

BLOWING THE WHISTLE ON A WHISTLEBLOWER: THE REAL MRAP STORY

By Steve Chill

Paper and emails (as approved for release) at www.stevechill.com

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EXECUTIVE SUMMARY

There is a perception that the Marine Corps, or more specifically MCCDC, was negligent in providing armored vehicle support for the warfighters in Operation Iraqi Freedom (OIF). This negligence was purported to have centered on the MRAP effort, but negligence accusations extended to multiple systems. These perceptions about Marine Corps negligence surrounding the MRAP efforts reflect ignorance of the facts. The negligence story was largely fabricated by Franz Gayl and drew the interest of the press. The perceptions are also drawn from a DODIG report, the conclusions of which are based on incomplete information, and a Marine Corps that failed to adequately explain the truth with supporting evidence. This study will explain what occurred and provide the evidence necessary (including hundreds of emails) to disprove the allegations of negligence.

Between deployments, this author was the Director of Operations at the Marine Corps Warfighting Lab (MCWL) and as such, was the MCWL voting member on the Capabilities Development Board (CDB) (eventually adding Integration to become CDIB) and the Joint IED Defeat Organization (JIEDDO) JR2AB council of Colonels. This author was in a unique position to observe many of the events Gayl incorrectly describes. This study only covers a portion of the flaws in Gayl's study and uses only a portion of the thousands of emails this author possesses.

Franz Gayl became a whistleblower over the MRAP issue. This study is not an indictment of whistleblowers, rather the intent is to set the record straight.

There are two series of events associated with MRAP: the Marine Corps effort providing armored vehicles and the portrayal of this effort by Gayl. It is not difficult to separate the two as Gayl's involvement with MRAP came after the most significant MRAP events.

- Providing armored vehicles: The term "Hejlik UUNS" will be used for the Feb 2005 I MEF MRAP UUNS. The CMC decided to provide m1114 as the material solution covering the Hejlik UUNS. The Executives of the Marine Corps were involved in this decision. The Hejlik UUNS was reduced to an UNS, taking it out of immediate needs considerations but not ending it. The Hejlik UUNS was removed from further MROC consideration and from the itinerary of the dozens of flag officer commands that were responsible for it. No Marine Corps command continued pursuing the UUNS. There was an absence of action (due to an absence of demand) between the removal of MRAP from MROC consideration in August of 2005 until May of 2006 when I MEF submitted a need for 185 JERRV. The subsequent submission for 1000 MRAP brought the total requirement to 1,185 which the Marine Corps pursued in the DOD and in Congress.
- Gayl's portrayal: Gayl created his first brief for DDR&E in March of 2007. It was not MRAP focused and only one slide focused on MRAP. Gayl, despite scant firsthand knowledge about MRAP, became the MRAP whistleblower. Gayl published his study in

Jan 2008 prompting the MRAP DODIG. Both efforts were flawed. Senator Biden, in conjunction with Gayl, established the “Marine Corps negligence” story in the press.

MRAP

Over the period of decades before the 2005 Hejlik UUNS, several mid-level Marines noted the effectiveness of MRAP-type vehicles and wrote several articles/papers about them. They did not convince their leadership to take action, nor did they aggressively pursue MRAP-type vehicle purchases. The rest of the combat development community, to include Advocates, Service Components, the MEFs, and the Marine Corps leadership and their Staffs did not develop a need for MRAPs (Chapter 10). Other Services, the Joint community, the DOD, and other civilian organizations that are not Marine Combat Developers could have developed MRAP-type vehicle needs and did not. MCSC, however, continued to research armored vehicle requirements to include MRAP-type vehicles.

In February 2005 BGen Hejlik (I MEF DCG) submitted an UUNS for 1,169 MRAPs. That UUNS was received by MCSC, P&R, and MARCENT per order and directive (Chapter 4-6). MCCDC and the Advocates processed that UUNS (Chapter 11). The UUNS contained language allowing for several material solutions (as directed in orders and directives (Chapter 4-6)). The UUNS asked for a vehicle that protected against IEDs, small arms fire and RPGs. The only vehicle that existed at the time that could do all three was a main battle tank. No personnel transport could defeat all three, and even tanks could be defeated with the right EFP IED (Chapter 13).

The UUNS was briefed at the Executive Safety Board (ESB-March 05) and the Executive Off-Site (EOS-May 05)(Chapter 11). Between the two briefs, the entirety of the Marine Corps Executive body and MROC were briefed and considered MRAP-type vehicles (Chapter 9 and 11). This included the Commandant of the Marine Corps. CMC selected the m1114 with advice from his Executives and with the full knowledge of the Hejlik UUNS (Chapter 11). The CMC decision to answer the 2005 Hejlik UUNS with m1114s effectively ended the urgent status of the 2005 Hejlik UUNS (Chapter 11).

On 21 June 2005 the APMC, Gen Nyland, testified to the House Armed Services Committee (HASC): **“Recent and ongoing events in Iraq require us to continue to shape and refine our requirements. We have determined that the M1114/M1116 Up-Armored HMMWV (UAH) is the best available, most survivable asset that meets our evolving vehicle underbody protection requirements. In order to meet the Marine Corps' immediate requirement and provide the range and depth to support force requirements, we are in the process of identifying the requirement for M1114/M1116 vehicles. This requirement is being refined today by the warfighter, MARCENT, and Headquarters Marine Corps.”** (Nyland, 2005) General Nyland had participated in both the ESB and EOS. He also noted that the requirement was immediate and there were significant concerns about material availability and manufacturing ability (Nyland, 2005).

A key point is that I MEF (Fwd) in the Iraqi Theater of Operations (ITO) was asking for m1114s. M1114 procurement was a decision supported in the ITO by the deployed MEFs.

The MROC continued to be briefed on the Hejlik UUNS through August 2005 (Chapter 3 and 11). In August of 2005 the MROC ended consideration of the Hejlik UUNS as the m1114 decision by CMC was implemented. Other organizations that also ended their consideration (per MRAP DODIG) of the 2005 Hejlik UUNS included I MEF, II MEF, MARFORPAC, MARFORLANT, MARCENT, PP&O, Advocates and MCCDC. Each of these organizations had Hejlik UUNS responsibilities (Chapter 9-11).

The Hejlik UUNS solution was decided at the Executive decision level with the m1114 decision (at the EOS). The m1114 decision was a decision that equipped the entirety of the force in the ITO. It defies logic that the Marine Corps Executives would field both the m1114 and the MRAP-type vehicle simultaneously to the same units. There was no partial fielding plan for m1114s while a decision on MRAP-type vehicles occurred. There was no decision aside from a full fielding of the m1114. This occurred with full knowledge of the Hejlik UUNS. The idea that the Hejlik UUNS remained active as an Urgent need once again defies facts as well as logical analysis.

The 2005 Hejlik UUNS was downgraded to an UNS which changed the status of MRAPs away from a critical need by a Commander involved in operations to save lives (Chapter 11). The reduction to an UNS placed MRAP in the regular combat development process where it continued to be considered by MCSC as a potential vehicle solution for the future. MARFORPAC reflected this reduction in its UUNS tracker and reflected the 2005 Hejlik UUNS as complete (Chapter 10 and 11). II MEF (2005-2006 deployment), in the ITO, did not pursue the 2005 Hejlik UUNS or any different request for MRAPs. I MEF (2006-2007 deployment), in its prioritized listings before deployment neither listed MRAP as a priority nor as a need at all (Chapter 9-10). The entire combat development community to include the MEFs, MARFORs, Advocates and MROC regarded the Hejlik UUNS as resolved and reduced to an UNS. The DODIG would later incorrectly summarize BGen Hejlik's assertion that the UUNS was reduced as a fabrication.

Approximately nine months after Hejlik UUNS removal from MROC consideration I MEF, back in the ITO, submitted an UUNS for 185 JERRVs (May 2006). The name requested was not MRAP. The number requested was not 1,169. Combat developers pressured I MEF to ask for more vehicles and to submit for joint funding. I MEF refused to ask for more than 185 (Chapter 9).

Eventually I MEF submitted a second request for 1000 more vehicles (July 2006), this time calling them MRAP. The name change occurred as the downgraded Hejlik UUNS was "uncovered". The motivation behind the name change to MRAP remains unknown (Chapter 8).

The number requested, however, was known. I MEF submitted two UUNS for 185 vehicles and 1000 vehicles. The total request was for 1,185 vehicles, which had no numerical relation to 1,169. Simple grade school math demonstrated that these were new requests and

not a continuation of the Hejlik UUNS. The number 185 was represented as the full vehicle request and then the number 1,185 was represented as the full vehicle request in MARCENT and I MEF UUNS trackers (Chapter 9-10).

The Marine Corps I.G. of I MEF (Fwd) that concluded in May of 2006 found no documented need for MRAP. I MEF (Fwd) did nothing to indicate any existing MRAP need during this I.G. once again indicating an absence of demand (Chapter 7).

Starting in May 2006 the Marine Corps supporting establishment, to include MCCDC, diligently processed and worked the new request even before it was officially submitted. Congress was briefed. Marine Corps leadership, up to and including the CMC, advocated for MRAP (Chapter 3).

Testing of different MRAP-type vehicles from different companies occurred in 2006. Budget issues were worked for MRAP. The program office was created and MRAP became the Marine Corps' number 1 priority. Congress and DOD leadership were supportive of Marine efforts (Chapter 3).

A contract was awarded for 200 vehicles in Feb of 2007 with the intent of fielding capability immediately. The Marine Corps MRAP need was considered to be over 800 with expectations of a higher number required. That expectation was realized as the joint requirement in Feb 2007 grew to almost 7,000 vehicles (Chapter 3).

The Marine Corps utilized the Army testing ranges at Aberdeen where MRAP became the priority. The program office continued to be established and funding issues continued to be worked as full funding for the entire MRAP effort was not provided. Production, however continued. The MRAP program was recommended for ACAT 1 status (Chapter 3).

In May 2007 SECDEF Gates designated MRAP as the number one DOD priority (this paragraph/item is the only overlapping item with Gayl's whistleblowing).

GAYL

Franz Gayl was hired in PP&O in 2002. PP&O was (and is) the Ground Combat Advocate for the Marine Corps. The Advocate had responsibilities for combat development that were independent of Quantico. Advocate responsibilities were very similar in nature to the role of a civilian lawyer for a civilian client. They "oversaw" the combat development process on behalf of their "client". The Marine Corps Advocates, however, had additional and much greater responsibilities. They were members of the process and the process could not continue without Advocate participation. Gayl used his standing as a member of the GCE Advocate to lend an air of authority to his study (Chapter 5).

Gayl, as a member of the GCE Advocate, was absent from the development of MRAP from his hiring in 2002, through the 2005 Hejlik UUNS, through the submission of the 185 JERRY

UUNS (then JUONS), and through the submission of the 1000 MRAP JUONS (Chapter 3). His critique of those who did not have the foresight to buy MRAP throughout this time period never mentioned his own Advocate responsibilities (which were more defined and greater than the responsibilities of those he critiques)(Chapter 5 and 12).

Gayl rotated to theater in September 2006, well after Marine Generals had briefed Congress and well after the requirement for 1,185 had been established. The Marine Corps had established its position on MRAP by the time Gayl deployed. The statement of need for 805 (Marine portion of 1,185) MRAPs was issued in October 2006 absent any participation by Gayl. Contracts were awarded in 2006, absent any participation by Gayl. Testing began in 2007 absent any participation by Gayl. CMC was a constant advocate for MRAP throughout this timeframe. Civilian leadership in the DOD were well aware of the Marine Corps' needs and positions. The DOD was involved and supportive of the Marine request absent participation by Gayl.

Then Gayl returned to PP&O and created a brief for DDR&E (March 2007). This was the first time Gayl established any significant presence. It is unclear what, if anything, Gayl's new presence added to Marines receiving MRAPs. There were 31 Gayl DDR&E slides, only one of which was for MRAP and another dealt with an armoring solution. The brief was simply not focused on MRAP. Two months later, Gayl was focused on MRAP. The change in focus was not explained (Chapter 3).

Initially Gayl made little headway as his charges were weak and his evidence was unsupported (Chapter 12). Gayl's activities continued to contribute nothing internal to the Marine Corps. Industry continued to produce and test MRAP prototypes. The CMC and Service Secretary as well as DOD leadership supported the larger Marine MRAP buy. Congress had been briefed for the better part of a year. MRAP had been the Marine Corps top procurement priority for almost a year by the time Gayl started to blow his whistle. Gayl's MRAP whistleblowing was irrelevant to the Marine Corps internal efforts to get MRAP (Chapter 3).

Gayl's chain of command probably also realized that warrantless attacks against the combat development process at MCCDC were also attacks against themselves as the Advocate. Gayl was unknowingly fabricating attacks against his own unit and himself. Ironically, this includes MajGen Zilmer and BGen Neller (the eventual CG and DCG of MNF-W during Gayl's deployment) who were two of the three Division Heads in PP&O during the timeframe Gayl asserts the Marine Corps failed to determine the worth of MRAP. PP&O also had responsibilities for the MRAP UUNSS once they were submitted. It is little wonder that his chain of command was "concerned" as Gayl's charges, if true (they were not), reflected PP&O negligence (Chapter 5 and 8).

Gayl filed for whistleblower status in May of 2007 and started coordinating his message through the press. Senator Biden then coordinated a broader media effort that smeared the Marine Corps. By this time, Gayl had shifted to a MRAP focused presentation. With

Biden's support, Gayl's allegations were published as fact in USA TODAY and other news outlets (Chapter 8).

In 2007, while the Marine Corps was in combat, Gayl was fabricating a case against the Marine Corps. He stated that it was only a case against MCCDC, but those who understand the Marine Corps also understand that combat development is a Corps-wide effort. Gayl worked on his study through 2007 and published it in Jan 2008. Gayl's study reflects his beliefs which also reflect many of the press articles written about MRAP. Most of his important points are incorrect. Others are fabricated (Chapter 12).

This study does not cover any actions associated with Gayl's job security or his right to be a whistleblower. He has a right to blow the whistle but also has a responsibility to be accurate and forthcoming. As a whistleblower Gayl was neither accurate nor forthcoming. Gayl's study reflected his position and influenced the press and politicians, none of which seriously questioned Gayl's points. Despite the myriad of inaccuracies, the study was perceived as credible (Chapter 8).

One of the distortions Gayl promulgated was that I MEF preferred using the joint process for submitting needs. His point was fabricated. The Marine Corps was slow to take advantage of joint funding (Chapter 14) and I MEF clearly preferred working through MCCDC (Chapter 12).

The ACMC asked for a DODIG to look into the accusations in Gayl's study. The MRAP DODIG did not cover major points in Gayl's study such as ISR (Chapter 15). It also did not cover non-lethal weapons (NLW) such as laser dazzler. A later laser dazzler DODIG totally refuted Gayl's claims (Chapter 16).

The MRAP DODIG occurred over two years after the events it was investigating. Marines had rotated out of their billets and emails were deleted. The DODIG failed to uncover key evidence (provided herein) contradicting Gayl's claims. While the DODIG did not validate the great majority of Gayl's claims, it did not fully disprove his study. Had the DODIG possessed the information in this study, their conclusions would have been different. They were not as thorough as they should have been (Chapter 19).

The press and politicians were either duped or complicit (Chapter 17 and 18). In fairness, most of the DOD was also duped. Gayl's conclusions and recommendations have been largely ignored (Chapter 20) showing that even when duped, the Marine Corps did not make imprudent "fixes".

The whistleblowing continued and on 14 May 2009 Gayl testified before the House Committee on Oversight and Reform on the Whistleblower Protection Act. Gayl's study on MRAP was submitted for the record despite it not having any content on whistleblowing. Gayl stated **"While I don't want to be fired, that may be the cost of me doing my duty as a Marine and civil servant. The legislation you are discussing today will probably come too late for**

me.”(Gayl Testimony, p 15) This melodramatic over-statement reflects yet another failure of Gayl to appreciate the situation. The protection of Senators (including Vice President Biden) and Congressmen assured his job protection and a later settlement provided him a very significant cash settlement, an award, and a new job. This whistleblower victory occurred despite failing in his job as a Marine and a civil servant, not because of a job well done.

