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CANADIAN DEFENCE PROCUREMENT: A CURRENT PERSPECTIVE AND OPTIONS FOR IMPROVEMENTS

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CANADIAN DEFENCE PROCUREMENT: A CURRENT PERSPECTIVE AND OPTIONS FOR IMPROVEMENTS

“Those who cannot remember the past are condemned to repeat it”
George Santayana¹

The procurement of defence related equipment, material and resources has been and continues to be a complex and at times disjointed culmination of historical, cultural, political and social experiences mixed in with overall national interests, believed to be in what is best for the Canadian Armed Forces in supporting the Government of Canada’s Defence Strategy. Successive governments from the early days of nationally procured material, from both political spectrums, has continually attempted to modify, reform, rebuild and modernize Defence Procurement, but over the course of more than 120 years, the cultural issues in many organizations across government, including Political, Public Service and military have proved immovable to adapt to modern and flexible systems to ensure that the Canadian Armed Forces receives the “right equipment, at the right time, in the right place, with the right support”...and “at the right price.”²

While defence procurement is not completely free of political influence, Canadian national interests and values remain core to our defence policies. Our national interests resemble our general public consensus and ethos as a sovereign, democratic nation. While government interests are sometimes blurred with political interests and aspirations, in which our political leadership pursue advancing their own interests wrapped in the name of “the national interest” vice the

¹ Matthew Caleb Flamm. *George Santayana (1863—1952)*, Internet Encyclopedia of Philosophy <https://www.iep.utm.edu/santayan/>

² Kim R. Nossal, *Charlie Foxtrot – Fixing Defence Procurement in Canada* (Toronto: Dundurn, 2016). 31.

interests of the state, the majority of the federal government's policies follow a traditional "Canadian" theme.³

Therefore, it is not without positive intent or honest desire to improve defence procurement, but for over a century, the system has fought back against the overall institution to fix the system. Based on the long and negative legacy of Canadian Defence Procurement, is it now time to start anew, throwing to the side the current and overly bureaucratic policy, and reinventing defence procurement with a strong, multi-generational intent, encapsulated in a binding defence policy that endures time.

This paper will endeavor to examine some challenges faced by previous governments in purchasing necessary major capital acquisitions for the Canadian Armed Forces, the many historical instances where decisions derailed the process whereby demonstrating where future policy must prohibit these actions, where opportunities have succeeded in securing the right equipment for the right price and suggestions for future procurement policy makers in moving forward, to the benefit of the women and men of the Canadian Armed Forces and as a result, all Canadians.

It is noted that the procurement process is an extraordinarily complex institution, involving industrial, economic, financial, political and policy elements. This examination will focus on the political and policy elements as it relates to decisions making and accountability. It is also important to look at the process empathetically and not cast specific blame on any one individual or organization. While this could easily be done, especially in light of the tragedy surrounding the crash of the CH-148 Cyclone Helicopter

³ Steven Kendall Holloway, "Defining the National Interest." In *Canadian Foreign Policy: Defining the National Interest*. (Peterborough, ON: Broadview Press, 2006.) 10.

off the coast of Greece on April 29th, however, in order to have real discussion on the issues at hand, while being empathetic, blame must not enter the conversation.

Background

Canadian History is ripe with missteps when it comes to defence procurement. Canadian Defence Procurement history is comprised of numerous acquisition projects that can be used as evidence to a confused and failed system. In the author's analysis, we will highlight the main issues of these acquisition projects, draw conclusions and similarities, show how these projects ended and demonstrate that while spanning over a 100 years, they could read as if they occurred back-to-back during the same period. This will support the conclusion that our batting average is average at best and that there is no real rhyme or reason how projects come together or fall apart, other than the good ones have all the stars aligned. The slogan of Canadian Defence Procurement could be: "snatching defeat from the hands of victory."⁴

In reality, these projects happened for a variety of reasons, took place during domestic and international major events and with distinct motivations, good and bad, which took on a different life following the decisions by others. These outcomes will support recommendations discussed later, but as George Santayana has said, it is imperative to understand these issues in order to move forward.

