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U.S. House of Representatives

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ERIN C. CONATON, STAFF DIRECTOR

March 31, 2010

FROM: Subcommittee on Oversight and Investigations

RE: Update to HASC O&I Report "The Joint Improvised Explosive Device Defeat Organization: DOD's Fight Against IEDs Today and Tomorrow," November, 2008

INTRODUCTION

In 2004, former U.S. Central Command Commander, General John Abizaid, recognized that the improvised explosive device (IED) threat was growing in Iraq and that Coalition Forces had little means to counter and defeat it. As a result of the increasing lethality of these devices, several Department of Defense (DOD) efforts were organized and eventually evolved into the Joint IED Defeat Organization (JIEDDO) in February 2006. Over the course of this evolution, the U.S. government has spent almost \$19 billion trying to address this ever-changing threat.¹

While the total number of IEDs has dropped dramatically in Iraq, it is on the rise in Afghanistan. The former Director of JIEDDO, Lieutenant General Thomas Metz, in a letter to Senator Carl Levin, stated that "IED incidents have more than doubled from August 2008 to August 2009 and...are now at the highest levels we have experienced to date."² This trend continued throughout the remainder of 2009.

The House Armed Services Subcommittee on Oversight and Investigations (O&I) has held two hearings, one in 2008 and one in 2009, and issued a 2008 report on the counter-IED fight in general and JIEDDO in specific.³ In the October 29, 2009 hearing, the members heard from DOD and the Government Accountability Office (GAO) on whether oversight over the JIEDDO functions was being conducted at an appropriate level and with sufficient controls. Witnesses discussed JIEDDO's progress on measuring the effectiveness of its fight against IEDs.

¹ This figure only includes JIEDDO and its DOD predecessors, not programs conducted within the services and other DOD organizations.

² Letter from Lieutenant General Thomas Metz to Senator Carl Levin, 15 September 2009.

³ HASC O&I Hearing entitled, "Defeating the Improvised Explosive Device (IED) and Other Asymmetric Threats: Reviewing the Performance and Oversight of the Joint IED Defeat Organization (JIEDDO), 29 October 2009. See also, HASC O&I Report entitled, "The Joint Improvised Explosive Device Defeat Organization: DOD's Fight Against IEDs Today and Tomorrow," November 2008, Committee Print 110-11.

In addition to JIEDDO, there are numerous counter-IED (C-IED) activities within the individual service components, research and development organizations, and the intelligence community. JIEDDO is intended to be the focal point for all of these activities, and Congress has worked to encourage better coordination between JIEDDO and these organizations. Many efforts to address the IED threat at the service, joint, and interagency level have continued since the creation of JIEDDO, and it is still unclear to what extent all C-IED efforts are being coordinated by JIEDDO. JIEDDO's mission is to "focus (lead, advocate, coordinate) all Department of Defense actions in support of the Combatant Commanders' and their respective Joint Task Forces' efforts to defeat Improvised Explosive Devices as weapons of strategic influence."⁴

This memo updates the O&I report of November 2008, "The Joint Improvised Explosive Device Defeat Organization: DOD's Fight Against IEDs Today and Tomorrow."

EVOLUTION OF JIEDDO

DOD's focused effort against IEDs evolved from a 12-member Army Task Force, through a Joint IED Defeat Task Force and finally to the current Joint IED Defeat Organization with 470 permanent staff (of which 192 are contractors) and 1,695 supplemental or "wartime" staff, which are mostly contract personnel.⁵ The GAO has noted that the human resources and accounting systems have not kept pace with this growth.

Many efforts to address the IED threat at the service, joint, and interagency level have continued after the creation of JIEDDO and it is still unclear to what extent all C-IED efforts have been coordinated by JIEDDO. There exist several examples of potential duplication of effort that may illustrate redundant activity within DOD. One example is the C-IED Operations Integration Center, which is responsible for intelligence gathering, but is potentially duplicative with other efforts. It is also worth asking if there are any gaps that are not currently addressed. For example, DOD has recently appealed for increased support for Explosives Ordnance Disposal assets as well as C-IED efforts, separate from the JIEDDO appeals.⁶

FUTURE ROLE OF JIEDDO

A central question underpinning the October 2009 hearing was whether JIEDDO is fulfilling its function to "*focus (lead, advocate, coordinate) all Department of Defense actions in support of the Combatant Commanders' and their respective Joint Task Forces' efforts to defeat Improvised Explosive Devices as weapons of strategic influence?*"⁷

The responses by witnesses and more recent actions by DOD reveal some potentially conflicting information. Both Dr. James A. Shear, Deputy Assistant Secretary of Defense for Partnership Strategy and Stability Operations, and LTG Metz, JIEDDO Director, said they believed JIEDDO should become a "permanent" organization.⁸ Moreover, Dr. Shear believes the

⁴ *Joint Improvised Explosive Device Defeat Organization*, DOD Directive 2000.19E (14 February 2006).