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CHAPTER SUMMARY

CHAPTER 1

Between deployments to Iraq, this author was the Director of Operations at the Marine Corps Warfighting Lab (MCWL). As such, this author was in a position to observe and/or participate in many of the events surrounding MRAP. Gayl's story on MRAP is fabricated. Gayl's fabricated story, and his capitalization on it, merits response.

CHAPTER 2

This study will:

- Correct the Record: The perception of Marine Corps negligence surrounding MRAP is false. The facts, some of them unreported until now, are presented.
- Identify/correct the flaws in the Gayl study/testimony: Gayl is the source for most of the MRAP fabrications. Only several hundred of the Gayl Study flaws will be discussed in the interest of brevity.
- Explain events: Based on facts, this author explains the events surrounding MRAP.
- Teach: Most of the MRAP commentary reflects ignorance about Marine Corps combat development. This study provides enough background to dispel that ignorance.

CHAPTER 3

The MRAP timeline shows:

- A lack of demand for MRAP prior to 2005. This included the Advocates (to include Gayl), MARCENT, MARFORPAC, MARFORLANT, I and II MEFs and the rest of the combat development commands. It also included the Army, Navy and Air Force as well as all joint commands.
- The absence of Gayl's contribution as his first notable participation (his DDR&E brief) was ten months after the Marine Corps supported a shift to MRAP. Gayl relies on rumor and speculation as he was not involved in many critical events.
- The absence of MRAP demand during portions of time Gayl and the press state that there was constant demand (the majority of the time between Feb 2005 and Sept 2006 - 19 months).
- The Marine Corps was in full support and acting on the MRAP requests by I MEF in May 2006, long before Gayl, Gates or Biden became involved.

CHAPTER 4

Wartime MARADMINs dictate that there were dozens of General Officers in multiple commands that had responsibilities for MRAP UUNS development and processing. If Gayl is to be believed, and he is not, then all of these Generals would have had to have been negligent in their assigned duties. Those who are ignorant of Marine Corps combat development point towards MCCDC for all MRAP responsibilities while orders and directives assigned various responsibilities for MRAP combat development to commands across the Marine Corps.

CHAPTER 5

The Advocate, to include Gayl, had several responsibilities for the Hejlik UUNS. The cover page from Gayl's study cites his whistleblower credential as the "GCE Advocate S&T Advisor". If Gayl is to be believed, then he too was negligent as the Advocate (S&T Advisor). Advocate responsibilities are delineated in order and directive and are also included on the cover page of every UUNS. The Advocate (including Gayl) has sole responsibility for several steps and is a contributor for many others. Gayl's critique of the Marine Corps is also a criticism of his own job performance...or his critique is fatally flawed.

CHAPTER 6

The UUNS process (Hejlik UUNS) had steps administered by:

- MCCDC
- The Advocates
- The MROC
- P&R
- MCSC
- Service components including MARCENT, MARFORPAC and MARFORLANT
- The operational commands (two rotations of I MEF and one rotation of II MEF)

Any resolution of the Hejlik UUNS, or any lack of resolution of the Hejlik UUNS, would depend on these commands executing their steps. They did so for the Hejlik UUNS. The aforementioned commands would have had to abandon their UUNS responsibilities for Gayl's MRAP allegations to be true. They did not.

CHAPTER 7

The IGMCM found no evidence of any existing request for MRAPs after August 2005 and prior to the I MEF submission of 185 in May of 2006. I MEF had the opportunity to identify a MRAP need (new or old) to the IGMCM and did not do so. The IGMCM process allowed for result review by CG I MEF (Fwd) and yet there was still no MRAP demand. This evidences the absence of the pursuit of MRAPs by I MEF in OIF. The IG allowed for I MEF critique of their results yet I MEF did not mention MRAP at all.

CHAPTER 8

Several contributing factors assisted in the establishment of the fabricated MRAP story:

- Senator Biden and his staff orchestrated bad press coverage for the Marine Corps and protected Gayl as he established false claims.
- Few people could comprehend Gayl's terms let alone understand their applicability.
- Gayl misleads through distortions, fabrications and omissions.
- Gayl energized support for his MRAP story by establishing himself as a whistleblower. The whistleblower advocates blindly believed Gayl's MRAP story.
- The Marine Corps response was poor, probably due to the focus on combat operations.
- No investigation of the Hejlik UUNS occurred for years allowing evidence to erode.

- Presentism shaped the understanding of the IED threat in that many assumed underbody attacks were always the main threat. They weren't.
- The term "MRAP" had several different meanings but was interpreted to have a uniform meaning.
- The MRAP DODIG was focused on MCCDC, not the Marine Corps, negating its effectiveness in uncovering the truth.
- A series of issues existed with I MEF G9. These issues were the basis for Gayl's initial complaints.

CHAPTER 9

I MEF (Fwd) rejected MRAPs. This is evidenced in three documents.

- In an email the I MEF G9 states that the I MEF Chief of Staff relayed that the I MEF position was that they did not desire more than the 185 MRAP that were requested in May of 2006. This was in the middle of the "19 month" window often cited as the period when operating forces were demanding MRAP.
- I MEF moved the Hejlik UUNS into the completed UUNS section of their UUNS tracker and called it "mission closed". The UUNS tracker was published and distributed throughout the Marine Corps. The act of moving it to the completed section and calling it "mission closed" without any substitute means that they no longer desired the Hejlik MRAPs. This study presents two separate UUNS trackers.

In another form of rejection of the 1,169 Hejlik MRAPs, I MEF briefed a need for 522 MRAPs at the 2005 ESB. It is not clear why, one month after their return (one month after the Hejlik UUNS submission), I MEF no longer supported a 1,169 request.

CHAPTER 10

In addition to the outright rejections, there were a series of documents proving that MNF-W did not desire or pursue MRAPs. Despite having ample opportunity to manifest any sort of MRAP requirement in several documents, I MEF did not do so (neither did II MEF or MARCENT). Combat development organizations to include the MROC, MARCENT, MARFORPAC, MARFORLANT, the GCE Advocate, the other Advocates, P&R, MCSC, MCCDC, and other organizations that were responsible for identifying needs, did not identify MRAP as a need. The daily coordination of needs between the deployed force and support organizations required the identification of pending capabilities.

There are sufficient official documents to document the lack of MRAP needs originating from I MEF and MARCENT. The documents (provided in this study) include:

- The MRAP DODIG which identifies a gap of 9-10 months between MRAP activities (Aug 05 to May 06)
- Email correspondence dealing with MRAP requirements in which not a single mention of the need for 1,169 was mentioned.
- I MEF technical priorities list required by order/directive (19 Oct 05) with no mention of MRAP

- I MEF UUNS tracker required by order/directive (30 April 06) with MRAP being a completed UUNS and by I MEF description “mission complete”
- I MEF UUNS tracker required by order/directive (7 May 06) with MRAP being a completed UUNS and by I MEF description “mission complete”
- MARCENT spreadsheet indicating a need of only 185 MMPV required, not 1,169 or any number related to 1,169 (required by order/directive)(31 July 06)
- II MEF UUNS/JUONS Prioritization reflecting a need for 1,185 MRAPs (required by order/directive). There is no mention of any need for 1,169.
- MARCENT input into a consolidated counter-IED equipment need list reflecting a need for 180 JERRV, not 1,169 MRAP (26 June 06)
- A consolidated counter-IED equipment need list submitted to JIEDDO reflecting the updated MARCENT number of 185 JERRV, not 1,169 MRAP (29 June 06)

In addition to the above documents are three I MEF (Fwd) liaison updates that show the presence of the joint MRAP requests but also show the lack of any pending Marine Corps requests (including the Hejlik UUNS). These updates are provided in the following emails:

- Tomczak dtd 14 August 2006
- Murray dtd 11 Sept 2006
- Murray dtd 25 Sept 2006

These documents include all I MEF, II MEF and MARCENT needs lists that this author possesses. The total number of official documents that did not identify an MRAP need reflect one thing: the absence of MRAP need. There was never any “constant demand” and the portrayal of a “constant demand” was a fabrication or outright lie.

CHAPTER 11

Gayl and the DODIG both fail to correctly address the Hejlik UUNS. The Hejlik UUNS allowed for the m1114 as a solution and specifically called the solution “HMMWV-like”. I MEF was directed to submit capability needs, not specific equipment desires. MRAP as a capability allowed for the consideration of the m1114.

Once the Hejlik UUNS was resolved per the m1114 decision of CMC, the Hejlik UUNS was reduced to an UNS. The DODIG disputed this fact. The I MEF UUNS tracker required by order/directive evidences the reduction:

	A	B	C	D	E	F	G	H
156	MCSOCOM ONE Deployable GCCS-J	04022UA						
157	MEGA (EQPT Enhancement)		I MEF [13th MEU]	N/A	Submitted to I MEF (rear); Forwarded by I MEF (rear). DCG directed 3 MEUs in the AO to evaluate and comment. 11th & 24th MEU comments received awaiting 31st MEU, Division Action. Col LaVine modified his list based on discussions with G-4 and CoS.			
158	MEU(SOC) .45 Caliber Pistol	03021UC					E12512M	PISTOL, MEU (SOC), C
159	Mine Plow Full Width	02274UQ					B01617B	SURFACE MINE PLOW
160	Mine Resistant Ambush Protected Vehicle (MRAP) (This is an UNS - not an Urgent UNS)	05053UB	MFP	1,169	Validated & forwarded by MFP. UUNS being developed by DWG with MCSC. Awaiting planning guidance from DC CD. DWG complete. Awaiting MROC review. Mission closed. MFP has dropped this from an Urgent to a Regular UNS.	Protect the crew from IED/mine threat through integrated V-shaped monocoque hull designed specifically to disperse explosive blast and fragmentary effects. Minimum protection should be 30 lbs TNT under any wheel and 15 lbs anywhere under the vehicle. 4th generation armored vehicle to counter mines, IEDs, VBIEDs and SVBIEDs.	N/A	Hardened Engineer Vehicle (MMRP) (Army TPE)
161	MLE Capability Set (Laser Range Finder, PRC-117, PRC-150)	03021UF						
162	Mobile Command and Control Capability Set III and Set IV	03043UC					A02547G; A02557G	COMBAT OPERATIONS CAPSET, SET III [AN/TSS SET IV [AN/TSSQXX(V)4
163	Mobile Gamma Ray for EPCs		I MEF [3d MAW]	2	G-3 FP/AT determining total MNF-W requirement. MCSC notified us 6 additional were provided for in Congressional plus in signed defense bill, clarifying with MCCDC & MCSC what is required to mod original Backscatter UUNS for additional systems.	Vehicle bomber detection system for entry control points; a-ray/gamma ray technology to scan cars and trucks.	B00157B	Z-BACKSCATTER X-RAY

(Ouzts email dtd 5/2/2006)

The reduction to an UNS demonstrated the reduction from urgent to regular timelines (approx 2-5 years for an UNS).

The DODIG was especially at fault in that there were Marines who told them the correct resolution, yet they ignored this input. The DODIG stated that they did not have any concrete proof from MARFORPAC that the UUNS was reduced. They apparently failed to check with I MEF which was tasked with providing monthly updates on submitted UUNS (per order/directive). This study provides two UUNS updates stating that the Hejlik UUNS was reduced to an UNS (not urgent) and completed as an UUNS.

Accusations that the Hejlik UUNS, with an estimated cost of one billion dollars, was lost are nonsensical. Every major command (over a dozen) in the combat development process stopped processing the Hejlik UUNS at the same time (shortly after the CMC m1114 decision). This included I MEF as well as MARCENT (commanded by the same General who submitted the UUNS in the first place). The Hejlik UUNS requested number, 1,169, never figured into any MNF-W demand or calculation for any future MRAP request. Instead, it was used solely in attempts to discredit the Marine Corps.

CHAPTER 12

Gayl's MRAP study, the source for most MRAP conflict, is critically flawed. Many of these flaws have been exposed, but not discussed. They are discussed in this study. They include:

- The use of irrelevant orders/directives (none of which are cited by the DODIG).
- No interviews with MCCDC personnel (or several other Marine combat development commands) and the use of less than 10 emails as a substitute.
- A reliance on other's perceptions due to Gayl's own lack of participation.
- Unprofessional criticism of fellow Marines.

- A lack of documentation in many cases and a failure to discover official documents such as the MROCDM indicating MROC briefs that Gayl stated did not exist.
- Use of work in progress, the press, and action officer briefs as definitive representations of command positions.
- The failure to appreciate the Marine Corps' involvement in joint forums that were working on solutions to potential MNF-W needs (e.g. EFP).
- The failure to appreciate the specific requests of MNF-W for MAK and m1114 instead of MRAP.
- Baseless accusations of pushback by combat developers against approved requirements.
- Gayl's inappropriate favoritism for his own technical preferences and preferred civilian companies for material solutions.
- A failure to discuss the role of MARCENT and I MEF in the Hejlik UUNS process. Specifically, if Gayl were to be believed (he is not), I MEF and MARCENT did not continue coordination in violation of their UUNS processing duties for the Hejlik UUNS (by order/directive).
- A fabricated portrayal of I MEF's preference for JUONS vs UUNS. I MEF favored UUNS.
- A failure to do the simple math that disproves MRAP accusations. I MEF requested 185 JERRVs and their total request was 185. They added another request for a thousand and then their full request was 1,185. Nowhere does 1,169 figure into the I MEF calculation.
- A fabrication that the MROC did not consider the Hejlik UUNS. It did.
- A fabrication that MCCDC did not support the I MEF UUNS/JUONS for 185 JERRV. MCCDC actually wanted I MEF to ask for more and fervently advocated for the 185.
- A fabrication that MCCDC and senior Generals were not intimately involved with MRAP and Hejlik UUNS decisions. They were.
- A fabrication that there was significant pushback on MRAP due to JLTV. While there were some low level action officers that drew a comparison, the overwhelming majority of MCCDC supported MRAP.
- A skewed presentation of the worth of Gayl's technical recommendations. They were often dismissed by those who actually were competent in those technology fields. I MEF needs were answered with better technologies, not Gayl's.

CHAPTER 13

MRAPs did not fully defeat all of the threats identified in the Hejlik UUNS. There were three threats primarily identified in the Hejlik UUNS: IED, RPG and SAF. The m1114 defeated side IED (the predominant threat at the time) and SAF. It did not defeat underbody IEDs and RPGs. Other MRAP-type vehicles did not fully defeat side IED or SAF and no vehicle fully defeated RPG. The decision to opt for the m1114 makes more sense when viewed against the articulated threat at the time.

CHAPTER 14

The Marine Corps did not maximize the use of available joint programs and funding. The failure to do so was a Corps wide problem. While accepting the Marine Corps' failure to maximize the use of joint funding, the DODIG recommendation showed ignorance on how the

Marine Corps could have done so. The DODIG recommendation for Services to submit needs to Combatant Commands ignores the chain of command. The correct solution is to have Marine Components of joint forces, such as MNF-W, submit needs through the joint chain of command.

CHAPTER 15

GBOSS demonstrated the incompetence of I MEF G9 to perform all phases of combat development. GBOSS was a forward thinking UUNS. It was the first need to establish a requirement for surveillance capability at the lower levels that could also feed higher level surveillance needs.

I MEF G9 engineered their own solution including contracting/paying for their solution despite joint and Service support for GBOSS. Emails from the contractor show incompetent contracting efforts. This included signing contracts then asking the vendor what was in the contract. In addition, I MEF G9 rejected FSRs and spare parts when offered, rejected more capable surveillance systems and rejected the use of joint processes/funding that could have provided Marines with vastly superior capabilities. Fortunately, Marine Corps leadership rejected the I MEF G9 approach and equipped the force with the superior capability.

This chapter definitively establishes a case study on why the warfighter should not be involved with procurement. They should remain focused on warfighting, as I MEF did. The I MEF G9 and Gayl did not.

CHAPTER 16

The Marine Corps laser dazzler effort was subjected to a separate DODIG that took years to complete. The conclusions of the Dazzler DODIG were in conflict with Gayl's conclusions and portrayals in the press. The DODIG faulted MCCDC for actually listening to the I MEF G-9 and Gayl.