What is basic the procurement process? According to Dr. Stone, the procurement process is essentially the same across nations. "Someone within the defence organization identifies what is referred to as a capability deficiency and an initial assessment of options to resolve the deficiency is conducted. Next, those options are analysed, and a

⁴ "Snatch Defeat From The Jaws of Victory," Urban Dictionary, Date modified May 15, 2020, <https://www.urbandictionary.com/define.php?term=Snatch%20Defeat%20From%20The%20Jaws%20of%20Victory>

determination is made about which option meets the requirements and that selection is refined and approved, the equipment purchased and brought into service.”⁵ Therefore, the issues surrounding Defence Procurement are much more than basic buying of widgets.

To discuss today’s issues and opportunities to improve, we must look at our history and of those projects that have defines Canadian Defence Procurement.

Ross Rifle

By all accounts, the acquisition was a failed attempt to solve a supply and demand problem for the Canadian military. While it can be said that the rifle was an effective civilian environment weapon, showing “exceptional accuracy and distance,”⁶ , its performance during the First World War proved it ineffective in war.⁷ The procurement was a failure and by 1916, it was removed from use.⁸ The decision, development and procurement was the direct result of international shortages, political favouritism and interference, the skewing of test results and inject of political motivations and self interests into the process⁹, avoiding a transparent acquisition. From the beginning of the process, it had been corrupted. The Canadian Militia was the victim of this folly and inferior equipment. While many politicians lost their positions, the real loss was felt on the battlefield by the soldier.

Maritime Helicopter Replacement Program - *Flying yesterday’s aircraft tomorrow*

The acquisition of a new helicopter to replacement of the CH-124 Sea King has been discussed and debated, planned for, committed to, cancelled, reinitiated, renegotiated

⁵ J.,C. Stone, *A Separate Defence Procurement Agency: Will it Actually Make a Difference?* (Ottawa: CDFAI, February 2012.) 5.

⁶ Nossal, Kim R. *Charlie Foxtrot – Fixing Defence Procurement in Canada*. Toronto : Dundurn, 2016. 35.

⁷ Canadian soldiers were known to discard their Ross Rifle for the more dependable British Lee-Enfield rifle during the war. Kim R. Nossal, *Charlie Foxtrot – Fixing Defence Procurement in Canada* 37.

⁸ Ibid., 38.

⁹ Highly suspect was that the Ross Rifle factory was provided land and constructed in the riding of Quebec East, that of the sitting Prime Minister, Wilfred Laurier. Ibid., 34.

and finally has commenced delivery. It has been the longest military procurement project in Canadian history¹⁰ and was called in 2012 by then Minister of National Defence “...the worst procurement in the history of Canada...”.¹¹

The replacement program was commenced in the late 1970s by the government of Pierre Trudeau, with the understanding that the Sea King was believed to have seen the end of its service life.¹² The newly elected government of Brian Mulroney, in 1984, inherited the program and continued to progress the acquisition. In 1987, the government announced that they would be purchasing 35 aircraft, then 50 EH-101 Augusta-Westland helicopters to replace both the navy’s and SAR helicopters.¹³ Even though the actual deal would have been economically beneficial to many regions across the country, the election of Jean Chretien in the fall of 1993 saw his liberal government cancel the program. It was clearly political decision to separate his government from that of the Progressive Conservatives. Even when it became absolutely necessary to replace the Sea King, politics entered the equation and Chretien decided to select anything but the EH-101 to avoid political embarrassment. As a result, the yet to be designed H-92 helicopter was announced as the replacement. Sikorsky had initially indicated that they would deliver the aircraft by 2008, but this date has changed several times, first to 2012 (IAW the original contract),¹⁴ then to 2018, but despite these promises, issues surrounding a conceptual aircraft has proven even more challenging and as of May 2020, the full delivery of aircraft has not occurred.

¹⁰ Ibid., 60.