⁵ Staffing data as of October 1, 2009, provided by JIEDDO.

⁶ See, for example, Memorandum from General McChrystal to Secretary Gates, "Request for Immediate Funding of COMISAF and CFSOCC-A Counterinsurgency and Unconventional Engagement Support through the Irregular Warfare Support Program (IWS)" 4 August 2009

⁷ *Joint Improvised Explosive Device Defeat Organization*, DOD Directive 2000.19E (14 February 2006).

⁸ HASC O&I Hearing entitled, "Defeating the Improvised Explosive Device (IED) and Other Asymmetric Threats:

current governance structure is appropriate and working adequately: “This governance structure cuts across institutional lines to provide a broad and balanced look at JIEDDO initiatives....The Deputy Secretary is able to provide the appropriate level of oversight for JIEDDO.”⁹

Yet on November 12, 2009 Secretary Gates announced the formation of a task force to remove bureaucratic structures which he believed were underpinning JIEDDO’s mission objectives. According to published reports, the “secretary said he wants the counter-improvised explosive device (IED) task force ‘to break down the stove pipes’ that keep various anti-bomb groups scattered across the military services and agencies from working together. He also wants the new group to ‘get the troops what they need.’”¹⁰ The task force appointed by Secretary Gates resulted in the C-IED Senior Integrated Group that is co-led by Under Secretary of Defense Ashton Carter and Marine Lieutenant General John M. Paxton. This group was chartered to report out monthly and finish their work in about six months or June 2010.

The new JIEDDO Director, Lieutenant General Michael Oates, has indicated that he will question some of the former institutional assumptions about JIEDDO. In staff discussions he indicated that he will challenge JIEDDO’s current mission statement to “coordinate” all aspects of the C-IED fight. He also noted that he does not necessarily see JIEDDO as a permanent organization.¹¹ His willingness to consider other options for JIEDDO are laudable and his decisions on the direction of the organization should be assessed periodically.

JIEDDO BUDGET

As shown below, almost \$19 billion of predominately supplemental funding has been appropriated to DOD’s IED Defeat efforts (Army Task Force, Joint IED Task Force, and JIEDDO). The President’s supplemental budget requests for FY2007 and FY2009 had larger amounts of funding for JIEDDO in the base budget, but the Congressional appropriators moved the funds to the supplemental budgets, reasoning that JIEDDO’s expenses are war related.¹² Recently, more money has been moved into the base budget. The conference report accompanying the National Defense Authorization Act for FY2010 also raised concerns about JIEDDO’s inability to provide timely budgetary and programmatic information to the committees, further complicating oversight of those funds.

JIEDDO officials strongly emphasize the importance of the “colorless” nature of their funding (i.e., not restricted specifically to one function like procurement, operation and maintenance, or research and development activities) and the ability to spend funds over a three-year period. They maintain that these flexible budget authorities are critical to rapidly developing and fielding new initiatives and to making changes to initiatives in response to the evolving IED threat.¹³

Reviewing the Performance and Oversight of the Joint IED Defeat Organization (JIEDDO), 29 October 2009

⁹ Dr. James A. Schear, Responses to Question for the Record for HASC O&I hearing, “Defeating the Improvised Explosive Device (IED) and Other Asymmetric Threats: Reviewing the Performance and Oversight of the Joint IED Defeat Organization (JIEDDO),” CHARRTS No.: HASC OI-09-001, 29 October 2009

¹⁰ John T. Bennett, “Gates Sets Up New Counter-IED Task Force,” Army Times, Nov 14, 2009

¹¹ LTG Oates discussion with HASC staff, January 27, 2010.

¹² S. Rep. No. 110-37 at 25 (2007). S. Rep. No. 110-335 at 48 (2008).

¹³ See, for example, LtGen Metz, Responses to Question for the Record for HASC O&I hearing, “Defeating the Improvised Explosive Device (IED) and Other Asymmetric Threats: Reviewing the Performance and Oversight of the Joint IED Defeat Organization (JIEDDO),” CHARRTS No.: HASC OI-09-014, 29 October 2009: “...three-year colorless money provides us great flexibility in supporting our Combatant Commanders’ Joint Urgent Operational

JIEDDO Appropriations
(billion \$)

FY04 (Army)	FY05 (Army)	FY06 Bridge & Supplemental	FY07 Bridge & Supplemental	FY08 Base & Bridge	FY09 Bridge & Supplemental	FY10 Base	TOTAL appropriations to date
0.1	1.345	3.583	4.354	4.389	3.117	1.884	18.77

As shown below, along with the publication of the President’s FY2011 budget request on February 1, an FY2010 Supplemental budget request was submitted. The request also includes an additional \$400M for FY2010.