II MEF approved a dazzler that was laser safety reviewed/approved and it worked. I MEF (after RIPTOA) then rejected the II MEF solution in favor of a non-approved system. In danger of violating international laws of armed conflict as well as creating an unsafe situation for civilians and Marines, MCCDC refused to field the uncertified system. I MEF refused to accept the safe II MEF system while MCCDC refused to send the unsafe system.

The DODIG found that MCCDC should have sent the initially approved system anyway. The MCCDC position was not to field systems that were not desired by the operating forces. The approved systems were eventually fielded and accomplished the mission. I MEF bought several of the other systems, which did not work and were never used.

CHAPTER 17

Several individuals have incorrectly taken credit (or been provided credit) or been assigned blame for MRAP-related events. A select few are:

- Senator Biden: The Marine Corps was actively pursuing MRAP for approximately a full year by the time Senator Biden sent a letter of concern to the DOD about MRAP delays.

Biden's entry to the MRAP issue was clouded by his slander of the Marine Corps. While he may have been one of the first Senators to be involved, Biden was in reality, late to the issue.

- SECDEF Gates: In Feb 2007 USD AT&L was corresponding with all of the Service Secretaries and the Vice Chairman of the JCS about MRAP as an ACAT 1D program (documented in a signed memorandum). Secretary Gates had already been SECDEF for two months. In May of 2007 Gates became engaged in the procurement of MRAP, three months after the USD memorandum on ACAT 1D status. The Marine Corps had MRAP as its top priority the entire six months between his appointment as SECDEF and Gates involvement. Gates was SECDEF for 6 months while the Marine Corps asked for MRAP, then he developed a passion for MRAP after reading about it in the news.
- Franz Gayl: Gayl was late to the MRAP discussion and the Marine Corps, with the support of the Army, was already blowing up test MRAP-type vehicles at Aberdeen when Gayl created his first brief. By that time the CMC had designated MRAP as his number one priority for over half a year. Gayl also criticizes many who had combat development responsibilities but fails to self-criticize even though he had many of the same responsibilities. Either he was wrong in his study or he was himself negligent (by order/directive).
- LtGen Mattis: General Mattis has been repeatedly and unjustly smeared. General Mattis, as CG MCCDC, did not decide the fate of MRAP (positive or negative). He did not have the authority to do so. CMC and the MROC were aware of MRAP and they made the decisions.
- MCCDC: The "bureaucrats at MCCDC" did not make MRAP decisions to include burying the request. This is one of the more bizarre accusations. Most of the "bureaucrats" (aka Marine officers who had deployed time to Iraq or soon would) supported MRAP.

CHAPTER 18

The press remains woefully ignorant of the Marine Corps combat development process yet feels comfortable criticizing portions of it. Gayl's thousands of errors were not scrutinized by the press. Gayl's accusations were sensational and received widespread coverage but the press did not believe it necessary to check Gayl's "facts" before reporting.

CHAPTER 19

The MRAP DODIG failed to discover that I MEF completed the Hejlik UUNS as evidenced in this study. The MRAP DODIG also failed to explore the actions of other combat developers to include MARCENT, PP&O, the MROC, and many others. If Gayl was to be believed, and he is not, then the DODIG should have found negligence across the Marine Corps. The DODIG failed to find evidence that I MEF completed the Hejlik UUNS (contained in this study), failed to explain the common sense decisions by Marine Corps Executives and CMC (contained in this study), and failed in interpreting some very simple orders and directives assigning combat development responsibilities.

CHAPTER 20

Gayl's conclusions and recommendations are flawed. There have been articles in the press asking why no one was held accountable for his interpretation of MRAP events. The answer is that there was no negligence with the Hejlik UUNS. Facts back that up. Gayl's allegations never held enough truth. Gayl's recommendations based on his conclusions are equally baseless. Many of Gayl's recommendations for more involvement by the "forces in combat" in combat development have been rejected in the best interests of combat forces.

CHAPTER 21

The following recommendations are provided:

- Gayl's study should be removed from the Congressional Record as a flawed document not meeting standards for accuracy.
- The MRAP "story" should be used as an example of organizational crises response. There are two lessons:
 - The Marine Corps responded well in that no one was incorrectly punished
 - The Marine Corps responded poorly in that MRAP was (and is) poorly portrayed in the press and Congress
- One of the Marine Corps' first steps in crises response should be to determine applicable orders and directives.
- The Marine Corps should not solely rely on the DODIG to investigate Marine Corps issues. Some issues require specific knowledge that the DODIG does not possess. The MRAP DODIG should be corrected.
- Combat development documentation was flawed during the processing of the Hejlik UUNS. This includes MCCDC, MARCENT, MARFORPAC, MARFORLANT, I MEF, II MEF, the MROC and its member commands, the Advocates and others. The UUNS tracking system has been improved, and should continue to take advantage of new technologies.
- The inability of forces in combat to perform most combat development functions should guide the assignment of combat development responsibilities. Marine Commands in combat should be limited in their assumption of these responsibilities.

1-FORWARD

The response to accusations of USMC negligence in the MRAP sequence has been severely lacking. How is it that the world's finest fighting force has been so thoroughly humiliated despite the absence of a compelling case? Part of the answer is that the Marine Corps is a fighting force, not a litigating force. This study will address both the MRAP accusations, largely manifested in the Gayl study, as well as the "how" and the "why" of the effort to embarrass the Marine Corps.

1A-AUTHOR BACKGROUND IDEAL FOR THIS STUDY

After my deployment to Iraq in 2005 and prior to my deployment in 2007-2008 I was the Director of Operations (DirOPS) at the Marine Corps Warfighting Lab (MCWL). I was responsible for MCWL C-IED efforts to include providing O6 (Colonel) level representation (as an O5) to the Joint IED Defeat Organization (JIEDDO) and OIC of the USMC Counter-IED Working Group. This USMC organization was tasked with coordinating C-IED efforts across the Marine Corps as well as representing the Marine Corps in the JIEDDO (Budget: approx \$4 Bil). I was also the MCWL representative to the Capabilities Development and Integration Board (CDIB), the O6 level board which was tasked to coordinate development efforts across Quantico and the Marine Corps.

I participated in and/or observed the Marine Corps efforts in the C-IED fight in Iraq and Afghanistan. I also observed and participated in the development of MRAPs, persistent surveillance and many other capabilities used in Iraq and Afghanistan. I observed the actions of different organizations, Commanders, and Staffs from the General Officer level to the civilian contractor level. I watched as Gayl arrived on the scene and fabricated his study. I spent hours with the MRAP DODIG lawyers. I kept track of the progression of the Gayl/MRAP events and was a party to many of them. At that time I could not spend much time on Gayl as the Marine Corps was at war and Gayl's issues were insignificant compared to the task of warfighter support.

My past billets also included a tour as a Branch Head at Headquarters Marine Corps (HQMC) where I helped establish JIEDDO and led Marine Corps efforts in Homeland Defense and ATRP. My understanding of command relationships and responsibilities was tested daily. Combined with a background that included writing command and control doctrine, my time at HQMC provided a good understanding of orders, directives and authorities. I applied this understanding to this study in order to cut through the ignorant assignment of blame that permeates this MRAP issue.

I provided emails to the DODIG that disproved many of their initial misconceptions. Unfortunately, they changed their focus and I did not have an opportunity to correct their new misconceptions. This study will also correct mistakes in the DODIG study.

1B-THIS STUDY WRITTEN TO CORRECT THE RECORD

Gayl and his acolytes have been misleading people for the better part of a decade. This includes press, Congress and military readers. Unfortunately it also includes the parents, spouses, and children of those who were killed or wounded in combat. Normally, when someone levies an accusation against the Marine Corps, they get their say, an investigation occurs, and the matter is resolved. Marines don't belabor the point. If guilt is assigned, punishment is harsh and swift. If there is no guilt, then Marines move on. In this case, no one was found guilty by the DODIG and yet Gayl's accusations persist. In 2014 Newsweek, Time, FOX and others ran stories on Gayl and his accusations. The Gayl story is not going away, therefore it demands a factual response.

Gayl states: **"However, when I returned to the U.S., advocacy that had earned me praise from the Commanding General in the field brought me retaliation from the bureaucrats in Quantico"** (Gayl testimony p4). Gayl continues, **"But it is the Marine Corps I honor, not the Quantico and beltway corporate Marine Corps, a corrupted culture which acts on incentives and exhibits priorities that are often completely divorced from those of Marines in harms way"** (Gayl Testimony, p 14-15). More accurately said: "It is the Marine Corps I honor, except for anyone who disagrees with me".

The MRAP story resonates because it casts blame on the Marine Corps supporting establishment for Marine deaths: **"As a consequence (of combat developer's actions), hundreds of Marines died and thousands were permanently maimed in combat, unnecessarily"** (Gayl Testimony p3). It is a patently false assertion used to lend the ultimate gravitas to Gayl's position. Not only is it false, but the invocation of Marine dead to further a flawed argument shows a hubris not normally found in the Corps. There is nothing humble about this accusation.

The Marine Corps does not man Quantico with "bureaucrats". The Marine Corps rotates its personnel between the "Operating Forces" (includes forces in combat) and "Supporting Establishment" (includes Quantico). This rotation keeps the Supporting Establishment current on the needs of the Operating forces. It also ensures that the Marines fielding the gear will eventually be using said gear. In my branch I had veterans of Afghanistan and Iraq. My operations branch deployed six officers to the same staff as Gayl in Iraq. My Commanding Generals were veterans of Iraq or Afghanistan. We had wounded Marines and Marines with kids in combat on staff. I lived next to veterans in Quantico and, as it turned out two future Regimental Commanders. My kids played and went to school with the children of friends who had head wounds. As the war went on, there were fewer and fewer non-vets at Quantico. Upon return from my second deployment, I found my old operations section staffed almost exclusively with veterans. The rest of Quantico was the same. Yes, there were civilians, but they were small in number and even smaller in decision-making authority. The term "bureaucrat" as it is applied to Quantico is an attempted insult by those who do not know better.

Other select quotes by Gayl include:

- **“Instead, the MCCDC orientation was to save money and accept risk in OIF not just with the MRAP but also many other COIN-enabling capabilities. In this sense, before MRAP no aspect of Quantico combat development was “at war,” and this it can be argued had as a direct effect the prolonging of the entire war.” (Gayl, p 31)**
- **“Despite unambiguous and continuous feedback from the deployed Marines MCCDC at Quantico, the Marine Corps turned a blind eye to requests for urgently needed equipment whenever those requests conflicted with parochial concept or acquisition priorities in a competition for resources.” (Gayl Testimony, p3)**
- **Of MCCDC: “OIF would be short and distractions from OIF could be “waited out.” This was especially true during the period of late 2004 through summer 2006, the period of greatest ISR, NLW and MRAP investment need.” (Gayl, p 85)**

Franz Gayl has been exploiting his version of the MRAP story for over nine years. He has made TV appearances and has been cited on CNN and FOX. He has had complimentary stories run in the Washington Post and New York Times and newspapers across the country. He has testified before Congress and has enjoyed the backing of Senators and even Vice President Biden. He is the darling of the whistleblower community as he pointed out the flaws of Marine Corps Generals and the all-powerful procurement community. He is painted as a humble David to the Marine Corps’ Goliath. No one denies Gayl’s right to blow the whistle and be heard...but Gayl, who was/is wrong, should have reconsidered being so vocal about it.

1C-WHAT THIS PAPER IS NOT

This study is not an indictment against whistleblowers.

2-INTRODUCTION

2A-AIM OF THIS STUDY

This study will accomplish four objectives. These objectives will center on MRAP-type vehicles, but they will also address events surrounding the “MRAP-type vehicle issues”. This study will:

- Correct the record to include the provision of previously undisclosed facts
- Correct and point out the flaws in Gayl’s arguments
- Explain MRAP events and how they link together
- Teach

CORRECT THE RECORD

The perceptions associated with the Marine Corps’ MRAP efforts are colored by fabrications, erroneous assumptions, individual politics and desires, and an absence of fact. This study will provide actual facts that tell the true MRAP story. In the process the Congressional record, the DODIG report, the press, and military and civilian officials will be corrected.

IDENTIFY/CORRECT THE FLAWS IN THE GAYL STUDY/TESTIMONY

There are too many flaws in the Gayl MRAP study to address, so this study will address what this author views as the top several hundred. Some will be left out, however, readers should not assume that these omitted points are correct. They are simply unaddressed due to time and space considerations. Gayl is the source for much of the erroneous MRAP information therefore his study and testimony will be a focus.

There has been a great deal of misinformation about the provision of lifesaving equipment to the Marines in Iraq and Afghanistan. Much of it has been provided by Mr Franz Gayl. This study will provide the facts, not the half-truths, misleading conclusions, false assumptions and innuendo provided by Mr Gayl. Mr Gayl has been cited by many in the press and in the political world for two reasons. One, he has been given a lot of credit for causing the Marine Corps to procure MRAPs and other equipment for Marines in Al Anbar, Iraq. This credit has been bestowed by Senators, Congressmen, and the press. Two, he has established himself as a whistleblower extraordinaire, someone who “spoke truth to power” and was punished for it. Gayl has a right to be a whistleblower, but he was incorrect and no one in the press or Congress bothered to question Gayl’s false statements.

This study will disprove the major points of Gayl’s MRAP study. It will also disprove many of his major points presented to the House Oversight Committee. It will also disprove his major points as delivered in the press (USA Today, Newsweek, The Washington Post, CNN, FOX etc.). This study will also critique the MRAP DODIG investigation resulting from Gayl’s misleading study. This study will not only show the half-truths and errors in the Gayl efforts, but it will also tell what really occurred. Finally, there have been plenty of slanderous accusations

against Marines and acceptances of credit by those who are undeserving. These will be disproven or proven.

EXPLAIN EVENTS

This study will focus on the MRAP. The flawed body of work on MRAP is sizeable. Simply correcting the erroneous information, however, is not enough to achieve understanding of what really occurred. The politics and press of MRAP must be explained as well as issues that have not received any attention at all.

This paper will show that there were periods of time after the 2005 Hejlik UUNS where there was no demand for MRAPs. This paper will show the responsiveness of different organizations and individuals who have been lambasted by Gayl and the press. It will also address the credit hogs who have attempted to claim credit for providing the MRAP capability to warfighters in Iraq. Other similar equipment issues, such as ISR (GBOSS) and NLW (Laser Dazzler) will be addressed. Much of the MRAP story has been dictated by only a few individuals such as Franz Gayl. This study will explain the rest of the story.

Gayl cannot be held fully accountable for all of his mistakes. He was not involved with the MRAP issue until it was very mature. As such, he relied on the perceptions and facts provided to him by others. Their incorrect explanations of events influenced Gayl.

TEACH

This study will teach. Orders and directives (vs innuendo and shallow analysis) should have been used to analyze MRAP. The DODIG, Gayl and the press should have acquired additional information in order to have made informed decisions, but they did not. The chain of command and assigned individual responsibilities were largely ignored in MRAP analysis. Process and procedure were ignored in order to strengthen preconceived conclusions. In order to understand events surrounding MRAP, one must understand a level of tactics, procurement, competency, advocacy, command relationships, command responsibilities and other military issues. This body of understanding is not fully achievable, even by career military officers. Civilians have virtually no hope of understanding the range of issues needed to understand MRAP. This study will teach relevant elements of the military "ecosystem".

For example, a lack of understanding of the combat development process erroneously leads one to conclude that Quantico deliberately buried the 2005 Hejlik UUNS. This paper will show that for these accusations to be true, many other combat development organizations (responsible for the UUNS) within the Marine Corps would have had to also bury the request...to include Franz Gayl himself.

DISCLAIMER

Before discussing the responsibilities and actions of Marines, it is worth noting that there was no MRAP demand signal from responsible parties in the whole of government

(Several of these organizations/individuals will be discussed later). These whole of government organizations and individuals who did not establish the MRAP-type vehicle need prior to the Marine Corps includes:

- The Secretary of Defense and the entirety of his DOD Staff (Secretaries Rumsfeld and Gates) and all DOD Organizations
- All Senators and Congressmen (To include Senators Biden and Bond)
- The Combatant Commanders and their staffs (CENTCOM and other COCOMs)
- Multinational Corps Iraq (The higher headquarters for Marines in Iraq)
- The Army
- The Navy
- The Air Force
- Others

The above list is not intended as a critique. It merely demonstrates that, at the time, the need was not established. The Marine Corps was the lead. Gayl's study points towards several individuals who rightly deserve credit for advancing an idea, but a few individuals positing an idea is vastly different from an organizational effort to establish a requirement. Of note is that the I MEF MRAP submissions were the only sizeable MRAP submissions for over a year.