¹¹ CBC News, “MacKay says chopper deal 'worst' in Canada's history,” CBC, July 10, 2012. <https://www.cbc.ca/news/canada/mackay-says-chopper-deal-worst-in-canada-s-history-1.1132899>

¹² Kim R. Nossal, *Charlie Foxtrot – Fixing Defence Procurement in Canada* 61.

¹³ Ibid., 62.

¹⁴ Department of National Defence, *MRL ADMPA 12.010 IMHP delivery schedule* (Ottawa: Government of Canada, 2012.)

National Shipbuilding Strategy (NSS)

NSS was a new concept developed by what is now Public Services and Procurement Canada (PSPC) to run the recapitalization of Canada's shipbuilding program. A "secretariat model" was used to select winning shipyards to build Canada's new fleet of capital ships for the coast guard and Royal Canadian Navy.¹⁵ The NSS initially received positive reception from the public and industry¹⁶ in the conduct of the selection of shipyards and avoiding political interference. However, since this was done, it has suffered subsequent issues and delays, specially regarding the new supply ships. As a result, the positive creation of the NSS Secretariat has been overshadowed by follow-on failures. The NSS has developed into a complex program with major challenges involving four different government departments, and potential "fixes" which can still jeopardize the program.¹⁷

Joint Support Ship (JSS) and MV Asterix

NSS cannot be discussed without discussing the Joint Support Ship and MV Asterix. The AOR replacement program was initiated in 1999 to replace the 35-year-old Protecteur Class under the Afloat Logistic Support Capability (ALSC) program. As stated by Alan Williams,¹⁸ the navy was set to acquire three replacement ships (Replacing HMC Ships Protecteur, Preserver and Provider) to meet naval requirements for approximately 4 Billion dollars.¹⁹ By 2008, as all the received bids were above the mandatory budget, the

¹⁵ James Cudmore, "Military defeated in war over procurement reform." *CBC News*, February 6, 2014. <http://www.cbc.ca/news/politics/militarydefeated-in-war-over-procurement-reform-1.2524296>.

¹⁶ T. Summers, "Canada's Defence Procurement Strategy – A Step Forward but not the answer to all ills" (Command and Staff College Course Paper, Canadian Forces College, 2014), 5.

¹⁷ Michael Byers, "Mark Norman has been vindicated – but the navy-procurement crisis ticks on." *The Globe and Mail*, May 18, 2019. <https://www.theglobeandmail.com/opinion/article-mark-norman-has-been-vindicated-but-the-navy-procurement-crisis/>

¹⁸ Alan S. Williams, *Reinventing Canadian Defence Procurement – A View from the Inside* (Kingston: Inta D. Erwin, 2006). 62

¹⁹ Wikipedia. Joint Support Ship. 12 January 2020. https://en.wikipedia.org/wiki/Joint_Support_Ship

project was cancelled and then re-started as the JSS the same year. As the NSS was coming online, it was determined that the JSS would be added to this process but now for only two ships. These two events thus caused significant delays in the program.²⁰ By 2012, it was still hoped that the JSS would be delivered by 2017 and for \$2.6 Billion.²¹ Both of these hopes have not come to fruition.

As a result in 2015, with the authority of the Stephen Harper government, Vice-Admiral Norman Ret'd, then commander of the Royal Canadian Navy, initiated a sole-source contract to have Davie Shipyard convert an existing container vessel and convert it into an interim AOR for the Navy. This process was seen as controversial, challenged the ideas of the NSS, fraught with political debate,²² and with criminal charges brought (and eventually stayed) against VAdm Norman. However, this process went forward and the ship was delivered on-time and on-budget.²³

There are many other procurement projects that could be cited that show both positive and negative issues with the process, however, they would all lend themselves to supporting the conclusion that the system is flawed in its current construct and requires immediate and extensive repair.

