the acquisition level. That is, as a capability germinates there are quite often procedural acquisition documents that specify responsibilities, to include funding arrangements. Of course, real agreement is realized when the funds are actually budgeted and subsequently obligated. In other instances, OSD will direct or mandate who pays for capability via some sort of budget document, such as Resource Management Decisions (RMDs), or through a key strategy document with budget implications, such as the QDR. For example, in the 2010 QDR, the Army and SOCOM were directed to add a company of upgraded MH-47G helicopters to the Army's 160th Special Operations Aviation Regiment.⁵⁰ This arrangement inherently implies the Army will supply basic CH-47 helicopters, along with the manpower to outfit a helicopter company, while SOCOM will fund the modifications to make the helicopters MH-47Gs, as well as provide for the operations and maintenance funding of the added company.

Outside of these two nominal means, mutual agreement and budget documents, there are other venues or places where decisions can be made on case-by-case basis. One such venue is

the Deputy's Advisory Working Group (DAWG)ⁱ. Chaired by the DepSecDef, the DAWG consist of a diverse, high-level membership from across the DoD, to include the Services and SOCOM.⁵¹ Normal agenda items include topics of strategic importance or issues with programmatic implications.⁵² Additionally, DAWG members can recommend agenda items at any time.⁵³ The DAWG would appear to provide SOCOM a venue to raise transition items of concern, principally because it does and can make adjudication decisions between the Services and between DoD agencies. However, the dilemma for SOCOM is most of its issues are tied to ACAT IIIⁱⁱ programs, and therefore do not generally rise to the discussion level of the DAWG. Recently the DepSecDef renamed the DAWG the DMAG [Deputy's Management Action Group], with a new focus on efficiency to ensure "management actions are synchronized and fully coordinated across the defense enterprise."⁵⁴ In this new forum, the DepSecDef will decide which topics will be chosen.⁵⁵ For SOCOM this basically means it will be even less likely routine transitions of SOF-peculiar to Service-common will be discussed. Alternatively, the body that serves just below the DAWG or DMAG, the 3-Star Programmers Groupⁱⁱⁱ, is a venue where such items could be vetted, and mutually agreed upon. However, it cannot compel, but rather pass recommendations on to the DMAG. Once again, given the size of the transitions (ACAT III) such items are unlikely to elevate.

Another venue SOCOM could seek out is the AT&L summits it jointly holds with USD AT&L and the Service Acquisition Executives. These meetings could bear considerable fruit,

ⁱ The DAWG was established by the FY2008-2013 Strategic Planning Guidance to "oversee implementation of QDR 2006 strategic priorities and other cross-cutting, high-leverage issues." (DepSecDef Memorandum, 11 Dec 2006)

ⁱⁱ ACAT III is a Defense Acquisition Category for acquisition programs that total less than \$140 million in FY00 constant dollars for Research, Development, Test, & Evaluation or less than \$660 million in FY00 constant dollars for procurement, and is not an Automated Information System that is not designated an Major Automated Information System. (DODI 5000.2, Table 1, page 33)

ⁱⁱⁱ The 3-Star Programmers Group addresses major resource allocation issues and presents options to the DAWG. Its membership reflects that of the DAWG, but at the program/budgeting level.

given the level of participation by those in the acquisition community. In fact, in the words of Admiral Olson, these forums are meant to “minimize programmatic disconnects, and to better align requirements, co-sponsorship opportunities, funding efficiencies and contracting actions among MFP-11 programs and Service related/dependent programs.”⁵⁶ Of course, this adjunct body may not necessarily have the authority to compel a funding obligation, or even a solution. It instead acts as a clearing house of acquisition information from which mutual agreements could be made. As it has already done, SOCOM could also engage the Services individually and directly in joint warfighter talks on items of particular interest. Once again, this is not a forum which compels, but may allow for mutual agreement.