JIEDDO Request
(billion \$)

FY10 Supplemental <i>Request</i>	FY11 <i>Request</i>	TOTAL requested to date
0.4	3.466	22.64

The President’s budget request for FY2011 consists of \$216M for JIEDDO “staff and infrastructure” and \$3,250M in the Overseas Contingency Operations line for the general JIEDD Fund, for a total request of \$3.466B.

The FY2011 request for JIEDDO includes the following:

Funding provides for the institutionalization of the Joint Improvised Explosive Device Defeat Organization's mission capabilities beyond support of current operations in Iraq and Afghanistan, to include Headquarters Staff and Infrastructure, long-term Science and Technology efforts, and the Joint Center of Excellence.

This would indicate a DOD push for “permanence” that may be at odds with other initiatives, as discussed above.

In addition to the above budget requests, there is substantial investment in other DOD C-IED efforts. For example, most of the vehicle up-armoring effort and fielding of new armored vehicles such as the Mine-Resistant, Ambush-Protected (MRAP) vehicles are responses to the lethal IED threat, but they are funded by the services rather than by JIEDDO. Likewise, much of the new intelligence, Surveillance, and Reconnaissance assets are dedicated to the IED defeat mission. Although JIEDDO has supported these efforts, most of the cost for these initiatives has been borne by other programs. Therefore, the amounts noted in the tables above do not capture fully the entire extent of DOD’s expenditures on C-IED efforts.

Needs.”

HAS JIEDDO BEEN SUCCESSFUL?

There is no doubt that despite the complexity and difficulty of its mission, JIEDDO and its predecessor organizations have made significant contributions to the C-IED effort. One measure of success is the use and effectiveness of IEDs. JIEDDO and the Office of the Secretary of Defense (OSD) often quote the metric of how many IEDs are required to inflict a casualty and point out that the number has been rising steadily in Iraq. They argue that the enemy has to work harder to injure or kill Coalition Forces and this is due to a combination of JIEDDO's efforts and other factors, such as more highly trained and experienced warfighters as well as increases in Iraqi tips about IEDs and networks. It is still difficult to associate funds spent with positive effects. Moreover, it is not clear that the same can be said about the number of IEDs causing casualties in Afghanistan.

While the total number of IEDs has dropped dramatically in Iraq it is on the rise in Afghanistan. As stated previously, LTG Metz, in a letter to Senator Carl Levin, stated that between August 2008 and August 2009, IED attacks have doubled and are now at their highest levels to date. LTG Thomas Metz cites this "doubling of IED incidents in Afghanistan" fact as reason to restore \$100 million that was moved from JIEDDO to the Irregular Warfare Support Office's C-IED efforts, arguing that it is JIEDDO's mission to focus all DOD C-IED activities.¹⁴

While the decrease in successful attacks in Iraq is encouraging, that success has not been replicated in Afghanistan. Despite this disturbing trend, JIEDDO funding has dropped from \$4.3 billion in FY2008, to \$3.1 billion in FY2009, to \$2.1 billion in FY2010. In the October 2009 hearing LTG Metz explained that this reduced funding was due to the harvesting of "low hanging fruit initiatives," citing as an example the initial expense of developing electronic jammers, which are now fielded.¹⁵ However, it still seems appropriate to question how effectively this year's reduced funding will be expended to meet the increasing threat in Afghanistan. This question becomes even more critical after the President's decision to add more forces to the fight there.

Despite C-IED achievements, there have been several concerns about certain aspects of JIEDDO's capabilities, management, and successes. Some of these concerns stem from JIEDDO's inability to clearly articulate what it has been able to accomplish, with its relatively large budget and broad authorities, and the directive to defeat IEDs as weapons of strategic influence. Congress has also expressed concerns about the Department's oversight of JIEDDO to ensure there is no unwarranted duplication of effort in the three lines of operations.

Congress has also mandated that GAO conduct reviews of JIEDDO to assess:¹⁶

- Financial operations, management, and accounting practices
- Staffing, human capital operations
- Coordination with and leveraging of existing DOD intelligence community for "Attack the Network" efforts

¹⁴ LTG Metz, Responses to Question for the Record for HASC O&I hearing, "Defeating the Improvised Explosive Device (IED) and Other Asymmetric Threats: Reviewing the Performance and Oversight of the Joint IED Defeat Organization (JIEDDO)," CHARRTS No.: HASC OI-09-012, 29 October 2009

¹⁵ HASC O&I Hearing entitled, "Defeating the Improvised Explosive Device (IED) and Other Asymmetric Threats: Reviewing the Performance and Oversight of the Joint IED Defeat Organization (JIEDDO), 29 October 2009

¹⁶ S. Rep. No. 109-292 at 239-40 (2006). H.R. 1585, Title X, Subtitle D, Sec 1032.

