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DPS: THINGS IT WILL NEVER CONTROL

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JCSP 43 DL

Exercise Solo Flight

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CANADIAN FORCES COLLEGE – COLLÈGE DES FORCES CANADIENNES
JCSP 43 DL – PCEMI 43 AD
2017 – 2018

EXERCISE *SOLO FLIGHT* – EXERCICE *SOLO FLIGHT*

DPS: THINGS IT WILL NEVER CONTROL

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Word Count: 2927

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DPS: Things it will never control

As a logistician, we are mentored on the procurement cycle early in our career. From a simplistic point of view, it appears linear and rather procedural, everything a young military officer loves. Define the requirement, validate, ensure you have the funds, select our procurement strategy, solicit, source, negotiate, award and manage. It seems rather straight forward, but as the estimated value of the requirement increases to the point it's considered a major capital project this simple approach becomes complex. Suddenly, members of both the Canadian Armed Forces (CAF) and Canada's tax payers are reading about cost overruns, late deliveries, and an inability to meet operational requirements for one capital project or the next in media outlets across the country.

Our challenges with defence procurement have plagued us for decades and can be considered one of the *wicked* problems for the Department of National Defence (DND). A *wicked* problem, as first introduced by Horst Rittel, consists of "pressing and highly complex issues for policy formulation that involve many casual factors and high levels of disagreement about the nature of a problem and the best way to handle it."¹ From the military perspective, defence procurement appears to be a tame problem that does not need to be complicated because most military capabilities have a technical or engineering-based solution. It's the planning or the implementation of the solution that becomes the *wicked* problem because the more expensive the

¹ Sam Bateman, "Solving the Wicked Problems of Maritime Security: Are Regional Forums up to the Task?" *Contemporary Southeast Asia* 33, no. 1 (Spring 2011): 2.

requirement, the more stakeholders² internal and external to Canada take an interest and seek to influence the outcome in order to yield a personal benefit. In the past, the motivations of various stakeholders often caused the initial DND requirement to become altered or worst-case scenario cancelled. Either way, the outcome often failed to meet the initial requirement.

From a social policy perspective, both DND and the federal government have been cognisant of this particular challenge and as such have carried out a series of major transformations over the years forcing our procurement processes to evolve in an attempt to solve this *wicked* problem however, despite the various adjustments, Canada continues to struggle in this area. The latest reform that launched in 2014³ under the umbrella of a refreshed Defence Procurement Strategy (DPS) is geared towards a whole of government approach which is intended to streamline our procurements ensuring the delivery of the right equipment, in a timely manner while still creating economic growth in Canada.⁴

At first glance, it appears to be the magic solution that will meet the needs of DND while promoting economic growth within Canada. Such a feat would be considered a win-win for the federal government however, further analysis of the strategy points to areas of vulnerabilities. Through the examination of the revised DPS strategy, in concert with a review of historical defence procurement examples, this paper will argue that the probability still remains high that DND will continue to struggle with achieving what it's primarily concerned with: delivery of

² Terrance Weatherbee, (email guidance, PTN Latest TD and Progress feedback, 8 April 2018), with permission.

³ Canada. Public Services and Procurement Canada. "Defence Procurement Strategy." Last accessed 14 May 2018. <http://www.tpsgc-pwgsc.gc.ca/app-acq/amd-dp/samd-dps/ssamd-adps-faq-eng.html>

⁴ Canada. Public Services and Procurement Canada. Last accessed 23 April 2018. <http://www.tpsgc-pwgsc.gc.ca/app-acq/amd-dp/samd-dps/index-eng.html>

the right equipment in a timely manner due to influences at the strategic, political or economic level that the revised DPS strategy lacks the capability to control.