Still another forum, or series of forums, SOCOM could utilize is the FCBs and the JCB. Paradoxically, and perhaps unwittingly, with SOCOM seeking out authorities to designate the SOCREB a FCB and JCB-like entity in order to “speed up” the approval process, much of its programs and requirements documents have now been removed from the mainstream FCBs and JCB, and therefore do not necessarily receive the visibility they might previously have had under the prior FCB and JCB arrangement. Likewise, the Services, or OSD for that matter, do not participate in the SOCREB, and therefore, there is no visibility into SOF-peculiar programs that may be of benefit to the Services. Yet, regardless of arrangement, the FCBs and JCB do not necessarily have the authority to compel. That would nominally come from the JROC, which based on the outcome of the January 2011 SOCOM brief, is unlikely to decide such matters. However, it would certainly seem the JROC, despite its reluctance as voiced by the JCB during General Hasse’s brief, would or could have a more active role in determining transitions of programs. The JROC charter is replete with duties and functions where the JROC is charged with prioritization of joint requirements and capabilities. In fact, one of its key responsibilities is

to “assist the Chairman [of the Joint Chiefs] in coordinating, among combatant commands, Service force providers, and other DOD components the identification and assessment of joint military requirements and priorities for current and future military capabilities, forces, programs, and resources...” in accordance with overarching guidance and direction.⁵⁷ Later, in its delineated responsibilities it states that the JROC will “[a]t its discretion, review any capabilities documents and acquisition programs to resolve interoperability or contentious issues.”⁵⁸ Undoubtedly, this verbiage gives the JROC latitude to insert itself in adjudicating issues between the Services and SOCOM. Whether it would choose to do so may be a matter of debate. Still another avenue is the Capability Portfolio Management (CPM) system which seeks to optimize capability investments across the defense enterprise.⁵⁹ Though CPMs are charged to identify issues, priorities, and capability and resources mismatches, they have no independent decision making authority.⁶⁰ As it can be seen, none of these forums or bodies is a panacea for the problem. That is, none seem to offer a single venue to compel the Services to adopt SOF-peculiar programs or capabilities as Service-common. Collectively though they do offer several avenues in which SOCOM can “advertise” them, and whereby through mutual agreement a Service may adopt SOF-peculiar equipment, material, supplies, and services. Where does this leave SOCOM then? What can SOCOM do?

Recommendations

First of all, it can hope the DepSecDef will respond positively to Admiral Olson’s final request. However, it seems unlikely OSD, or the Joint Staff for that matter, will establish a single process. Alternatively, SOCOM can keep pushing items through the DMAG or JROC to compel a decision. It could also look to senior leader one-on-one engagements, such as between the Commander of SOCOM and the Chiefs of the Services, or between the Military Department

Secretaries and ASD SO/LIC. It can also look at submitting issues of particular concern into the Program Budget Review¹ process each year. Short of that, SOCOM can allow for greater participation or observation by the Services in the SOCREB, or opt to return to the traditional FCB-JCB process. Finally, though possibly a long-shot, SOCOM may even want to consider the perilous path of engaging Congress, either directly or indirectly, in an effort to modify the current language regarding the designation of SOF-peculiar in U.S. Code, Title 10. In effect, seek clarifying language regarding an adjudication process. It is doubtful the original drafters of the Title 10 legislation that created SOCOM and the SOF-peculiar category ever envisioned this would be an issue, and therefore never mandated a process. Now, a process seems necessary. For their part, the Services should look a bit closer at some of SOF's developed capabilities, especially in executing their train and equip functions in the irregular warfare arena. If for no other reason, the Services could take advantage of the research, development, and testing SOCOM has already conducted on certain technologies, thereby saving some of their own money for such endeavors. At the same time, it would help the Services meet some of the SecDef's mandates for efficiency and acquisition reform.

Conclusion

In conclusion, it can safely be said the DoD lacks a single process/adjudicating authority to decide when or if an item or service should transition from SOF-peculiar to Service-common, or who should own the fiscal responsibility. SOCOM certainly believes this to be the case and prodded by increasing demand on SOF, embarked on a campaign to highlight the problem to OSD, the Joint Staff, and the Services. For their part, these organizations and entities, as well as

¹ The Program Budget Review is an annual OSD process to analyze Service Program Objective Memorandums (budgets) submitted by the Services. Service submissions are analyzed for sufficiency against fiscal and strategic guidance. As part of the process, combatant commands and other DoD components can submit "issues" against Service submissions. Each issue, once deemed sufficient, is adjudicated for resolution.

other entities in and outside the DoD, do not share SOCOM's concern. Though there is no single forum or body to make such decisions or socialize SOF-peculiar items, there are many avenues and processes SOCOM could consider. What's more, SOCOM should reevaluate some JROC processes it divested itself of in the name of acquisition at the "speed of war". While this may sacrifice the speed SOCOM desires, it may offer a better opportunity to transition SOF-peculiar items. On the whole, DoD would likely be better served too, especially in this era of fiscal conservatism and austerity.