Where to begin

Many have suggested options for improving the Defence Procurement system. All have their merit; however, each option generally has recommendations to amend, repair or redefine existing structures in order to meet the need. I suggest that these, while having

²⁰ Ibid.,

²¹ Department of National Defence, *MRL ADMPA 11.298 JSS design negotiations* (Ottawa: Government of Canada, 2011.)

²² James Cudmore, "Davie interim supply ship \$700M deal delayed by Liberals." *CBC News*, November 20, 2015. <https://www.cbc.ca/news/politics/davie-supply-ship-liberals-halt-1.3327039>

²³ Michael Byers, "Mark Norman has been vindicated – but the navy-procurement crisis ticks on." *The Globe and Mail*, May 18, 2019. <https://www.theglobeandmail.com/opinion/article-mark-norman-has-been-vindicated-but-the-navy-procurement-crisis/>

ideas potentially for implication in a new system, only address the symptoms, not the root cause. I would suggest that the “death blow” needs to be levied on the existing structure and process, and a new, independent policy, system and structure be established. And I am not unique in this opinion. But where do we start? First, we need to see where we want to go.

Inayatullah’s six pillars of futures studies, in relation to futures study have applicability to the transformation of Canadian Defence Procurement efforts in the DND/CAF as it related to identifying opportunities to improve the system and institution. As Inayatullah describes, “Future studies seeks to help individuals and organizations better understand the processes of change so that wiser preferred futures can be created.”²⁴ Using the MATDCT (Mapping, Anticipation, Timing the future, Deepening the future, Creating alternatives and Transforming the future), the six pillars would allow the government to take the time and space needed to understand the issues and significantly change a future procurement strategy and organization.²⁵ Improvement efforts can no longer be non-deliberate or politically based and that the necessary preplanning is demanded of us to initiate the actual planning cycle for the new strategy and future acquisition projects.

In the article by Steven Holloway “Defining the National Interest”, he indicates that when a state pursues “certain goal or policy over a long period of time, despite changes in leadership, and if that goal can be justified as being in the interest of society as a whole, then we have found a national interest.”²⁶ When looking at procurement, especially in the last 50 years, we can often see these long-term policies crossing political

²⁴ Sohail Inayatullah, “Six Pillars: Futures Thinking for Transformation.” *Foresight* 10, no. 1 (2008). 5.

²⁵ *Ibid.*, 7-18.

²⁶ Steven Kendall Holloway, “Defining the National Interest.” In *Canadian Foreign Policy: Defining the National Interest*. (Peterborough, ON: Broadview Press, 2006.) 12.

lines and terms of governments. This reality needs to be embraced by all political parties and accepted as a “new normal” for procurement. One can easily see from many projects, most noteworthy the maritime helicopter replacement program. This is a program started during the government of Pierre Trudeau in the late 1970s, and has spanned seven following Prime Ministers, yet as stated above, the full acquisition of the replacement helicopter will not be seen until the end of the second term of Pierre Trudeau’s son, Justin, in the mid-2020s.²⁷ While ripe with political intrigue and controversy, from a generational point of view, the decisions of Pierre Trudeau have impacted the policies of Justin Trudeau. Other projects, while completed in less time, also span multiple governments. Aside from sole-sources acquisitions with immediate operational needs, this needs to be the accepted reality. As such, the new procurement policy and structure needs to be aligned with this.

What is the solution?

Multiple governments have taken steps to change the procurement system, especially in the last ten years with the introduction of new policy. Within the last six years, two major government changes (one each from both the Harper Conservatives and the Trudeau Liberals) have occurred. First, in 2014, Harper Conservative Public Works Minister, Diane Finley, pronounced that when it comes to accountability for defence procurement, “The buck stops right here.”²⁸ With this announcement, the Harper government initiated the Defence Procurement Strategy. Because of the success of the NSS secretariat model, and to a lesser degree the Next Generation Fighter secretariat, the

²⁷ Defense Industry Daily staff “Canada’s CH-148 Cyclones: 4th Time Lucky?” *Defence Industry Daily*, June 6, 2018. <https://www.defenseindustrydaily.com/canadas-ch-148-cyclones-better-late-than-never-05223/>

²⁸ James Cudmore, “Military defeated in war over procurement reform.” CBC News, February 6, 2014. <http://www.cbc.ca/news/politics/militarydefeated-in-war-over-procurement-reform-1.2524296>.