2B-HOW THIS STUDY IS ORGANIZED

This study will not use names to conduct warrantless character assassination as occurred in the Gayl study. This study will only critique (using names) those who have published or made public statements. It is obvious that Gayl relied heavily on information provided by I MEF G9 and LtCol Jankowski (MARCENT). Gayl and Jankowski were vocal in their criticisms, whereas the I MEF G9 personnel were largely absent from the public domain. Only the names of those who enter the debate will be used. Others will be referred to simply by their organizations (e.g. "I MEF G9" will represent all of those personnel in the I MEF G9 in order to maintain anonymity). Future writings can address those who comment publically.

This study will use fact and excerpts from published documents. Personal statements will be minimized even though this author was party to many conversations on various elements of this study. Documents such as the written study of Mr Gayl, written and oral testimony of Gayl, the written DODIG and other investigations, orders and directives will be used. A timeline of concrete events is provided. A difference with Gayl's study is that this study will use the facts in Marine Corps Orders/Directives that existed during these events. These orders/directives prompt a whole series of questions not asked by the press or anyone else in a position of authority save perhaps the DODIG (which may explain their recommendation that has nothing similar to any of Gayl's recommendations). This is important because anyone can read Gayl's study, look at his references, and not see any of the Marine Corps Orders and Directives that dictate responsibility for various elements of the Marine Corps in Combat Development. The final facts will be drawn from hundreds of emails from Senior General Officers in the Marine Corps (including the Commandant) to Mr Franz Gayl himself. These emails (as approved for release) will be provided in full so as not to be misleading. My personal observations and recollections from the time will be annotated as such (in grey scale).

WORDS MATTER

Several terms used in this study require definition or description.

When referring to MRAPs one may see the term "MRAP-type" vehicles. MRAP-type vehicles is a term used to encompass a variety of armored vehicles. MRAPs refers to the specific name of the vehicles which only became widely used after the summer of 2006. There was a constant flow of "MRAP type vehicles" into theater from 2003. This paper will discuss MRAP-type vehicle requests as those requests for over 150 vehicles unless specifically annotated. This number would support a larger general purpose force vs the smaller numbers that generally supported engineers. Cost estimates for approximately one thousand vehicles were in the neighborhood of \$1 Bil. That figure will be used throughout the paper.

The Urgent Universal Need Statement (UUNS) is a variety of UNS. The UUNS signed by BGen Hejlik in 2005 for MRAP-type vehicles will be referred to as the Hejlik UUNS, the 2005 UUNS, the 2005 Hejlik UUNS or any combination of the above. Once it was reduced to an UNS the same terms may be used with only one "U" (UNS vs UUNS).

I MEF was the deployed command in Iraq for the Hejlik UUNS. II MEF rotated back and forth with I MEF for a period of one year. I and II MEF were also designated as the joint command Multi-National Forces West or MNF-W. Terms such as “the customer”, deployed forces, the warfighter, troops in harm’s way (etc.) refer to Marine Forces in Iraq. Customers are the ones who decide what they want. One can give a customer a product, but if they do not want it they are not going to use it. Customers may change their mind. I MEF, as the customer, fits these descriptions. I MEF and II MEF were the deployed Marine forces in the Iraq Theater of Operations (ITO).

“Combat development” is one of the most misunderstood terms when addressing the MRAP issue. One might assume that combat development is performed by the Marine Corps Combat Development Command (MCCDC). It is, however, other organizations also perform major elements of combat development. There are responsibilities across the Marine Corps for combat development. It is not the sole responsibility of MCCDC. This concept is poorly understood by Gayl as well as the press and politicians. It is explained in Chapter 4-6.

Military documents are often drafted and staffed prior to being officially signed or officially submitted. Drafts are preliminary documents. The official signature date for UUNS and UNS will be used unless specifically referenced as a draft.

There are several sections of this study that may appear repetitive. This occurs as some evidence applies to more than one chapter. The repetition is provided in order to allow readers to achieve chapter understanding without reading the entire study.

2C-ASIDES

“Asides” will be used when a lengthier first-hand account by myself is presented. They will also be designated in grey scale. For example the aside below may describe how the MRAP issue came to be:

MRAP was not a case of neglect. It was a case of manipulating information to present a picture of neglect.

In 2006 the Marine Corps Warfighting Laboratory (MCWL) established the Marine Corp’s C-IED Working Group (C-IED WG). The C-IED WG was tasked as the Marine Corp’s lead in working with JIEDDO. JIEDDO had been in existence in various forms for several years and I was the Marine Corps lead during the initial establishment of JIEDDO (initially called Joint IED Task Force). The evolution of JIEDDO caused a rational sub-organization and the USMC C-IED WG would mimic it. JIEDDO was organized along five pillars, one of which was the mitigate pillar. The mitigate pillar was primarily focused on vehicle and crew protection (amongst several others) or how to mitigate the effect of an IED blast on a vehicle. Major John Moore was placed in charge of C-IED WG mitigate efforts and, as the mitigate lead, coordinated mitigate issues across the Marine Corps.

In early 2006 the focus of effort in IED mitigation was on providing better armor for HMMWVs. The demand signal from the MEFs in contact indicated that the number one priority was better armor protection for the soft-skinned HMMWVs that Marines were using on the roads of Iraq. The armor kits were referred to as frag kits and frag kit 5 was the armor kit for the crew compartment of the HMMWV. The Marines at the time were welding scrap metal to their vehicles in order to protect from side blasts. Frag kit 5 was therefore in high demand. Frag kit 5, unfortunately, did not protect from underbody blasts. There was no effective underbody, or bottom of the vehicle, solution for the HMMWV.

The MCWL C-IED WG analysis suggested that the family of armored vehicles with V shaped underbodies were the best option for mitigating the blast effects of IEDs. There was no one name for these vehicles and each was slightly different from the other (See MRAP nomenclature section). The C-IED WG was comfortable that, with a request, several full protection vehicle options would be available. The only thing required was a request from I MEF (Fwd).

The MCWL C-IED working group had recently tried to establish critical ISR assets with I MEF (Fwd) and there was considerable debate in determining the best material solution for towered cameras (see GBOSS section). In addition, there were other technologies that I MEF argued were technologically lacking (see Laser Dazzler Chapter). Instead of creating yet another technology debate with the forces forward, the C-IED WG contacted MARCENT to advocate for more MRAPS. MCWL was trying to convince MARCENT that joint funding may be available for MRAP:

I believe this effort is tied in with the talks we had yesterday about all the purple money available for CIED.

(Gayl, p 49)

Email from the II MEF SYSCOM liaison to a MCWL liaison at II MEF reflecting the understanding that purple money was available for CIED.

The different sources of money were often confusing to those who did not regularly deal with DOD financing. One of the unique aspects of OIF was the establishment of JIEDDO with over \$4 Bil in funding. JIEDDO was a joint organization that received DOD funding without working through the Service Secretaries. The term “purple money” refers to the billions of dollars available through this new organization. As the Marine Corp’s liaison to JIEDDO, MCWL (C-IED WG) undertook efforts to ensure the Corps understood this new funding source. The request process for JIEDDO funds was different than the Service process. One had to follow the Joint request process vs the Service request process to access JIEDDO funds. The above email reflects the MCWL effort to advertise the new “purple” money as a venue for a request for additional MRAPs.

I MEF eventually changed their position and supported a large MRAP buy but the search for an old requirement continued (see Hejlik UUNS section). The Hejlik UUNS was eventually discovered. Despite being completed as an UUNS, it was presented as an active UUNS. Once the Hejlik UUNS was identified, I MEF started using the term MRAP (see Chapter 8) and requested an additional 1000 vehicles. The search for an old need caused the discovery of the old Hejlik UUNS. Without the old Hejlik UUNS, there was no ability to fabricate a “delay” as the Hejlik UUNS was resolved.

The discovery of the old UUNS was the catalyst in the supposed “delay”.

2D-EMAILS AVAILABLE IN TOTO

This study, as opposed to Gayl's study, will provide the entirety of each email (as cleared for release). There will be opportunity for the reader to establish context and see the flow of the discussion. There is additional information in attachments. The references within this study will be towards the email date of the final sender which, in some cases, was two years later than the referenced email. Emails that may be critical or embarrassing have been redacted so that names do not show. Those who have decided to publish will not have their names redacted. Should future debate occur, other emails will be provided. Those emails that are included are sufficient to illustrate the issues.

These emails are all unclassified. The inability to access classified emails was detrimental in that classified emails further bolstered the points in this study. Nevertheless, the unclassified emails suffice for this study. The DODIG was provided classified emails which refuted Gayl's study, however, those emails are no longer available to this author.

2E-THE WHISTLEBLOWER'S HYPOCRACY

This study does not take issue with whistleblowers. This author believes that they are another check and balance and, as long as they operate within the law, they should not be punished. The whistleblower, however, should be accurate. The whistleblower should be critiqued on their "facts". Blowing the whistle does not absolve the whistleblower from accountability.

Gayl, if his whistleblowing is to be believed, was himself negligent. **"I and several other Marines first brought this issue to the attention of my Pentagon chain of command while I was still in Iraq"** (Gayl Testimony, p 3). As a member of the GCE Advocate staff, Gayl should have brought the MRAP issue to the attention of his chain of command earlier (if it was the issue he portrays). He joined PP&O in 2002. The accountability that he demands of the rest of the combat development community should be applied to himself.

"However, when I returned to the U.S., the same advocacy that had earned me praise from the Commanding General in the field brought me retaliation from the bureaucrats in Quantico and my supervisors at the Pentagon who were displeased with my vocal candidness regarding lacking capabilities in Iraq." (Gayl Testimony, p 5). The bureaucrats in Quantico (along with the Generals in Quantico) had no authority to retaliate against Gayl. The concept of chain of command seems to have eluded Gayl. Retaliation against a whistleblower has to come from those with some authority to retaliate, not those who are only in a position to disagree (Quantico).

Gayl states: **"I intend to successfully achieve a degree of accountability and concrete change at Quantico or I will be fired in the process of trying"** (Gayl Testimony, p 15). Gayl's attempts to achieve accountability at Quantico are outside of his job description. Quantico is commanded by a LtGen and then the Commandant. Gayl is a civilian employee of a different command. Gayl does not have the authority or responsibility to hold anyone accountable. He can air his grievances, no matter how deceptive, by blowing his whistle. He has no authority to do more. The accountability he seeks for Quantico is not reciprocated by an offer for his own accountability.

Gayl states: **"Although my charges have been largely confirmed, my professional life has been a nightmare ever since, and I anticipate further retaliation for my voluntary appearance today."** (Gayl Testimony, p 1). Gayl's "charges" will be roundly discredited in this study. During the conduct of this study several of this author's peers declined to assist out of concern that their actions may reflect some sort of anti-Gayl persecution. Their fear was that their command may be adversely affected. This author is currently retired and not employed/associated with any Marine Command. No Marine, Marine civilian or Marine Command assisted in the development of this study.

Gayl has testified before the House, and Senators have championed his personal cause to include then Senator Biden. Gayl has been chaperoned by whistleblower organizations

across the land and has been a hero to elements of the media. He has little to fear in the way of retaliation. He has more job security than any active duty Marine this author knows. Marines have only their performance to rely upon, not Senators, Congressmen, and the Vice President.

This author has deliberately not aligned or worked with any Marine Command in the development of this study.

3-Timeline

Timelines alone debunk many of the misunderstandings of Marine Corps MRAP events. Timelines will also be addressed in different sections of the paper but the following four summations are noteworthy.

Timeline Issue: Introduction of MRAP

Prior to 2005 there was virtually no MRAP-type vehicle discussion of any significance outside of the Engineer Communities. Gayl cites several articles by junior and mid-grade officers but, while they were excellent schoolwork, they did not translate into any sort of flag officer action to procure. The organizations that had the ability to submit MRAP-type vehicle requests did not do so. The organizations that had the responsibility to submit needs did not do so. The effort to equip Marines (outside of the engineer communities) with MRAP-type vehicles was non-existent. The absence of MRAP-type timeline entries in the DODIG, Gayl's study, and Service documents indicate the absence of expressed need. This absence includes the USMC GCE Advocate (Gayl's Command). There was no serious or credible MRAP-type vehicle need prior to the Hejlik UUNS.

Timeline Issue: Absence of credible sources

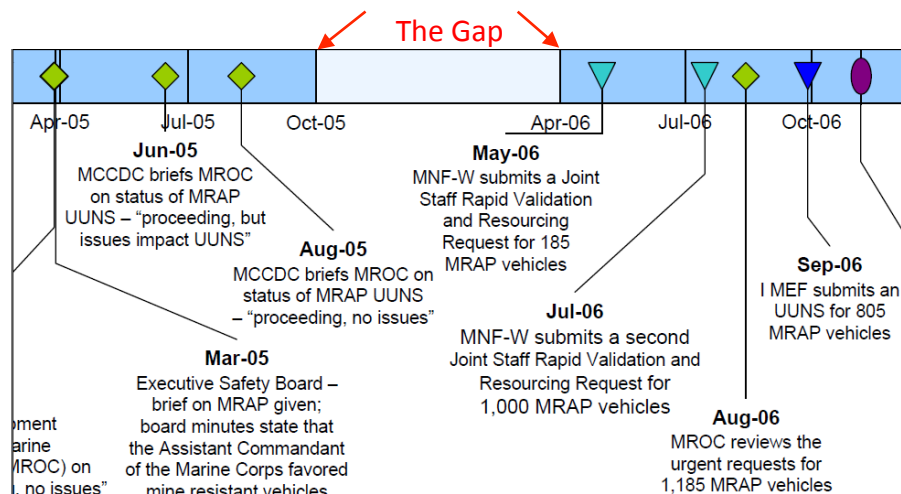
Much of the criticism of the Marine Corps is based on speculation of the motives of those involved with vehicle armor (and other issues). Much of the press have cited Gayl's faulty study when writing about MRAP. Gayl did not deploy to Iraq until approximately Sept 2006. As the GCE Advocate S&T Advisor he had no significant MRAP-type vehicle involvement prior to his deployment. This includes the period of time after the submission of the Hejlik UUNS in 2005. He therefore has no firsthand knowledge of the events of which he speaks. His supporting documentation dealing with Marine's motives is often pure speculation. That which is not speculation is often not substantiated by emails or other documents. His first significant presentation of any sort was to Director Defense Research and Engineering (DDR&E) in March 2007. This presentation contained one MRAP slide and one armor slide out of the entire presentation of 31 slides. MRAP was not Gayl's focus.

Much of Gayl's information comes from MARCENT or I MEF (G-9). The MARCENT information seems to come from LtCol Jankowski, a Gayl acolyte (see below). The information coming from I MEF G-9 was problematic as I MEF G-9 had a unique perspective on how the MEF should be supported. Instead of the G-9 stating needs, I MEF G-9 shopped for equipment, coordinated with vendors, contracted, and made procurement decisions. The rest of the Marine Corps was in a position where it had to support I MEF G-9 decisions. This study discusses a proposal to prohibit combat forces from engaging in procurement phases of equipping the force (allowing more focus on the combat mission). I MEF G-9 was often at odds with Quantico. This is the source for much of Gayl's information and is best demonstrated in the GBOSS and Dazzler Chapters. MRAP, on the other hand, was not contentious as I MEF, II MEF, MARCENT, MCCDC and the rest of the Marine Corps were in constant agreement.

The email documentation cited by Gayl starts in June, 2006. LtCol Jankowski arrived at MARCENT during this timeframe. Gayl's referenced emails coincide with Jankowski's activation and reflect email conversations that Jankowski participated in. These types of sources are far superior to the innuendo Gayl often used. Jankowski emails, however, are restricted to his activation from June 06 to Mar 07.