- Performance measures and metrics
- Authority and ability to lead, coordinate, and advocate all of DOD's C-IED activities
- Feedback on JIEDDO's efforts from the warfighter
- Process for finding and rapidly fielding C-IED solutions
- Oversight of JIEDDO activities by the Deputy Secretary of Defense

In its reports and in its testimony,¹⁷ GAO has expressed several concerns about JIEDDO's financial and human capital operations. These include the need to establish and document effective controls for financial management and to develop a system or method to identify, track, and report on a routine basis all government and contractor personnel.¹⁸ JIEDDO has concurred with nearly all GAO findings, yet in Mr. Solis' testimony "JIEDDO's improvements have not resulted in an organization-wide development of an adequate internal control program for JIEDDO and...full transparency over JIEDDO's operations and investments in counter-IED initiatives are uncertain and at risk."¹⁹

Coordination of all DOD C-IED Activities: JIEDDO is responsible for focusing (lead, coordinate, advocate) all DOD C-IED efforts, but it has not demonstrated in quarterly reports to Congress that even its knowledge about these activities is complete and used effectively.²⁰ The reports contain what are essentially responses from several DOD organizations to requests for information on C-IED activities and there is no indication that JIEDDO processes, synthesizes (e.g., keeps a database sorted along the lines of operation), or makes use of this information. It appears to be collecting this information to meet the Congressional request rather than to fulfill its mission.

This lack of an OSD-wide focused effort seems to demonstrate that JIEDDO is not well placed organizationally as a direct report to the already over-burdened Deputy Secretary of Defense, despite testimony to the contrary from the two DOD witnesses. It remains to be seen what Secretary Gates' task force will conclude, but continued oversight over the DOD's C-IED fight is warranted.

¹⁷ Mr. William Solis, HASC O&I Hearing entitled, "Defeating the Improvised Explosive Device (IED) and Other Asymmetric Threats: Reviewing the Performance and Oversight of the Joint IED Defeat Organization (JIEDDO), 29 October 2009.

¹⁸ U.S. Government Accountability Office, *Defense Management: More Transparency Needed Over the Financial and Human Capital Operations of the Joint Improvised Explosive Device Defeat Organization*, GAO-08-342, March 2008.

¹⁹ Mr. William Solis, Responses to Question for the Record for HASC O&I hearing, "Defeating the Improvised Explosive Device (IED) and Other Asymmetric Threats: Reviewing the Performance and Oversight of the Joint IED Defeat Organization (JIEDDO)," 29 October 2009.

²⁰ John Warner National Defense Authorization Act for Fiscal Year 2007, P.L. 109-364, sec. 1402 (2006).

RECOMMENDATIONS

1. HASC O&I will follow the C-IED Senior Integrated Group chartered by Secretary Gates with member briefings and hearings.
 - a. In particular, O&I will follow their deliberations on the effectiveness of the current C-IED organizational and reporting structure.²¹
2. The HASC will periodically assess LTG Oates' progress on re-defining JIEDDO's mission and reporting structure.
3. The HASC will continue to scrutinize proposed changes to the DOD's counter-IED structure by synthesizing the lessons learned in the study of the current day JIEDDO; the findings of the newly formed Senior Integrated Group; and LTG Oates' internal examination and rethinking of JIEDDO's role as a permanent organization.
4. DOD should take steps to implement GAO's recommendations to facilitate the transition of initiatives to the services including:
 - a. Developing a DOD-wide database for all counter-IED initiatives.
 - b. Developing a mechanism to notify the appropriate service C-IED focal points of each initiative prior to funding.
 - c. Developing a comprehensive plan to guide the transition of each JIEDDO-funded initiative.
 - d. Coordinating with the services to ensure their requirements are accounted for prior to funding an initiative.
5. DOD should take steps to address the GAO's finding that "JIEDDO's performance measures do not clearly address its progress in its mission to defeat the IED as a weapon of strategic influence."²²

²¹ The appropriateness of JIEDDO reporting to the Deputy Secretary of Defense has been questioned numerous times, by Chairman Snyder in the October 2009 hearing and by GAO in their reports and responses to Questions for the Record.

²² Mr. William Solis, Responses to Question for the Record for HASC O&I hearing, "Defeating the Improvised Explosive Device (IED) and Other Asymmetric Threats: Reviewing the Performance and Oversight of the Joint IED Defeat Organization (JIEDDO)," 29 October 2009.