DPS concept was expanded to include all defence procurement. The DPS had three primary objectives, namely:

- Delivering the right equipment to the Canadian Armed Forces and the Canadian Coast Guard;
- Providing economic benefits to Canada; and
- Streamlining the defence procurement process.²⁹

The DPS was designed to include four core federal departments (National Defence, the Canadian Coast Guard, Public Services and Procurement Canada, and Innovation, Science and Economic Development). Each department was responsible for a distinct aspect of the procurement process.³⁰ It provided that National Defence would focus is on procuring operational equipment at the right price, PWGSC would be tasked to ensuring that the process used to acquire the equipment would minimize challenges to the process, Industry Canada would focus on ensuring that Industrial and Regional Benefits (IRBs) are leveraged against the program.³¹ It was hoped that these departments would work together to develop more efficient, timely and streamlined processes.³² However, the challenges of having three competing interests and agendas caused industry to see “no obvious champion for Canada’s defence industry at the federal level.”³³

The second major event was the election of the Justin Trudeau Government in 2015, and the promise to fix Defence Procurement. He promise to establish a new agency, called Defence Procurement Canada, which suggests taking the entire function away from

²⁹ T. Summers, “Canada’s Defence Procurement Strategy – A Step Forward but not the answer to all ills” (Command and Staff College Course Paper, Canadian Forces College, 2014), 5.

³⁰ Public Services and Procurement Canada, Defence Procurement Strategy (Ottawa: Government of Canada, 2020.) <https://www.tpsgc-pwgsc.gc.ca/app-acq/amd-dp/samd-dps/index-eng.html>

³¹ T. Summers, “Canada’s Defence Procurement Strategy – A Step Forward but not the answer to all ills” (Command and Staff College Course Paper, Canadian Forces College, 2014), 10.

³² Public Services and Procurement Canada, Defence Procurement Strategy (Ottawa: Government of Canada, 2020.) <https://www.tpsgc-pwgsc.gc.ca/app-acq/amd-dp/samd-dps/index-eng.html>

³³ T. Summers, “Canada’s Defence Procurement Strategy – A Step Forward but not the answer to all ills” (Command and Staff College Course Paper, Canadian Forces College, 2014), 10.

the four departments that now share responsibility for buying military kit.³⁴ He tasked the Procurement Minister to “forward analyses and options for the creation of Defence Procurement Canada, to ensure that Canada’s biggest and most complex National Defence and Canadian Coast Guard procurement projects are delivered on time and with greater transparency to Parliament.”³⁵ However, like previous government promises, many in the procurement industry are skeptical. Following a request for a timeline by David Pugliese (Ottawa Citizen reporter) in March 2020, PSPC was unable to provide a timetable for this initiative.³⁶

In light of these two events, I propose the following, taking the best recommendations from three leading and distinct commentators on defence procurement. First, I agree with the Liberal Government’s promise to create of a separate Defence Procurement organization housed within National Defence. This recommendation is not new and follows on previous procurement agencies from the 20th century, including the War Purchasing Commission, the Department of Munitions and Supply, and the Department of Defence Production.³⁷ A new independent organization has also been supported by former PWGSC Minister, Rona Ambrose, during an interview with Frontline Defence. She agreed that it needs; to be centralize in one secretariat, independent, not involve politicians, and be headed by a DM level/ senior person in the bureaucracy to sustain institutional memory. She went on to say:

³⁴ <https://globalnews.ca/news/5995157/defence-spending-procurement-parties-spending/>

³⁵ David Pugliese, “Government doesn’t know when a defence procurement agency might be created.” Ottawa Citizen, March 10, 2020. <https://ottawacitizen.com/news/national/defence-watch/government-doesnt-know-when-a-defence-procurement-agency-will-be-created/>