The reform that occurred under DPS was extensively focused on streamlining procurement steps, allowing DND to buy the gear that the military needs... while at the same time attempting to remove red tape and improve accountability for when defence requirements go sideways.⁵ The DPS strategy as such implemented various policy adjustments within four sectors of the government: DND, Public Services and Procurement Canada (PSPC), Innovation, Science and Economic Development Canada (ISED) and Global Affairs Canada (GAC). A whole of government approach with these stakeholders was critical to ensuring DPS could deliver on the following three main objectives:

- a. Delivering the right equipment to the CAF and the Canadian Coast Guard in a timely manner;
- b. Leveraging our purchases of defence equipment to create jobs and economic growth in Canada; and
- c. Streamlining Defence Procurement Processes.⁶

From a policy content perspective, great attention was given to the interactions of these four departments and how policies would have to be adjusted within one department or bolstered in another to support the collective obtainment of these three critical objectives. Unfortunately,

⁵ Lee Berthiaume. "Military Procurement Officials hopeful years of troubles finally behind them," *IPolitics*, Last Accessed 19 May 2018. Last modified 23 September 2016. <https://ipolitics.ca/2017/07/09/military-procurement-officials-hopeful-years-of-troubles-finally-behind-them/>

⁶ Canada. Public Services and Procurement Canada. "Defence Procurement Strategy." Last modified 23 September 2016. <https://www.tpsgc-pwgsc.gc.ca/app-acq/amd-dp/samd-dps/index-eng.html>

despite the policy analysts' best efforts, DPS will never be a perfect strategy because the reforms failed to fully protect itself from strategic level influences.

The most critical DPS objective that could be easily undermined by shift in strategic intent is DPS's ability to deliver the right equipment for the CAF in a timely manner. Delivery of the right equipment is often more about one's ability to define the requirement than it is about the mechanics of how DND and PSPC carry out a major capital procurement. The successful execution of DPS is highly reliant on CAF's ability to define a requirement in order to achieve a capability or have the ability to fulfill a mission mandate. Defining which capabilities, a defence force needs to invest in, can be highly subjective and without clarity or focus at the strategic level can result in delayed definition of requirements. A statement of requirements (SOR) is one of the first steps in a highly procedural based procurement process. Its development is based on "the most likely range of tasks the government can reasonably be expected to assign to the CAF."⁷ Without a valid SOR, a procurement agency has nothing to procure or is perceived to be delayed in delivery of a capability because there was initial confusion over definition of requirements. Fortunately, as of today, the CAF is well positioned to understand what capability it needs to invest in through DPS based on the guidance of our current federal government.

With the release of Canada's latest defence policy, the CAF is expected to provide Canada with an "agile, multi – purpose, combat - ready military, operated by highly trained, well-equipped women and men."⁸ In order to achieve this, the defence policy highlights that a

⁷ Charles Davies. "Forecast Defence Requirements." *Policy Options*, last modified 14 January 2016.

⁸ Canada. Department of National Defence. *Strong, Secure and Engaged*. Ottawa: Government of Canada, 2017: 14.

significant re-investment in all three environments is required in order to remain a viable force to both Canada and our allies. Combined this with a list of clearly defined core missions and possible tasks, the CAF suddenly has a better understanding of what's expected of them. The defence policy alone though is not enough, it should be reviewed in concert with DND's: Future Security Environment 2008-2030. This document, developed by the chief of force development, "provide[s] the defence institution with an authoritative analysis of current and emerging geopolitical, socio-economic, environmental, technological and military trends that affect the future security environment."⁹ DND can leverage both tools to help determine capabilities and define the requirements that need to be procured. It would seem that as long as the processes are in place to support the purchases required to support these defined tasks, then fulfilling the objectives of DPS should be achievable.

What happens though when there is a sudden shift in our security environment, or the current diplomatic approach preferred by our federal government switches from soft power back to hard power? Past strategic indicators lead the CAF to believe a Medium -Support Vehicle System without armour was sufficient for the CAF, only to add armour part way through the project in response to developments in Afghanistan.¹⁰ This delay in delivery and increase in cost was not a result of poor defence procurement processes or lack of engagement with industry, but rather the result of a shift at the strategic level regarding our security posture and how the CAF would be employed as a tool of diplomacy. Fast forward eight years and action by our allies

⁹ Canada. Department of National Defence. *The Future Security Environment 2008-2030*. Ottawa: Government of Canada, 2009: III.