Timeline Issue: The Absence of MRAP Demand

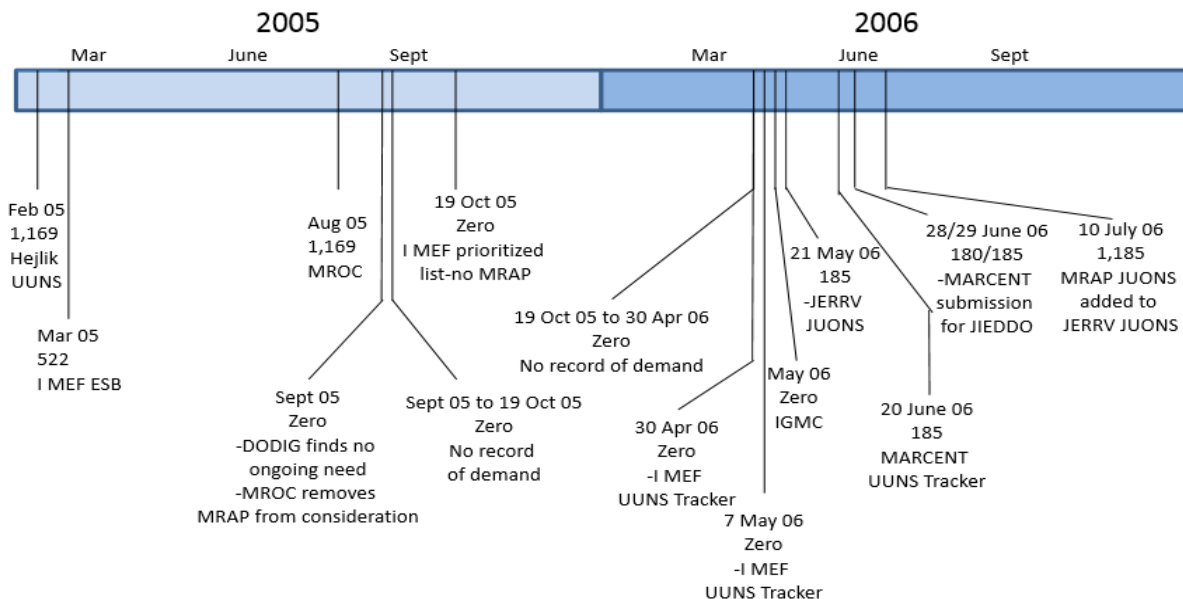
The gap in MRAP-type vehicle events occurred from Aug 2005 to May 2006. This gap reflects an absence of any MRAP development. This includes the deployed forces, MARCENT, the Advocates, MCCDC, the MROC and every other Marine Corps command. The gap is depicted in the DODIG report:



(DODIG, p 56)

Gayl establishes a similar gap, however his extends from June 05 (two months longer than the DODIG). This gap indicating absence of action renders illegitimate any assertion that the operating forces were constantly demanding MRAPs. This gap is also consistent with the Marine Corps position that the UUNS was addressed by m1114s and concluded. This gap is also consistent with a new effort submission of the new joint requests in 2006. This gap is also consistent with the different names used (JERRV and MMPV vs MRAP). This gap is also consistent with the terming of the 2005 Hejlik UUNS as “completed” by I MEF. This gap is also consistent with the number of MRAP-type vehicles being 185 only after a request for 185 MRAP-type vehicles occurred in May 2006. This gap will be addressed throughout the study.

The following timeline of demand (consisting of the event date, number of MRAP-type vehicles requested and the authoritative document) is provided as a quick reference:



Timeline Issue: The Marine Corps was in the process of providing large numbers of MRAPs well before Gayl was involved.

Gayl's first MRAP event was in March 2006. Prior to his "arrival", the following had occurred:

- I MEF requested 1,185 MRAPs.
- MCCDC expedited the processing of the MRAP requests, shaped them as joint requests (JUONs) and was very supportive of the requests.
- SECNAV was briefed by senior Marines that MRAP was needed now.
- Congress was briefed in multiple forums that Marines needed MRAPs immediately.
- Marines briefed Congress that other options were not sufficient.
- Nine MRAP contracts were awarded to build MRAPs for testing.
- CMC briefed Congress and declared he had a "moral responsibility" to buy MRAPs and JLTV was not an option.
- Testing of MRAPs began at Aberdeen, Md. Testing involved a major part of the Aberdeen testing command.
- The Undersecretary of Defense (AT&L) issued a memorandum indicating designation of the MRAP program as an ACAT ID program (highest priority). This memorandum was distributed to all of the Service Secretaries and the Joint Staff.

Then Gayl made a brief for DDR&E.

TIMELINE

Prior to 2005

Prior to 2005 Prior to the 2005 Hejlik UUNS Gayl states the following as the only MRAP actions:

- A Captain writes an article in a 1996 Marine Corps Gazette
- In 2003 two Majors write MRAP papers for their career level school and brief someone at MCSC
- In 2003/2004 two Majors briefed BGen Trautman and LtGen Gregson at MARFORPAC (from which there was no request for MRAP)
- A Col provided 8 Casspirs to MNF-W via the Rapid Equipping Force.
(Gayl, p 2-10)

Gayl references no Advocate efforts in this timeframe.

Nov 26, 2002 **“Marine Corps Order 3900.15A, “Marine Corps Expeditionary Force Development System,” November 26, 2002, established the Expeditionary Force Development System.”** (DODIG, p 6) This order establishes initial MRAP responsibilities which were augmented by MARADMINs. It shows the breadth of combat development responsibilities beyond MCCDC to include Gayl and the Advocate.

Dec 2003 and Mar 2005 **“In December 2003 and March 2005, the MCCDC validated MRAP-type vehicle requirements, separate from the February 2005 UUNS, and Marine Corps Systems Command (MCSC) subsequently contracted for MRAP-type vehicles. Further, in March 2005, midlevel Marine Corps officers briefed the Executive Safety Board on capabilities that MRAP-type vehicles could provide to protect forces in theater.”** (DODIG, p 9) These requirements were for engineer specific functions and not for infantry requests (e.g. MRAP).

Nov 21, 2003 USMC published MARADMIN 533/03, “Operation Iraqi Freedom II UUNS Process”. (DODIG, p 7) This MARADMIN provided Hejlik UUNS guidance (see Chapter 4).

April 2004 **“In April 2004, the MCCDC issued a statement of need for 27 Hardened Engineer Vehicles in response to a December 2003 UUNS from the I Marine Expeditionary Force.”** (DODIG, p 9) These vehicles were for engineer units.

Sept 2004 **“In September 2004, I Marine Expeditionary Force issued a policy letter defining its armoring requirements to include the use of the Marine Armor Kit, or Generation III armor.”** (DODIG, p 7) I MEF did not identify an MRAP-type vehicle in this policy letter.

Sept 28, 2004 USMC published MARADMIN 424/04, “Operation Iraqi Freedom III UUNS Process”. (DODIG, p 7) This MARADMIN continued to provide UUNS guidance.

Oct 2004 Hardened Engineer Vehicles were deployed in October 2004. (DODIG, p 9)

2005

2005 **“The former Commanding General, Marine Corps Forces Pacific stated that in 2005 MRAP-type vehicles needed to be fielded in theater in addition to the m1114 up-armored HMMWV in some numbers for operations in high risk areas. He stated that he did not know what action was taken on his recommendation for a mixed vehicle fleet.”** (DODIG, p 8) The CG MARFORPAC did not pursue the billion dollar UUNS as the solution was determined to be m1114. The UUNS, after being reduced to an UNS, did not continue to be debated by CG MARFORPAC.

Jan 2005 **“The first MAKs were delivered to Marines in theater in January 2005, and the number of systems currently fielded is 5,550.”** (DODIG, p 8) The MAK was requested by the MEFs.

Feb 17, 2005 **“On February 17, 2005, the Deputy Commanding General, I Marine Expeditionary Force, through the Commanding General, Marine Corps Forces, Pacific, submitted an UUNS for 1,169 MRAP-type vehicles to the MCCDC.”** (DODIG, p 2) Start of the “19 month delay” according to Gayl.

Mar 1, 2005 I&L responds in their Advocate role to the 2005 Hejlik UUNS: **I&L wrote: “It appears that this is more appropriate as an UNS than as an urgent UNS. Many issues are unclear. What is the capability gap we are trying to fill?”** (Gayl, p 18)

Mar 29 2005 **“On March 29, 2005, midlevel Marine Corps officers briefed the Marine Corps Executive Safety Board on mine-resistant vehicles and proposed introducing MRAP-type vehicles in theater on a large scale.”** (DODIG, p 9) These officers were from I MEF and, with BGen Hejlik present, briefed a vehicle requirement of 522. BGen Hejlik was the I MEF DCG and signer of the 1,169 requirement in the previous month (Gayl, p 15).

Mar 2005 **“The DOTMLPF Working Group submitted an information paper with options for satisfying the UUNS to the Deputy Commandant, Combat Development and Integration at the end of March 2005.”** (DODIG, p 12)

Apr 2005 **“In April 2005, the Joint IED Task Force approved the release of \$92.14 million from the Iraq Freedom Fund for the procurement of 122 Joint Explosive Ordnance Disposal Rapid Response Vehicles (JERRVs), the joint-Service version of the Hardened Engineer Vehicle. Of the 122 JERRVs, 38 were for the Marine Corps.”** (DODIG, p 9) There was no corresponding effort for 1,169 vehicles.

- May 2005 Executive off-site occurs where CMC decides to satisfy vehicle needs with m1114. CMC briefed Marine Corps executives on his decision. The CMC decision was with full knowledge of the Hejlik UUNS.
- June 20, 2005 ACMC & MCSC Armor Hearing-CMC briefs decision to replace all HMMWVs with m1114 (DODIG, p i). This brief to Congress confirmed the CMC decision to go with m1114 instead of MRAP-type vehicles.
- June, 2005 **“After receiving the May 2005 emergency supplemental funds, the Commandant of the Marine Corps directed the Deputy Commandant, Installations and Logistics in June 2005 to coordinate an overall effort to procure enough M1114 up-armored HMMWVs to replace all HMMWVs in theater.”** (DODIG, p 8) CMC did not direct a “mixed fleet” of m1114 and MRAP.
- June 2005 **“Relaying the Commandant’s decision in a June 2005 e-mail, the Deputy Commandant, Installations and Logistics stated that the M1114 up-armored HMMWV was the best available, most survivable asset to protect Marine forces and meet immediate mission requirements.”** (DODIG, p 8) The decision to select the m1114 was not a MCCDC decision.
- June 10, 2005 **“This 10 June 05 EFDC info paper above is the last known (i.e. known to this case study author) formal communication that the MRAP UUNS had been delayed or cancelled at MCCDC. This has also been confirmed by the MROC Secretariat. The MRAP UUNS was allegedly handled and decided upon outside of the standard process, in that it was never properly brought before the MROC for a formal decision for subsequent recording in an MROC Decision Memorandum.”** (Gayl, p 38) Gayl was unaware of subsequent Marine Corps MRAP actions (to include MROC action) despite their importance in illuminating the MRAP issue.
- Aug 15, 2005 MROC DM 55-2005 dated Aug 15, 2005 recorded the status update of the MRAP UUNS for the MROC meeting dated Aug 8 2005. The MRAP update was included in the Executive Summary and the slide presentation (Dasch email dtd 10/20/2005). The MROC members were briefed on the Hejlik UUNS in several venues to include the MROC itself.
- Aug 2005 **“In reaction, the Marine Corps Combat Development Command (MCCDC) stopped processing the UUNS for MRAP-type vehicle capability in August 2005.”** (DODIG, p i) The DODIG did not state that the MROC also stopped processing the UUNS in August 2005.
- Aug 2005 The first JERRV was fielded in August 2005. (DODIG, p 9)

Aug 8, 05 **“Chairman DOTMLPF briefed the MROC on status of MRAP UUNS. MCCDC was unable to provide documentation showing that after August 8 2005, DOTMLPF fulfilled actions for processing UUNS as required in order 3900.15a.”** (DODIG, p 13) The next MRAP event by any Marine Corps Command, to include the MROC, is in nine months (May 2006) when I MEF submitted a JERRV request. The lack of processing actions is explained in this study.

Oct 19, 2005 I MEF submits Technology prioritized list. There is no mention of MRAP.

2006

Jan 26, 2006 USMC published MARADMIN 045/06, “UUNS Process”. (DODIG, p 7) This MARADMIN was in effect for the I MEF deployment during which 1,185 MRAPs were requested.

Feb/Mar 2006 Gayl states MAJGEN Zilmer and BGen Neller become aware that MRAP-type vehicles may be needed. I MEF, II MEF, MARCENT, MARFORPAC, MCCDC and rest of the Marine Corps are no longer working the 2005 Hejlik UUNS.

March, 2006 MCCDC Persistent ISR strategy developed (Johnston email dtd 7/14/2006).

May 2006 The Inspector General of the Marine Corps provides absolutely no mention of the 2005 Hejlik UUNS or any type of MRAP requirement in its assessment of equipment readiness in Iraq. Gayl recommends that the IG itself may be worthy of investigation.

May 17, 2006 Mr Blasiol (MCCDC) expedites draft JERRV (MRAP-type vehicle) UUNS. MCCDC has visibility and coordinates JERRV UUNS with I MEF prior to submission. MCCDC recommends to submit JERRV UUNS as a JUONS. The “attachments” referenced below are UUNS (not JUONS) for the JERRV and mine rollers: **“Attachments are the two UUNS that have DC CDI visibility. We need to expedite. Advise feasibility of briefing CDIB 25 May. Also, Jeff, please ask BGen Neller to pursue JUONS, as previously discussed. MCWL POC is Mr. Chandler Hirsch”** (Hirsch email dtd 5/18/2006). Mr Hirsch worked at MCWL and represented the Marine Corps with JIEDDO. This demonstrated MCCDC’s leadership in submitting a joint request.

May 17, 2006 Col Oltman notes that MARCENT had not yet received the JERRV UUNS while MCCDC was already in action. Col Oltman noted JIEDDO rule sets for JUONS submission. **“MARCENT has not received this UUNS. MARCENT reports that it has not yet been signed by a GO. They expect it in the coming days but as of 1030 17 May it has not been signed.”... “Remember the JIEDDO rules for any CIED UUNS are that they be processed by the Combatant Commander as a**

JUONS. JUONS are submitted from the CC to the JS where the J-8 sends it to the services for validation and comment.” (Hirsch email dtd 5/18/2006)

May 18, 2006 CG MARCENT (LtGen Sattler) endorses MCWL (MCCDC) proposal for the creation and staffing of a C-IED Cell within the deployed MEFs (Tomczak email dtd 8/18/2006). These deployed MCCDC personnel worked with Gayl.

1. The requirement for a Counter IED Cell as proposed by the Marine Corps Warfighting Laboratory is validated by U.S. Marine Corps Forces, Central Command. The sourcing of these personnel, located with the deployed MAGTF, will provide the dedicated effort and expertise required to effectively defeat this threat to our Marines, Sailors and Soldiers. It is my assessment that the grade and skill composition of the cell is appropriate for the tasks to be performed.



JOHN F. SATTLER

May 21, 2006 **“On May 21, 2006, the Commanding General, Multi-National Force-West submitted a Joint Staff Rapid Validation and Resourcing Request for 185 MRAP vehicles to the Joint Requirements Oversight Council (JROC). In July 2006, the Commanding General, Multi-National Force-West submitted a second Joint Staff Rapid Validation and Resourcing Request for 1,000 MRAP-type vehicles to the JROC.”** (DODIG, p 2) These requests were the first such requests from I MEF of any kind. They were not linked with the Hejlik UUNS. The first request was not for MRAP (the DODIG assertion is flawed). It was for JERRV.

June 2, 2006 Maj Moore provides slide indicating “interim vehicle” required as part of the path forward for C-IED efforts. This recommendation was provided to CG MCWL. **“Future – The Joint Lightweight Tactical Vehicle (JLTV) will be the replacement for the HMMWV but is realistically not expected to hit the fleet until 2014. An interim vehicle is required in the meantime. Urgency of an interim vehicle is elevated by the fact that come 2007 the USMC will no longer be able to replace worn out and/or damaged HMMWVs due to production being discontinued.”** (Moore email dtd 6/2/2006) MCCDC understood that JLTV was a distant solution and MRAP-type vehicles were required.