³⁶ David Pugliese, “Government doesn’t know when a defence procurement agency might be created.” Ottawa Citizen, March 10, 2020. <https://ottawacitizen.com/news/national/defence-watch/government-doesnt-know-when-a-defence-procurement-agency-will-be-created/>

³⁷ Jeffrey Collins, “Defence Procurement Canada: Opportunities and Constraints.” Canadian Global Affairs Institute, December 2019. https://www.cgai.ca/defence_procurement_canada_opportunities_and_constraints

*“The majority of procurement goes well but if there’s a bit of a delay, then all of a sudden, politics start to come into it, and I don’t mean politics around the decision making because these processes should really be free of politics, but on the outside, you start to get political pressure on how things are going.”... “it really it has to be the military that makes these decisions. I feel very strongly that politicians should not be making decisions about equipment, and they need to rely on the expertise of the military to make these decisions.”*³⁸

Alan Williams, former ADM(Mat) also has supported the need for one agency. He argued that “the government should place responsibility and accountability for defence procurement in a newly created organization called Defence Procurement Canada.”^{39,40}

Experts will need to come from the other departments, including military personnel, but autonomy from the four competing departments and agendas needs to occur. Based on the NSS secretariat, it also needs to be free from any Political involvement. As the current government has successfully created a defence policy framework, namely “Strong Secure Engaged”⁴¹, and committed to long-term funding, the ability for an independent organization to fulfill this policy exists.

I agree with David Perry in principle that the system needs to be streamlined and proper analytics applied to measure and track projects in order to meet timelines.⁴² The reduction of overly bureaucratic influence and lack of transparency needs to end. As well, his suggestion that more and better trained personnel need to occur. However, as stated above, the system needs to be free from political influence.

³⁸ Chris MacLean, “Rona Ambrose on Procurement 2017 *FrontLine Defence* (Vol 14, No 1) <https://defence.frontline.online/article/2017/1/6676-Rona-Ambrose-on-Procurement->

³⁹ Alan S. Williams, *Reinventing Canadian Defence Procurement – A View from the Inside* (Kingston: Inta D. Erwin, 2006). 104.

⁴⁰ Stone, J.C. *A Separate Defence Procurement Agency: Will it Actually Make a Difference?* Ottawa: CDFAI, February 2012.

⁴¹ National Defence, *Strong Secure Engaged* (Ottawa: Government of Canada, 2020.) <https://www.canada.ca/en/department-national-defence/corporate/policies-standards/canada-defence-policy.html>

⁴² Perry David. “Four steps for fixing Canada’s trouble-prone procurement system” *IPolitics*, February 8, 2016. <http://ipolitics.ca/2016/02/08/dnp-four-steps-for-fixing-canadas-trouble-prone-procurement-system/>

Finally, a new culture of procurement needs to be engrained in the organization, with politicians, bureaucrats, and the military accept and support this new organization rather than “fighting the white” and holding on to old beliefs. Without this cultural change, it will all be for nought.

Conclusion

If history has taught us anything, it is that the Canadian Defence Procurement system is broken. Critics argue back and forth, using select projects to highlight their position while refuting their opposition's position and avoiding the obvious acquisitions that demonstrate the alternative. New governments of both political stripes highlight their plans to "fix" the procurement problem caused by the previous government, showing initial intent, but quickly turning aside the initiative and delaying any real progressive change. In reality, historical fixing of the Canadian Procurement Acquisition Process could be compared to the "fix" being treated like a major capital procurement program, using the old strategies and solutions to identify a new way of doing things – in effect, sabotaging our own efforts for lack of a better way to do this, flying in the face of established and respected theories.

Is the Canadian Defence procurement system able to continue to survive in its current construct, so as to be able to provide the real requirements of the Canadian Armed Forces, free from the historical and long-standing issues? Or is it time that the current system be put out of its misery? If George Santayana has taught us anything, it's time to break the cycle.

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