¹⁰ Elinor Sloan. "Something Has to Give: Why Delays are the New Reality of Canada's Defence Procurement Strategy." *CDFAI*, October 2014: 4.

have shifted our focus back towards peace keeping operations as the United States “recently achieved a diplomatic breakthrough to put peacekeeping back on the global agenda...[gaining] support for peacekeeping efforts by providing more troops and material.”¹¹ This shift in foreign policy approach by our allies has influenced Canada’s foreign policy approach by presenting an opportunity for our Prime Minister “to dial back Canada’s hard power ambitions on the world stage.”¹²

While DPS has tried to control these outside strategic influences by publishing a Defence Acquisition Guide and establishing within the DND an Independent Review Panel for Defence Acquisitions (IRPDA) in order to ensure requirements are in line with strategic intent¹³, the panel can only assess capability requirements based off of the same guidance that DND uses.

Something as simple as a new threat to our security or a shift in the strategic landscape as was recently experienced when Russia’s shifted from a formidable defence partner to threat,¹⁴ while minor, will be enough to cause DND to struggle with defining the requirement ultimately undermining DPS’s main object to deliver the right equipment to the CAF in a timely manner.

There will be the rare occasions though where it’s crystal clear what the requirement should look like in order for the military capability to be employed effectively at home or abroad. Even more rare when the capability exists within the defence industry and falls within

¹¹ Matthew Bondy, “Justine Trudeau Is Putting the ‘Liberal’ Back in Canadian Foreign Policy.” *Foreign Policy*, 21 October 2015, p. 6. Last accessed 25 May 18 <https://foreignpolicy.com/2015/10/21/justin-trudeau-liberal-canadian-foreign-policy-syria-climate-change/#>

¹² *Ibid.*, 1.

¹³ Canada. Public Services and Procurement Canada. “Defence Procurement Strategy.” Last modified 23 September 2016. <https://www.tpsgc-pwgsc.gc.ca/app-acq/amd-dp/samd-dps/index-eng.html>

¹⁴ David Perry. “Our Military Procurement System is Broken – But not Beyond Repair.” *IPolitics*, last modified on 24 September 2015, <http://ipolitics.ca/2015/09/24/the-next-government-must-fix-canadas-broken-military-procurement-system>.

defence budgetary allocations. It's in those moments of clarity that DND becomes optimistic that the delivery of a requirement is within reach, at least until that moment when it becomes clear that the requirement that seems within the realm of possible is actually a political playing card.

Political motivations have long influenced defence procurement. Sometimes the political influence can work for the requirement while in other instances it effectively will ruin it. Some may argue that Canada's political landscape has matured over the years and the desire to use a major capital project as a political pawn are behind us as today's leaders will put concerns of military capability ahead of political ambitions, but one only has to look to our past and not so recent past to realize the power political influence has over a major capital project.

During the 1993 federal election, the Sea King replacement project became a campaign tool. It first started as a campaign promise by a "defence critic for the New Democratic Party (NDP), Andrew Brewin, [who] dismissed the aircraft as a 'Cold War helicopter.'"¹⁵ This initial playing card, put on the table by one political leader, created a cascading ripple that gained momentum as more political leaders and industry lobbyist joined the choir. The rationale being that Canadian tax payers were being asked to pay for a capability that was no longer required. Not once did a politician point out to the Canadian Tax payer the economic benefits that would be gained from the contract, "the fact that Industry Canada had ranked the EH industries offset package particularly high...that fifty thousand person-years of skilled work would be created by the offsets."¹⁶

¹⁵ Kim Nossal, *Charlie Foxtrot: Fixing Defence Procurement in Canada* (Toronto: Dundurn, 2016), 63.

¹⁶ Nossal, *Charlie...*, 65.

Shortly following the federal election, the newly appointed Prime Minister, Jean Chretien swiftly cancelled the contract as promised during his election campaign. The process of cancelling the contract cost Canada “\$478.3 million to cancel the contract: \$88.7 million in contract cancellation fees, \$235 million for work in progress, and \$154.6 million for work done in the project definition phase.”¹⁷ At the end of the day, DND was still left with an aging fleet that would not see an official replacement for another 25 years. It’s hoped that the “half-century-old Sea King helicopter will take a step closer to retirement with its replacement Cyclone aircraft sometime in 2018.”¹⁸ It’s feasible, as we fast forward to 2014, DPS would mitigate a repeat of such a debacle, but the F-35 fiasco proved otherwise.