June 6, 2006 G-BOSS UUNS submitted (Donlan email dtd 8/23/2007). The GBOSS UUNS was submitted months after the USMC Persistent Surveillance Strategy was published.

- June 12, 2006 LtCol Chill sends brief to Mr Blasiol concerning availability of joint funds through JIEDDO (Blasiol email dtd 6/21/2006). MCCDC continued to coordinate with joint entities for funding.
- June 16, 2006 The Chief of Staff II MEF, Col Cariker, indicates MARCENT does not have (and is not working) the 2005 Hejlik MRAP UUNS. **"Gents, I will send you a brief on Sivr that call for CIED vehicles and some requested help from us by Marcent. They are asking for us to see if we can find an old UUNS signed by Gen Hejlik some time ago referencing Mine Resistant Ambush Protection Vehicle (MRAP)."** (Murray email dtd 6/16/2006)
- June 20, 2006 I MEF G9 indicates that the Chief of Staff I MEF and MNF-W rejects additional MRAPs beyond the request of 185 JERRV. This email was not fully quoted in Gayl's study. **"We are sticking with the requirement for 185 JEERV vehicles. We don't want to confuse anyone about our requirement, let's put this discussion on hold until after I hear from Col Milburn on Friday."** (Lapierre email dtd 6/20/2006)
- June 20 2006 Mr Murray distributes official message traffic stating II MEF desire for 1,169 MRAPs per resolved 2005 Hejlik UUNS. **"3.A. II MEF STRONGLY CONCURS WITH THE I MEF FWD JUONS OF 21 MAY 2006 FOR 185 MMRVS, AND THE I MEF FWD UUNS OF 17 FEB 2005 FOR 1169 MRAPS."** (Murray email dtd 6/20/2006) II MEF started mentioning the Hejlik UUNS only after it was rediscovered. Prior to this point, II MEF had not submitted any large requests (>150) for MRAP-type vehicles.
- June 26, 2006 Col Butter (MARCENT) resubmits MARCENT priorities for C-IED stating that MARCENT's top C-IED priority is 180 JERRV but the number should be modified to between 600 and 1100. The MARCENT submission did not mention the 2005 Hejlik UUNS request for 1,169 MRAP. (Butter email dtd 6/26/2006)
- June 27, 2006 Col Butter confirms the new UUNS for 185 JERRV. Col Butter states MARCENT changed the UUNS to a JUONS and submitted. There is no mention of additional MRAP numbers. (Butter email dtd 6/27/2006)
- June 27, 2006 Mr Doyle distributes prioritized list for JIEDDO submission of C-IED requirements. 185 MRAPs is the highest non-training equipment priority. JIEDDO previously indicated it would only support training requirements directly from the Services. 1,169 MRAPs (or any close number) was not submitted as a requirement by MARCENT. (Doyle email dtd 6/27/2006)
- June 27, 2006 Col Butter states I MEF is expanding their JERRV requirement but I MEF had not yet finalized their need. The requirement at the time remained 185. **"MNF-W G9 is working on the expanded requirement now. I expect to see it in less than**

one week from today. I'll try to get a *draft* copy today." (Butter email dtd 6/27/2006)

June 29, 2006 Mr Doyle submits finalized list of C-IED priorities. JERRV number remains 185. (Doyle email dtd 6/29/2006)

June/July 2006 MARCENT, I MEF and II MEF priority ranking list shows 185 MMPV is top priority. The number remains 185 and the vehicle term used is MMPV (not JERRV or MRAP)(Johnston email dtd 7/31/2006). The June priority list was used through July to August when another prioritized list was completed. There is no request for 1,169 or any action on the Hejlik UUNS.

July 10, 2006 First "MRAP" request submitted since 2005 Hejlik UUNS. This request followed the JERRV or MRAP-type vehicle request. **"Energized by rapid Joint Staff processing of the JERRV JUONS, and the support that MARCENT was offering the MEF through direct interaction and access to CMC, I MEF (Fwd) submitted a much larger MRAP JUONS on the heels of the 1st MRAP JUONS (Reference r.11.). This 2nd MRAP JUONS requested a family of 1,000 MRAP vehicles on 10 Jul 06. Together with the JERRVs, the combined total now approached the 1,169 MRAPs requested in the original 2005 UUNS, intended for Soldiers, Sailors and Marines serving under MNF-W command."** (Gayl, p 51) Gayl's "combined total" (MRAP JUONS for 1,000 plus JERRV JUONS for 185) was built through two requests having no basis in the Hejlik UUNS. The requested number would continue to grow to over twice this amount.

July 17, 2006 MCWL joint funding brief provided to MARCENT leadership (Baker email dtd 7/20/2006). MARCENT required briefing on the potential for joint support.

Aug 2006 LtCol Jankowski indicates separation of UUNS and JUONS submissions (Skelly email dtd 8/1/2006). JUONS submissions for June/July 2006 total four while UUNS remain over 50 (Johnston email dtd 7/31/2006). I MEF continued to be reluctant users of the joint process.

Aug 17, 2006 I MEF G-9 complains about the Joint equipping process (JUONs) as unresponsive to Marines. **"Jeff, I am glad we spoke on the phone tonight. My leadership does not want to go to the JUONS process with G-BOSS. We have yet to receive any material solution from that venue, our first JUONS went in 10 FEB 2006. Despite what LtCol Chill mentioned it is more complicated and takes more time, the process is not stacked in our favor."** (Chill email dtd 8/18/2006) Despite the incorrect assertions by Gayl, I MEF continued to be reluctant users of the joint process.

- Aug 17, 2006 GBOSS Technology coordination reveals lack of unity and poor equipment capability understanding amongst I MEF, MARCENT and MCCDC. (Chill email dtd 8/18/2006)
- Aug 18, 2006 MCCDC offers to draft a GBOSS JUONS for I MEF. I MEF rejects. **"I just spoke with Gen Zilmer again on this issue, he is not interested in the JUONS process with regard to G-BOSS."** (Chill email dtd 8/18/2006) I MEF remains reluctant to use joint processes.
- Aug 18, 2006 I MEF G-9 rejects Army equipment to satisfy GBOSS as **"bad technology programs"**. (Chill email dtd 8/18/2006)
- Aug 18, 2006 I MEF G9 rejects lack of JUONS use and states I MEF has significant JUONS in the system. **"Somehow this LtCol Chill of MCWL has convinced everyone that we are not using the JUONS process and we need to be shown how. We currently have 14 JUONS in the system with 3 more on the way."** (Tomczak email dtd 8/18/2006) I MEF starts increasing JUONS from 4 in June to 14 in Aug.
- Sept 2006 End of the "19 month delay" (from Feb 2005 according to Gayl).
- Sept 2006 Franz Gayl deploys to Iraq (Gayl Testimony, p 2). Gayl participation in I MEF issues commences.
- Nov 7 2006 **"The combat development tracking system, which collects information on the processing of UUNS, did not include information on the processing of MRAP UUNS after March 22, 2005, until an IT specialist closed the UUNS on Nov 7, 2006."** (DODIG, p 13) The DODIG correctly references the CDTs, but fails to mention the documented MROC events. It is clear that the CDTs did not document every event in the processing of the MRAP UUNS.
- Nov 16, 2006 29 Palms surveillance suite of equipment nearing finalization well before GBOSS technology suite of equipment is established. (Albrecht email dtd 11/16/2006)
- Dec 14 2006 Congressman Taylor briefed on Marine Corps need for MRAP. (Fisher email dtd 12/26/2006)
- Dec 19, 2006 SECNAV office told that the shift to MRAP was due to the increase in underbody attacks (Fisher email dtd 12/26/2006). The level of involvement to purchase MRAP-type vehicles has risen to the SECNAV level.
- Dec 2006 Series of emails show Marine Corps leadership pursuing MRAP with Congress and SECNAV leadership. LtGen Amos, LtGen Mattis, BGen Kelly all vocal Advocates for "MRAP now". LtGen Amos states MRAP requirement up to 3330. (Fisher email dtd 12/26/2006)

Dec 27, 2006 JIEDDO willing to buy GBOSS but they need a JUONS (Alles email dtd 12/27/2006). I MEF continues to resist JUONS submission.

2007

Jan 2007 CMC and senior Marine GOs informed of Congressman Taylor (Chairman of the HASC's Subcommittee on Seapower and Expeditionary Forces) interest in MRAPs. Marine Corps increased MRAP requirement. (Alles email dtd 1/8/2007)

Jan 2007 BGen Alles statement to the HASC noting Marine Corps MRAP requirements. **"The approved USMC requirement is 1022 with a new request from the force commander in Iraq for more, up to triple the current requirement, which the Marine Corps is currently validating."** (Beyler email dtd 1/18/2007)

Jan 2007 MARCENT, I MEF and II MEF priority number one is 1,185 MRAPs (King email dtd 1/24/2007). There continues to be no link to 1,169.

Jan 2007 Draft G-BOSS JUON staffed through CENTCOM. (Alles email dtd 1/25/2007)

Jan 7, 2007 G-BOSS JUONS submitted (Donlan email dtd 8/23/2007).

Jan 16, 2007 BGen Brogan identifies Marine Corps efforts at MCSC for Joint MRAP in a statement to HASC: **"Last month I awarded sole source contract for 200 additional vehicles to a company that is already in production. That is a bridge to get us into a full and open competition so that we can expand the production base and more rapidly put these vehicles in the hands of our war fighters. This effort will procure and field up to an additional 4,060 MRAP vehicles to our nation's joint forces."** (Tomczak email dtd 1/19/2006)

Jan 19, 2007 Update on GBOSS includes RAID towers and a request from I MEF for integration assistance. (Alles email dtd 1/19/2007) This is contrary to the Gayl narrative.

Jan 24, 2007 Gayl compliments MCCDC Generals **"The General Officers at MCCDC and the entire SYSCOM have been extraordinarily supportive of G-BOSS and the MEF."** (King email dtd 1/24/2007)

Jan 26, 2007 Nine MRAP contracts awarded. (Alles email dtd 1/27/2007)

Jan 30, 2007 GBOSS JUONS signed by MNCI. (Jankowski email dtd 1/30/2007)

Jan 31, 2007 LtCol Jankowski distributes erroneous information concerning G-BOSS and C-RAM. (Jankowski email dtd 1/31/2007)

- Feb 2007 **"The system was not fielded until February 2007 because the G-BOSS capability had to be developed. As of July 2008, the Marine Corps had fielded 120 G-BOSSs in theater."** (DODIG, p 9) The DODIG did not differentiate between the GBOSS elements, several of which had been deployed before this time.
- Feb 8, 2007 The Under Secretary of Defense AT&L issues memorandum stating he plans to designate MRAP as ACAT ID (highest ACAT level) once the full requirement is established. USD (AT&L) sends memorandum to Service Secretaries (Army, Navy, Air Force), the Vice Chairman of the Joint Chiefs of Staff, Commander USSOCOM, and his immediate subordinates. He also tasks the Navy, as executive agent, to provide a MRAP joint acquisition approach by 15 March 2007. (Alles email dtd 2/9/2007)
- Feb 16, 2007 Deputy Commandant for Programs and Resources provides MRAP update brief indicating JROC approved MRAP requirement as 6,738 vehicles at an estimated cost of \$7.04 Billion. (King email dtd 2/18/2007)
- Feb 21, 2007 CMC, CNO and SECNAV appear before HAC-D and answer questions for Senator Levin. The MRAP summary: **"MRAP. This was a topic of discussion in all three venues, with SECNAV engaging frequently on the programmatic, and how he will make this work - without delays. There was some questioning about MRAP and EFPs that CMC punted on due to classification. Also some discussion about the Army's concern (as expressed recently in an Inside the Army article that MRAP will adversely impact the JLTV. CMC responded that we normally stay in step with Army when/where we can, but that he has a "moral responsibility" to protect the troops now. This translates to a hard requirement for 3,700 MRAPs for this war. He further explained that we too are looking forward to the JTLV, but it's years from now. That right now MRAP is the requirement, and that we are confident we can be at 100% by end 08. SECNAV did good work explaining Mike Brogan's acquisition strategy."** (Tomczak email dtd 2/21/2007)
- Mar (approximately) 2007 **"To this end I made direct contact with professional acquaintances in the Office of the Secretary of Defense (OSD) to inform them of pressing issues. This led to an invitation to me and members of the MEF staff to brief the Director, Defense Research and Engineering on urgent Service and Joint needs challenges"** (Gayl Testimony, p 5). This contact was established after Gayl returned from deployment in Feb. This is Gayl's first involvement and the lateness is noteworthy.
- Mar 2, 2007 BGen Alles informs LtGen Amos that G-BOSS training at 29 Palms has been in the works since before the G-BOSS JUONS was submitted.(Alles email dtd 3/2/2007)

Mar 15, 2007 **"ACMC testified yesterday and pointed out to Congressman Taylor that the MRAP is not funded to the levels we need by OSD. Congress not aware MRAP not fully funded. Gen Gardner will brief Taylor in April on the funding and cost of MRAP."** (Alles email dtd 3/15/2007)

Mar 13, 2007 Gayl prepares brief for Director Defense Research and Engineering. This was the first concrete brief or presentation by Gayl on any aspect of MRAP. It only included one MRAP slide out of the total of thirty-one slides. (Gayl, p 54)

Mar 16, 2007 LtCol Jankowski demobilizes. (Jankowski email dtd 3/13/2007)

Mar 25, 2007 LtGen Gardner gives account of MRAP testing at Aberdeen. 250 personnel working 24/6+ exploding and repairing vendor MRAP vehicles (Alles email dtd 3/28/2007). The Marine Corps was far into the development of MRAP prior to Gayl actions with the press and Congress.

Mar 26, 2007 CMC preps for SASC hearing. MRAP is one of three top priorities for CMC to stress. (Alles email dtd 3/27/2007)

May 2, 2007 On May 2, 2007, the Secretary of Defense declared that the MRAP acquisition program was the number one acquisition priority for the Department of Defense. (DODIG, p 2)

May 22, 2007 Several articles about MRAP delay are generated by the press (using information provided by Gayl).

May 22, 2007 LtGen Amos informs CMC about the decision to buy m1114s (not MRAPs) at the EOS: **"I wasn't here in Feb 05 and neither were most of my guys...but I can tell you that the decision to buy 1114's by the CMC was well thought out and discussed thoroughly at an EOS in mid 05."** He continued, **"This UNNS was sent in in Feb 05...later that spring/summer Gen Hagee agreed at an EOS that he would replace 100% of all theater MAK'd HMMWVs with what he called "the Gold Standard,"...the M1114."** He continued, **"We looked at the threat in 05 and determined that the 1114's were the answer...as the threat ratcheted up in 06 we changed our tack and agreed that the MRAPs were the way to go."** (Tomczak email dtd 5/23/2007) LtGen Amos confirms CMC actions in 2005 that ended the urgent nature of the Hejlik UUNS.

May 22, 2007 Col Dallas (MCCDC) indicates actions to address MRAP issue. (Tomczak email dtd 5/23/2007)

May 23, 2007 BGen Kelly states the focus in 2005 was side attacks from IEDs. He continued, **"By October last year the undercarriage attacks were really on the rise, and this is about the time we started working the Congressional side to ask us**

about MRAP, effectiveness, etc. We have good relations with the Biden office and will back brief them once we get the paper from Quantico.” (Tomczak email dtd 5/23/2007)

May 24, 2007 MajGen Hejlik sums up a MRAP discussion with the press. **“Sir-- I was in on the conference call with Boomer, journalists and MCCDC Marines. v/r, They are still misrepresenting (in this article) what was said yesterday. Do you want me to follow up with a letter--not so sure we will gain anymore traction and they are seeing what they want to see.”** (Alles email dtd 5/24/2007)

May 24, 2007 BGen Milstead indicates the term MRAP is being used in different ways. **“They are hung up on the use of MRAP in the UUNS and are viewing it as apples to apples. We made it clear yesterday that the decision to go with the M1114 was the best (and fastest) COA to get our folks in protected vehicles. The recent shift to the MRAP we know today resulted from a change in the threat. Again, our challenge is that the verbage describing MRAP in the Feb 05 UUNS is very similar to what we use today.”** (Alles email dtd 5/24/2007)

May 24, 2007 BGen Kelly comments on dealing with Senator Biden’s office: **“On another issue, Sir, we were working this 05 MRAP issue late into last evening and will pick it up again today. Media, and in my lane more importantly the Senate, has a sense we are either lying, incompetent, or both. I've insulated the boss from most of this, but if we can't turn the corner on the Hill (particularly in Senator Biden's office) we will have to plead the 6th (stupidity) and beg forgiveness. I told him (CMC) last night that on these issues we must consider how our explanations sounds to the media and Hill, not ourselves. An explanation that convinces us, might not make sense to the Hill who wants to believe, and certainly make no sense at all to the media that seemingly works hard to never believe.”** He continued: **“The AP reporter briefed yesterday went right to Mr. Biden's office and countered our explanation and characterized it as BS, but, more importantly, was at odds with the information we provided the Hill yesterday morning.”** (Alles email dtd 5/24/2007) Biden’s office had already orchestrated additional press coverage by the time BGen Kelly composed this email.