Endnotes

(All notes appear in shortened form. For full details, see the appropriate entry in the bibliography)

¹ JP 1-02, *Department of Defense Dictionary of Military and Associated Terms*, 316.

² Haase, "SOF to Service Transition Brief to JCB", slide 3.

³ Marquis, *Unconventional Warfare*, 145.

⁴ *Ibid*, 146.

⁵ *Ibid*.

⁶ *Ibid*.

⁷ *Ibid*.

⁸ *Unified Combatant Command for Special Operations Forces*, US Code, Title 10, Sec 167, (e)(4)(f).

⁹ JP 1-02, *Department of Defense Dictionary of Military and Associated Terms*, 316.

¹⁰ *Ibid*, 304.

¹¹ *Ibid*.

¹² *Ibid*.

¹³ Olson, "U.S. Special Operations: Context and Capabilities in Irregular Warfare."

¹⁴ House, Emerging Threats and Capabilities Subcommittee, testimony by ADM William H. McRaven, 2011.

¹⁵ *Ibid*.

¹⁶ Senate, *USSOCOM Posture Statement*, 2011.

¹⁷ USSOCOM, *Fact Book*, United States Special Operations Command.

¹⁸ Congress, *U.S. Special Operations Forces (SOF) Background and Issues for Congress*, 7.

¹⁹ *Ibid*.

²⁰ Haase, "SOF to Service Transition Brief to JCB", slide 2.

²¹ Shanker and Bulmiller, "Weighing Pentagon Cuts, Panetta Faces Deep Pressures."

²² Bach, "SOF to Service Transition Briefing to AT&L", slides 4-6.

²³ *Ibid*, slides 8-9.

²⁴ *Ibid*.

²⁵ *Ibid*, slide 10.

²⁶ Gates, "A Balanced Strategy: Reprogramming the Pentagon for a New Age."

²⁷ *Ibid*.

²⁸ Olson, *USSOCOM Commander's Guidance for 2011*.

²⁹ Olson, "U.S. Special Operations: Context and Capabilities in Irregular Warfare."

³⁰ *Ibid*.

³¹ Senate, *USSOCOM Posture Statement*, 2011.

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- ³² Scheiner, “USSOCOM Acquisition...Light, Agile, Lethal: A Pathfinder for DoD Acquisitions.”
- ³³ Ibid.
- ³⁴ Ibid.
- ³⁵ Ibid.
- ³⁶ Haase, “SOF to Service Transition Brief to JCB.”
- ³⁷ JROCM 029-09.
- ³⁸ Ibid.
- ³⁹ Ibid.
- ⁴⁰ Fiel, “Delegation of Authorities for Special Operations Capabilities, Lessons Learned.”
- ⁴¹ Ibid.
- ⁴² JROCM 179-09.
- ⁴³ Cluck, “Special Operation Research, Development, and Acquisition Center—Executive Summary to USSOCOM Program Management Updates.”
- ⁴⁴ Ibid.
- ⁴⁵ Olson to Lynn, memorandum.
- ⁴⁶ Ibid.
- ⁴⁷ GAO report, *Defense Acquisitions, An Analysis of the Special Operations Command’s Management of Weapon System Programs*.
- ⁴⁸ Ibid.
- ⁴⁹ Ibid.
- ⁵⁰ Congress, *U.S. Special Operations Forces (SOF) Background and Issues for Congress*, 7.
- ⁵¹ Deputy Secretary of Defense, *Management of the Deputy’s Advisory Working Group*.
- ⁵² Ibid.
- ⁵³ Ibid.
- ⁵⁴ Weisgerber, “Pentagon’s New Power Panel.”
- ⁵⁵ Ibid.
- ⁵⁶ Senate, *USSOCOM Posture Statement*, 2011.
- ⁵⁷ CJCSI 5123.01E, *Charter of the Joint Requirements Oversight Council*, A-4.
- ⁵⁸ Ibid, A-5.
- ⁵⁹ DODD 7045.20, *Capability Portfolio Management*, 1.
- ⁶⁰ Ibid, 2.

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