As bureaucrats in Ottawa were launching the revised DPS to mitigate these woes, our current Prime Minister Justin Trudeau, used the F-35 major capital procurement as his own political playing card that helped win him a majority government. The cost to DND for this level of political influence: cancellation of “the public commitment to purchase 65 of Lockheed Martin’s F-35 Lightning II aircraft”¹⁹ as initially promised to his loyal voters during the campaign leading up to the 2015 federal election. Even with the newly launch DPS, where a working group of ministers from Public Works, Defence, Industry Canada and Treasury Board have been given a mandate to become more involve in major capital projects and provide

¹⁷ Ibid., 66.

¹⁸ Brett Ruskin. “East Coast Sea Kings set to retire, but replacements face growing pains.” CBC News, 22 Dec 2017. Last accessed 26 May 2018, <http://www.cbc.ca/news/canada/nova-scotia/sea-king-retirement-east-coast-cyclone-replacement-1.4459985>.

¹⁹ Ian MacMillan. “I’ll make the list, you go to the store: dividing the labor in Canadian defence purchases.” *Canadian Foreign Policy Journal* 23, no. 2 (Oct 2016): p. 146.

political oversight;²⁰ DPS failed. It failed to protect this major capital project from being hijacked by political influence undermining the first key objective of DPS: delivery of the right equipment in a timely manner.

The final significant influence for DND that threatens to undermine DPS ability to deliver the right equipment to the CAF in a timely manner are the economic unknowns. Secondary to streamlining procurement processes under the DPS umbrella, the third critical objective that DPS has a mandate to achieve is “leveraging ...purchases of defence equipment to create jobs and economic growth in Canada.”²¹ The catch that came with a highly transparent and fully funded defence policy is the requirement to reinvest those tax dollars back into the Canadian economy with the intent of trying to “meet the Canadian Armed Forces’ needs and increase the competitiveness of Canadian firms in the global marketplace.”²² It’s understandable why the federal government would want to see a portion of those tax dollars reinvested in Canada given that the federal government made a commitment to “grown defence spending over the next 10 years from \$18.9 billion in 2016-17 to \$32.7 billion in 2026-27.”²³ Especially considering the fact that historically “shrinking defence budgets, changing force structures and

²⁰ Andrew Vaughan. “Ottawa to Curb Military’s Role in Procurement After Costly Delays.” *The Globe and Mail*, 11 May 2018. Last accessed 27 May 2018. <https://www.theglobeandmail.com/news/politics/ottawa-to-curb-militarys-role-in-procurement-after-costly-delays/article16703809/>

²¹ Canada. Public Services and Procurement Canada. “Defence Procurement Strategy.” Last modified 23 September 2016. <https://www.tpsgc-pwgsc.gc.ca/app-acq/amd-dp/samd-dps/index-eng.html>

²² Ibid.

²³ Canada. Department of National Defence. *Strong, Secure and Engaged*. Ottawa: Government of Canada, 2017: 11.

military requirements, as well as the overall contraction in the global defence market, made domestic and international sales more difficult”²⁴ for the defence industry in Canada.

The challenge with this economic objective is it threatens to undermine the objective important to DND: delivery of the right equipment in a timely manner. Historically, yielding the right balance of military and economic benefits from defence spending has been a desired goal of most states with a sizeable defence industrial base²⁵ and policy analysts were aware of these risks when they added this objective under DPS. History has shown us that the pendulum rarely rests in the middle, it either rests in favour of industry or the military. Given that the National Shipbuilding Procurement Strategy (NSPS) heavily influenced DPS, an examination of its results thus far is a strong indicator of how DPS will fair in this regard.