May 29, 2007 LtGen Amos creates response for Sen Biden and adds **“In doing this we will have (and for the most part already have...but I want to be drop dead accurate!!) all of the info needed to craft a response to Senator Biden; I believe that CD&I should do that for the Commandant and will head that direction unless told otherwise.”** (Nelson email dtd 6/1/2007)

May 29, 2007 Marine Corps receives a draft copy of the Biden MRAP letter. (Nelson email dtd 6/1/2007) The letter was signed on 23 May.

May 30, 2007 Gayl draft DDR&E presentation completed. (McCord email dtd 5/30/2007)

July 16, 2007 **“More than 2 years later, on July 16, 2007, the former Deputy Commanding General issued a memorandum to the Director, Marine Corps Public Affairs, stating that the 2005 decision to field M1114 up-armored HMMWVs was the correct Marine Corps decision in response to the threat in 2005. The former Deputy Commanding General told the audit team that he issued the memorandum to clarify that his intent in signing the UUNS was for the Marine Corps to acquire and field the MRAP within 2 to 5 years, as stated earlier.”** (DODIG, p 11) The 2 to 5 year timeframe is required for a regular UNS (not urgent). This statement is correct if the Hejlik UUNS was reduced from an UUNS to an UNS. It was.

2008

Jan 22, 2008 **“This audit was initiated at the request of the Assistant Commandant of the Marine Corps in response to allegations of mismanagement regarding the identification and fulfillment of a requirement for MRAP-type vehicles made in the “Mine Resistant Ambush Protected Vehicle (MRAP) Ground Combat Element (GCE) Advocate Science and Technology (S&T) Advisor Case Study,” January 22, 2008.”** (DODIG, p 1) The DODIG request cites Gayl’s study.

July 2008 **“In July 2008, the Joint Requirements Oversight Council approved a total DoD requirement of 15,838 MRAP-type vehicles. Of these, 2,225 were allocated for the Marine Corps.”** (DODIG, p 2) The number of required MRAPs continues to grow.

Dec 8, 2008 DODIG published “Marine Corps Implementation of the Urgent Universal Needs Process for Mine Resistant Ambush Protected Vehicles”. (DODIG, p b6)

4-WARTIME MARADMINS DICTATE RESPONSIBILITY

If Gayl is to be believed, and he is not (the Hejlik UUNS was not active), the following Generals would have had oversight/action responsibilities for MRAP development and the Hejlik UUNS based on MARADMINS 533/03, 424/04, 621/05 and 045/06:

- I MEF (2004-2005 deployment)-Lieutenant General and staff
- I MEF (Fwd) (2006 deployment)-Major General and staff
- I MEF (rear) (2006 deployment)-Lieutenant General and Staff
- II MEF (Fwd) (2005-2006 deployment)-Major General and Staff
- II MEF (rear 2005-2006 deployment)-Lieutenant General and Staff
- MARFORPAC (provided I MEF rotations and forces from 2004 on)-Lieutenant General and staff
- MARFORLANT (provided II MEF rotation and forces from 2004 on)-Lieutenant General and staff
- MARCENT (2005-2006)- Lieutenant General CG dual hatted as MARFORPAC-MARCENT Staff
- The Advocates (2004-2006)- Four Lieutenant Generals and staffs
- DC, P&R-Lieutenant General and Staff
- DC, CDI-Lieutenant General and Staff
- CG MCSC-Brigadier General and Staff

Several of the above billets were occupied by more than one General during the indicated timeframe. Some billets were dual hatted.

4A-COMBAT DEVELOPMENT (MRAP) ORDERS, DIRECTIVES AND RESPONSIBILITIES Overview

Every Marine is required to memorize their General Orders upon entry into the Marine Corps. General Orders outline the simple and basic responsibilities of the Marine on guard. They apply to both officers and enlisted, and Marines are negligent if they do not fully understand them. The concept of understanding orders and directives is drilled into the young Marine on day one of their time in the Marine Corps and is continued throughout their career. There is no excuse for a Marine to not understand their responsibilities and act accordingly.

There are orders and directives for every level of command in the Marine Corps. There are also orders and directives for combat development. It is clear that a great deal of ignorance exists about the orders and responsibilities of individuals and organizations in the combat development process. Gayl's use of marginally pertinent orders reflects his ignorance of the combat development process. Those who give credence to the accusations of MCCDC negligence have therefore been misled and remain ignorant of "who was responsible for what" in the MRAP issue.

This chapter will provide the correct orders (not the ones that Gayl used...see Chapter 12) and how they debunk many of the accusations of negligence against the Marine Corps. This description will render many criticisms irrelevant, incorrect or hypocritical. It will show that if Gayl was to be believed, then he and his command were as negligent (if not more negligent) than those he blames.

Marine Corps Combat Development Command (MCCDC) contains the words “Combat Development”. The uneducated may assume that all combat development is therefore performed by MCCDC. Nothing could be further from the truth. The entirety of the Marine Corps is responsible for combat development and various commands are charged with specific responsibilities needed to deliver capability.

Combat development orders and directives are Joint or Service related. This chapter will deal with the Service related orders and directives. The joint process will be addressed in Chapter 14. It is important to understand that the two processes are not the same. They are executed by different organizations.

The orders and directives that are pertinent to Marine Corps combat development are largely cited in the MRAP DODIG. The orders and directives after 2007 will not be cited as the focus of this study is prior to 2008 (by 2008 the MRAP effort was fully established). Similarly, MARADMINs will be considered from 2003-2006. They include (from page 6 and 7 of the DODIG):

- Marine Corps Order 3900.15a “Marine Corps Expeditionary Force Development System” (dtd Nov 26, 2002)
- Marine Administrative Message (MARADMIN) 533/03, “Operation Iraqi Freedom III UUNS Process” (dtd Nov 21, 2003)
- MARADMIN 424/04, “Operation Iraqi Freedom III UUNS Process” (dtd Sept 28, 2004)
- MARADMIN 045/06, “ UUNS Process” (dtd Jan 26, 2006)

In addition to the cited orders and directives in the DODIG, MARADMIN 621/05, “DC, CDI Reorganization” (dtd Dec 23, 2005) provides critical guidance.

Gayl’s Position

Gayl did not use pertinent orders and directives. One possible explanation for this lapse is that any basic reading of the pertinent orders and directives would yield different conclusions than those of Gayl and his acolytes. A pre-established conclusion can only survive if orders and directives do not contain contradictory facts. Gayl’s arguments start to crumble with a simple review of the correct orders.

One of the Gayl’s oft-repeated accusations and recommendation is that: **“Officials must be held accountable for their past willful blindness to known threats that caused tragic**

consequences.” (Gayl Testimony, p 15) The same accountability for willful blindness (if it occurred) that caused tragic consequences should be demanded of Gayl. Gayl was a member of the GCE Advocate. This chapter will (in part) discuss his, and his command’s, responsibilities. If willful blindness occurred, as he charges, then he should also be held accountable.

Gayl states: **“The study uses a recent example of a Ground Combat Element (GCE)-requested capability that encountered combat development challenges in order to illuminate some of the systemic problems inherent and endemic to the Expeditionary Force Development System (EFDS) at Marine Corps Combat Development Command (MCCDC).” (Gayl, p vi)** Gayl does not provide the orders and directives required to analyze combat development challenges. Instead, he makes unsupported assumptions about EFDS, MCCDC and combat development. Based on these assumptions he then provides criticism. This chapter will provide key order and directive analysis required for subsequent UUNS and MRAP analysis. This analysis will focus on the MARADMINs.

MARADMIN 533/03

MARADMIN 533/03 was developed for the deployment of I MEF to Iraq in 2004/2005. This was the deployment where Brigadier General Hejlik served as the Deputy Commanding General under the command of Lieutenant General Sattler. At the time, I MEF was subordinate to MARFORPAC. MARFORPAC was dual-hatted as the Service Component (representative) for CENTCOM. The purpose of 533/03 was focused on Urgent UNS and stated:

PURPOSE. IN ANTICIPATION OF MARINE FORCES DEPLOYING TO IRAQ
(OIF II) THIS MARADMIN PROVIDES URGENT UNS GUIDANCE.

The portion of the message dealing with process basics stated:

3. ACTION. OPERATING FORCES IDENTIFYING URGENT NEEDS FOR OIF II ARE REQUIRED TO FOLLOW THE PROCESS OUTLINED IN PARA 5 AND 6 AND SUBMIT AN URGENT UNS THROUGH THEIR CHAIN OF COMMAND TO CG, I MEF, IN ITS CAPACITY AS THE SUPPORTED COMMANDER. CG, I MEF WILL CONSOLIDATE AND PRIORITIZE ALL URGENT UNS' ENSURING THAT SIMILAR UNS' (I.E. TWO MSCS REQUESTING SAME OR SIMILAR CAPABILITY) ARE CONSOLIDATED. I MEF WILL PROVIDE PRIORITIZED LISTING OF MSC UNS IN THREE CATEGORIES-CRITICAL (CAT 1), ESSENTIAL (CAT 2), OR IMPORTANT (CAT 3) TO COMMARFORPAC. MARFORPAC SUBMISSION OF UNS' WILL INCLUDE A MARFOR COMMANDER STATEMENT AS TO WHETHER SUPPORTED COMBATANT COMMANDER CONCURS THAT THE ITEM IS REQUIRED IN ORDER TO ACCOMPLISH THE ASSIGNED MAGTF MISSION. DC, CD WILL CONDUCT AN IMMEDIATE DOTMLPF ASSESSMENT AND WILL SUBSEQUENTLY STAFF THE UNS' TO THE MARINE REQUIREMENTS OVERSIGHT COUNCIL (MROC). DEADLINE FOR SUBMISSION TO DEPUTY COMMANDANT FOR COMBAT DEVELOPMENT (DC, CD) IS 15 DEC 03, HOWEVER EARLIER "BATCHED" SUBMISSIONS ARE ENCOURAGED.

The above paragraph states that I MEF would submit its UUNS to MARFORPAC who would concur or not concur. DC, CDI would, upon completion of the DOTMLPF assessment, staff it to the MROC. This message was intended for pre-deployment needs as the due date was 15 Dec 03. The next message (424/04) extended this process through the entire I MEF deployment. 533/03 did not include staffing details such as who would conduct the DOTMLPF assessment or how the UNS would be staffed to the MROC. Other documents would do so. 533/03 does include vetting through MARFORPAC, a Lieutenant General (one of the most senior Generals within the Marine Corps) with access to the Commandant. MARFORPAC was responsible for the UNS through the MROC. The guidance given for the submission of an UUNS was supplemented by guidance for the content of UUNS:

(2) INCLUDE THE FOLLOWING INFORMATION:

(A) DESCRIPTION OF NEED ALONG WITH A STATEMENT THAT A GENERAL OFFICER HAS SIGNED THE UNS AND THAT IT HAS BEEN VETTED THROUGH THE CHAIN OF COMMAND TO INCLUDE THE MARFOR. DESCRIBE THE NATURE OF THE NEED AND HOW IT WAS IDENTIFIED. NOTE THAT THE DESCRIPTION SHOULD NOT IDENTIFY SPECIFIC MATERIEL SOLUTIONS, BUT RATHER THE CAPABILITY REQUIRED.

The submissions of UUNS would therefore focus on the need and not the specific material solution. The need for mine resistant ambush protection could therefore be satisfied by a number of material solutions. A submission for a specific vehicle produced by a specific company (MRAP by Force Protection) would be in violation of this MARADMIN.

MARADMIN 424/04

MARADMIN 424/04 was to provide guidance for UUNS submission for the next deployment. This MARADMIN applied to the next OIF rotation led by II MEF (I MEF MRAP UUNS was submitted in Feb 05 as I MEF was rotating out of theater and II MEF was transitioning into theater.) The purpose was very similar to I MEF purpose:

2. PURPOSE. IN ANTICIPATION OF MARINE FORCES DEPLOYING TO IRAQ (OIF III) THIS MARADMIN PROVIDES ADDITIONAL URGENT UNS GUIDANCE.

The procedures are slightly different as II MEF has a reporting chain through MARFORLANT. In addition, MARCENT was eventually put under the command of a designated Lieutenant General who also had to approve all UUNS. 424/04 also extended 533/03 for the remainder of the I MEF deployment. The 424/04 task remains similar to the 533/03 task:

3. ACTION. REFERENCE (A) REMAINS IN EFFECT FOR I MEF FOR THE DURATION OF OIF II. UNITS DEPLOYED IN SUPPORT OF OEF AND HOA WILL CONTINUE TO SUBMIT URGENT UNS TO MARCENT FOR APPROVAL. THIS MARADMIN IDENTIFIES PROCEDURES FOR OPERATING FORCES DEPLOYING IN

SUPPORT OF II MEF AND OIF III. ALL UNITS IN SUPPORT OF II MEF WILL BE REQUIRED TO FOLLOW THE PROCESS OUTLINED IN THIS MARADMIN AND SUBMIT URGENT UNS THROUGH THEIR CHAIN OF COMMAND TO CG, II MEF. IN ITS CAPACITY AS THE SUPPORTED COMMANDER, CG, II MEF WILL CONSOLIDATE AND PRIORITIZE ALL URGENT UNS ENSURING THAT SIMILAR UNS (I.E. TWO MSCS REQUESTING SAME OR SIMILAR CAPABILITY) ARE CONSOLIDATED. II MEF WILL PROVIDE PRIORITIZED LISTING OF URGENT UNS TO MARFORLANT. MARFORLANT WILL APPROVE AND FORWARD TO COMUSMARCENT. MARCENT WILL CONSOLIDATE URGENT UNS FROM EACH CAMPAIGN, APPROVE AND THEN FORWARD THE UNS TO MCCDC. DC, CD WILL CONDUCT AN IMMEDIATE DOTMLPF ASSESSMENT AND WILL SUBSEQUENTLY STAFF THE UNS TO THE MARINE REQUIREMENTS OVERSIGHT COUNCIL (MROC).

The coordination of UUNS through MARCENT indicates the authority of MARCENT to consolidate UUNS issues in the CENTCOM AOR. MARCENT therefore assumed responsibility for the I MEF UUNS that were in progress. MARFORLANT would approve/track the UUNS for II MEF. II MEF would maintain visibility of the UUNS in progress as well. Any major UUNS (for example MRAP at a cost of \$1Bil and an equipment change that would impact the entire force down to the squad level) that transitioned from I MEF to II MEF would have the tasked supervision of three Lieutenant Generals. Failure to supervise would constitute negligence. In addition, the two MEF commanders commanded the majority of deployable Marine units.

MARADMIN 045/06

MARADMIN 045/06 "UUNS Process" provided a substantial increase in guidance for the UUNS process. This MARADMIN was issued in Jan 2006 immediately prior to I MEF's next deployment to OIF. The main differences started in the purpose section:

2. PURPOSE. THIS MARADMIN PROMULGATES THE PROCEDURES FOR SUBMITTING AND STAFFING AN UUNS, AND DEFINES THE ROLES AND RESPONSIBILITIES AT EACH LEVEL OF THE STAFFING PROCESS. WHILE THIS MARADMIN REFERENCES ORGANIZATIONS CURRENTLY INVOLVED IN OEF, OIF, AND HOA, THESE PROCEDURES CAN BE APPLIED BY EVERY MARINE COMPONENT COMMANDER IN SUPPORT OF ANY CAMPAIGN OR THEATER.