NSPS was the precursor to DPS, designed to “re-equip the Royal Canadian Navy (RCN) and the Canadian Coast Guard (CCG),” whilst creating economic development within Canada’s shipbuilding sector.²⁶ The program was designed to create “\$2 billion in revenue annually and 15,000 jobs over a period of 30 years, with a total program cost of \$42 billion.”²⁷ Unfortunately, there is a cost to investing in further enhancing one’s domestic shipbuilding capability. Since the conception of the strategy and contract award, there has yet to be a capability delivered to RCN or CCG. Additionally, reports are rampant in the media that costs overruns are in excess of 180

²⁴ Andrew MacDonald. “Canadian Defence Industry Overview [CAN2015D2].” *Janes’* 360, 28 May 2015: 1.

²⁵ Sven Tommi Rebien, “Canada’s New Defence Procurement Strategy: Has the Pendulum Swung Too Far?” *Canadian Global Affairs Institute*, April 2014: 3.

²⁶ Canada. Public Services and Procurement Canada. “National Shipbuilding Strategy.” (June 2010).

²⁷ Aleksi Korpela. “The National Shipbuilding Procurement Strategy: Progress and Prospects.” *Nato Association of Canada*. 11 February 2016: 2.

percent depending on the project while others are on the cusp of being cancelled.²⁸ The reason for the costs overruns many not be known for many years to come but considering the “industry had been waning for 30 years and had to be rebuilt, both with infrastructure and sourced labour,²⁹ costs over runs should not be a surprise. This type of economic influence puts DND in a predicament: seek more defence funds, reduce the number of ships required, or scale back the capability. Given that DND rarely controls the narrative over sourcing precious defence dollars, it’s reasonable to assume that DND will either elect to reduce the number of vessels from the initial requirement or remove a capability in order to save money. Either way, economic development appears to take precedent over delivery of the right equipment in a timely manner.

Based on these unfavorable results, one could reasonably assume that contracts awarded under DPS will succumb to the same fate. Canada “does not have a comprehensive defence industrial base, so targeted procurement and investment in infrastructure, technical expertise and continuous capability development”³⁰ will take time and cost DND a premium. Unfortunately, economic influences are variables beyond the control of DND, but in this particular instance would still be conceived a win for DPS as costs overruns still mean economic development in Canada.

²⁸ James Cudmore. “Shipbuilding Strategy needs work to get ballooning costs under control, minister told.” CBC News, 25 November 2015, <http://www.cbc.ca/news/politics/shipbuilding-procurement-action-plan-1.3336604>

²⁹ Terry Milewski. “Canada’s Vast Shipbuilding Plan Still at the Starting Line.” CBC News, 4 May 2015. <http://www.cbc.ca/news/politics/canada-s-vast-shipbuilding-plan-still-at-starting-line-1.305814>

³⁰ Rebien, “*Canada’s New Defence*,” 6.

Wicked problems, because they are multi-stakeholder and ‘social’ in nature, mean that the policy context must always be thought of as a dynamic and unfolding process.”³¹ The initial start point for DPS, was a holistic overhaul of what bureaucrats could easily effect: low level policy adjustments in concert with procedural and organizational tweaks. The majority of these tweaks occurred internal to DND. It’s unclear if this policy analysis approach was deliberate in recognition of the complexity of the problem, or a level of naivety. As demonstrated throughout this paper, DPS in its current state is incapable of shielding major capital projects, that are so vital to DND, from external influences brought on by changes in the strategic, political or economic landscape.

Without this, DND and ultimately CAF, will rarely, if ever receive delivering of the right equipment in a timely manner.

It’s conceivable though that DPS will eventually evolve to account for these vulnerabilities highlighted within. However, as pointed out by Horst Rittel, most wicked problems such as this one, “require leadership where the role of the leader is to ask questions and collaborate with others on finding the best ways to approach the problem.”³² This level of leadership needs to come from the top within the federal government. Without it, DPS is destined to be merely another band-aide solution that will certain boost economic development, at the detriment of our military’s capabilities.

³¹ Terrance Weatherbee, (email guidance, SOC CS Feedback, 4 May 2018), with permission.

³² Val Morrison. “Wicked Problems and Public Policy.” *National Collaborating Centre for Healthy Public Policy* (June 2013): 4.

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