This MARADMIN is an effort to deal with process and responsibility identification. The particulars are established in the next paragraphs starting with the definition of an Urgent UNS:

3. DEFINITION. AN UUNS IS AN IMMEDIATE REQUEST FROM UNITS THAT ARE DEPLOYED TO OR ARE AWAITING IMMINENT DEPLOYMENT TO A COMBAT THEATER. THE UUNS IS A REQUEST FOR A CAPABILITY THAT, IF NOT FILLED, PLACES THE ACCOMPLISHMENT OF THE UNIT'S MISSION IN JEOPARDY OR UNDULY INCREASES THE RISK OF CASUALTIES.

The responsible staffs and leaders were being told that failure to satisfy an UUNS will result in mission failure or casualties to include deaths. Processing should be conducted accordingly. The staffing flow continues to involve COMMARFORLANT/COMMARFORPAC (as the force providers):

4. STAFFING FLOW. MARINE EXPEDITIONARY FORCES (MEF) WILL CONSOLIDATE SUPPORTING MAJOR SUBORDINATE COMMAND (MSC) REQUIREMENTS AND FORWARD TO THE COMMANDER MARINE FORCES (COMMARFOR) (E.G. COMMARFORPAC/COMMARFORLANT) WITH AN INFORMATION COPY TO THE APPROPRIATE MARINE COMPONENT COMMANDER FOR THE THEATER (E.G. COMUSMARCENT FOR OEF, OIF, AND HOA). THE COMMARFOR WILL STAFF AND FORWARD THE UUNS COMMENTS TO THE MARINE COMPONENT COMMANDER. THE MARINE COMPONENT COMMANDER WILL STAFF AND FORWARD THE UUNS TO DC, CD&I, (WITH AN INFO COPY TO MCSC AND DC, P&R). DC, CD&I WILL PROCESS FOR DETERMINATION OF A SOLUTION, THEN FORWARD TO THE MARINE REQUIREMENTS OVERSIGHT COUNCIL (MROC) FOR UUNS APPROVAL. DC, P&R WILL DETERMINE THE RESOURCING STRATEGY.

It is important to note that for OIF, MARCENT received UUNS (information copy) as COMMARFORPAC/COMMARFORLANT conduct their initial staffing. MARCENT then received the UUNS officially for approval after COMMARFORPAC/COMMARFORLANT approval. The next section of the MARADMIN described responsibilities and actions for the elements within the UUNS process. The sections that are discussed below are those that were applicable to an UUNS that had already been signed (MRAP UUNS signed in Feb 05). This section also covers those units that needed previously requested equipment without which mission accomplishment would have been jeopardized or casualties would have occurred (e.g. those units that assume a major capability was being processed on their behalf).

5. RESPONSIBILITIES AND ACTIONS.

A. MARINE EXPEDITIONARY FORCES

(1) GATHER AND COLLATE MSC REQUIREMENTS, INCLUDING MARINE EXPEDITIONARY UNITS (MEU) IF THE FORCES ARE SCHEDULED TO SUPPORT THE MEF. THE UUNS MUST ACCOUNT FOR ALL UNITS THAT WILL BE IN SUPPORT OF THE MEF DURING DEPLOYMENT TO THEATER, TO INCLUDE SMCR UNITS.

The gathering and collating requirements task above pertains to the I MEF deployment that followed (2 months later). The MEF was also tasked to provide a prioritized list of UUNS yet to be fielded:

(3) ON A MONTHLY BASIS, PROVIDE A PRIORITIZED LIST OF THOSE UUNS YET TO BE FIELDDED TO THE APPLICABLE COMMARFOR AND THE MARINE COMPONENT COMMANDER.

For example, task A3 requires that had there been an unfilled I MEF UUNS for MRAP, I MEF

was tasked to list it monthly. It would be reasonable to think MRAP would have been located at or near the top of the list as it would have been an important UUNS. The COMMARFOR (force provider) was tasked similarly.

B. COMMANDER MARINE FORCES

(3) FORWARD THE UUNS TO THE MARINE COMPONENT COMMANDER. PROVIDE A COPY OF THE UUNS WITH A GENERAL OFFICER'S SIGNATURE (SEE NOTE 1). CONCURRENTLY SEND A COPY TO ANY OTHER COMMARFORS THAT ARE ALSO DEPLOYED TO THE AOR OR PREPARING TO DEPLOY TO THE AOR TO ASCERTAIN IF THE UUNS IS ALSO REQUIRED TO SUPPORT THEIR FORCES.

(4) FORWARD A PRIORITIZED LIST WITH RECOMMENDATIONS TO THE MARINE COMPONENT COMMANDER. FOR COMMARFORPAC, CONSOLIDATE I AND III MEF PRIORITIZED LISTS INTO A SINGLE PRIORITIZED LIST FOR FORWARDING TO THE MARINE COMPONENT COMMANDER.

(5) ON A MONTHLY BASIS, PROVIDE A PRIORITIZED LIST OF ALL UUNS NOT YET FIELDIED TO THE MARINE COMPONENT COMMANDER.

COMMARFORPAC and COMMARFORLANT were already conducting the coordination that is tasked in paragraph B3 above. MARADMIN 045/06 formalized the coordination. The Marine Corps rotation plan ensured both MARFORs provided subordinate forces to each OIF rotation while alternating MEF command elements. The COMMARFORs were also tasked with providing a prioritized list to MARCENT (the component commander for CENTCOM). Again, per this tasking, any UUNS for 1169 MRAPs that was unfilled would be listed on the MARFORPAC and/or MARFORLANT lists. The supported Marine Component Commander (MARCENT) also had UUNS responsibilities. Most have been addressed but paragraph C7 (task for MARCENT) echoes the responsibilities of MEFs and other MARFORs.

C. SUPPORTED MARINE COMPONENT COMMANDER

(7) ON A MONTHLY BASIS, PROVIDE A PRIORITIZED LIST OF ALL SUBMITTED UUNS NOT YET FIELDIED TO DC, CD&I. THIS PRIORITIZED LIST INCLUDES UUNS FROM FORCES ASSIGNED TO THE SUPPORTED MARINE COMPONENT COMMANDER, AS WELL AS UUNS FROM FORCES PREPARING TO BE ASSIGNED TO THE SUPPORTED MARINE COMPONENT COMMANDER'S AOR.

In sum, three organizations commanded by two Lieutenant Generals and one Major General were tasked with identifying those UUNS not yet fieldied. Two of these officers answered directly to the Commandant of the Marine Corps. A fourth command, MARCENT, would consolidate the lists and provide the final prioritized list for the month to DC, CDI (aka MCCDC or Quantico). This list, created by order, was a tracking document from OIF forces. An unfilled UUNS for 1169 MRAPs would have been at/near the top of all of the priorities lists. These lists were not created or shaped or approved by MCCDC. By order, DC, CDI (MCCDC) received the lists in order to action on them. DC, CDI also had other tasks.

D. DEPUTY COMMANDANT FOR COMBAT DEVELOPMENT & INTEGRATION (DC,

CD&I)

- (1) PROCESS ALL UUNS RECEIVED FROM THE SUPPORTED MARINE COMPONENT COMMANDER.
- (2) ENTER THE UUNS INTO THE COMBAT DEVELOPMENT TRACKING SYSTEM FOR PROCESSING.
- (3) ENSURE ALL APPLICABLE AGENCIES HAVE RECEIVED A COPY OF THE UUNS.
- (4) ASSIGN AN INTEGRATION DIVISION WITHIN CDD AS THE LEAD FOR THE DOTMLPF ASSESSMENT AND SOLUTION IDENTIFICATION.
- (5) ENSURE EACH UUNS IS BRIEFED TO THE CAPABILITIES DEVELOPMENT BOARD (CDB).
- (6) PREPARE AND BRIEF THE UUNS FOR MROC APPROVAL.
- (7) IN TFSMS, ASSIGN A TAMCN TO MROC APPROVED UUNS EQUIPMENT ITEMS THAT DO NOT HAVE AN EXISTING TAMCN AND DESIGNATE THE TAMCN AS AN UUNS IN THE APPROPRIATE DATA FIELD.
- (8) IN TFSMS, ASSIGN THE ITEM EXIT DATE FOR 18 MONTHS FROM THE TIME OF TAMCN CREATION.
- (9) ASSESS THE UUNS FOR DEVELOPMENT AS A FUTURE PROGRAM OF RECORD (POR). BRIEF POR RECOMMENDATIONS TO THE MROC WITHIN THREE TO SIX MONTHS OF EQUIPMENT BEING FIELDIED TO THE WARFIGHTER.
- (10) PROVIDE UPDATES TO ALL APPLICABLE AGENCIES VIA THE UUNS TRACKING SHEET ON CDTs.
- (11) IN TFSMS, ANNOTATE ALL PROJECTED REQUIREMENTS (BY THE ANTICIPATED DEPLOYED UIC) AS UNFUNDED.
- (12) ADJUDICATE THE PRIORITY FOR FIELDING BETWEEN MULTIPLE, ON-GOING UUNS DELIVERIES.

The list of tasks for DC, CDI is presented in full. Several organizations had changed names and responsibilities between the submission of the MRAP UUNS (Feb 05) and the issuance of this MARADMIN (Jan 06) but responsibilities remained similar. Of note is that MCCDC does not have the task to originate UUNS. This task is specifically given to I MEF and II MEF. The DC, CDI would also develop sub-procedures in order to accomplish his tasks in this MARADMIN. Marine Corps Systems Command (MCSC) was also tasked for UUNS:

E. MARINE CORPS SYSTEMS COMMAND (MCSC)

- (1) ASSESS THE ABILITY TO PROVIDE A MATERIEL SOLUTION, ACCOUNTING FOR PRODUCTION TIMES, DELIVERY ESTIMATES, TRAINING SUPPORT, AND MAINTAINABILITY FOR EACH UUNS.
- (2) PROVIDE PRODUCTION AND DELIVERY ESTIMATES, COSTING INFORMATION, AND SUPPORTABILITY AND MAINTAINABILITY ESTIMATES TO THE APPROPRIATE CDD INTEGRATION DIVISION.
- (3) TRACK DELIVERIES OF MATERIEL TO THE WARFIGHTER, PER THE FIELDING PLAN, AND PROVIDE UPDATES TO DC, CD&I AND DC, P&R.
- (4) REPORT BELOW THRESHOLD REPROGRAMMING (BTR) ALTERNATIVES

WHEN REQUESTED BY DC, P&R.

(5) WHEN TAMCN HAS BEEN CREATED, SUBMIT A CATALOG ACTION REQUEST (CAR) TO MCLC VIA TFSMS.

(6) IN TFSMS, ANNOTATE THE PLANNED PROCUREMENT QUANTITIES AND ALL IDENTIFIABLE COST INFORMATION FIELDS.

MCSC also had no authority to initiate UUNS, and their procurement process is governed by law. Their job in the process was to provide the capability that was requested by the warfighter. They had flexibility to act within the bounds of an UUNS/UNS to select a material solution (in coordination with MCCDC and the warfighter). Procurement law is very strict and established by Congress. The need is developed by the warfighting commands. Nevertheless, the procurement aspect of combat development is a critical element for any request, therefore the CG MCSC is provided an early copy of the request from the component commander (in this case MARCENT). The rank of the CG MCSC for the MRAP request was a Brigadier General select (and eventually promoted). This officer also reports to the Secretary of the Navy and it would be difficult to imagine, in the course of his duties, that he would not alert the Secretary of the Navy about a potential purchase of one billion dollars for MRAPs. The procurement is funded through the Deputy Commandant, Programs & Resources (the head finance officer in the Marine Corps). He was tasked as follows.

F. DEPUTY COMMANDANT, PROGRAMS & RESOURCES (DC, P&R)

(1) DETERMINE THE APPROPRIATE FUNDING STRATEGY FOR EACH UUNS.

(2) ENSURE THAT FUNDING RESOURCES ARE ALLOCATED TO EACH UUNS.

In addition to the two tasks in paragraph 5f, the DC, P&R is provided a copy of the UUNS from MARCENT as financial planning for new needs must be accomplished. Once again, a purchase of 1169 MRAPs for an estimated cost of approximately one billion dollars is a major event for the Marine Corps' head financial officer and would be tracked accordingly. The DC, P&R also answers directly to the Commandant of the Marine Corps and is a Lieutenant General.

In addition to the specific delineation of responsibilities, this MARADMIN also provided process rules.

6. BUSINESS RULES FOR UUNS MANAGEMENT

B. UUNS PRESENTED TO THE MROC WILL BE REPRESENTED AS MARINE COMPONENT COMMANDER WARFIGHTING REQUIREMENTS, VICE MEF OR MSC REQUIREMENTS.

Paragraph 6B establishes UUNS requirements as component requirements, not MCCDC requirements. The component could therefore change, adjust or withdraw their requirement.

MARFORPAC was the component commander for the MRAP UUNS. Paragraph 6D establishes the timing and authority to present to the MROC:

D. UUNS WILL BE PRESENTED TO THE MROC AS SOON AS THE URGENT WARFIGHTING NEED HAS BEEN APPROVED BY THE MARINE COMPONENT COMMANDER AND DC, CD&I, AND WHEN REQUIRED, A MATERIEL SOLUTION HAS BEEN IDENTIFIED BY MCSC.

Paragraph 6D continues to show the responsibility of the component commander (in addition to DC, CDI).

The MARADMINs for UUNS processing increase in detail through 2006. Many of these processes were in place but not articulated in a MARADMIN until 2006. The 2006 MARADMIN was issued after the 2005 MRAP UUNS but sections would still be applicable for existing (already submitted) UUNS. Based on MARADMINs, the following Generals would have had oversight/action responsibilities for the Hejlik UUNS (if it was active):

- I MEF (2004-2005 deployment)-Lieutenant General and staff
- I MEF (Fwd) (2006 deployment)-Major General and staff
- I MEF (rear) (2006 deployment)-Lieutenant General and Staff
- II MEF (Fwd) (2005-2006 deployment)-Major General and Staff
- II MEF (rear 2005-2006 deployment)-Lieutenant General and Staff
- MARFORPAC (provided I MEF rotations and forces from 2004 on)-Lieutenant General and staff
- MARFORLANT (provided II MEF rotation and forces from 2004 on)-Lieutenant General and staff
- MARCENT (2005-2006)- Lieutenant General CG dual hatted as MARFORPAC- MARCENT Staff
- The Advocates (2004-2006) Four Lieutenant Generals and Staffs
- DC, P&R-Lieutenant General and Staff
- DC, CDI-Lieutenant General and Staff
- CG MCSC-Brigadier General and Staff

The above LtGens and MajGens had flag officers as deputies. Every General and staff had a responsibility (by MARADMIN) for the 2005 UUNS. Responsibilities included at a minimum tracking and planning. The operational commands “owned” the UUNS (MARFORPAC/MARFORLANT/MARCENT/I MEF/II MEF). The size of the Hejlik UUNS and the impact across the various elements of the Marine Corps were understood and significant. Every Lieutenant General had direct access to the Commandant of the Marine Corps. The deployed Generals had access to the Commandant. Those who had UUNS responsibilities per the MARADMIN understood the gravity of the request, and yet credibility is given to the idea that a bureaucrat in MCCDC could decide the fate of this UUNS.

In addition, Gayl points the finger at MCCDC for ignoring “common sense COIN requirements”. **“It is worth repeating a paragraph from earlier in the case study. Again, the reason that the MRAP program has grown in scope is because MCCDC ignored common sense COIN requirements, as well as the growing IED emergency in MNF-W. The COIN capabilities that might have prevented the emergence of a significant IED threat in the first place had not been provided by MCCDC combat developers. These included ISR, armed ISR, NLW, IO-supportive communications equipment, real-time language translation, and other tools.” (Gayl, p 86)** Common sense COIN requirements could have been submitted by any one of the operational commanders listed above.

There are, however, other authoritative documents (and organizations) that pertain to MRAP. MARADMIN 621/05 is one of them.

MARADMIN 621/05

MARADMIN 621/05 DC, CDI Reorganization, was published in December of 2005 (after the 2005 MRAP UUNS but before the 2006 deployment of I MEF and their May 2006 JUONS for 185 MRAP-type vehicles).

1. SITUATION.

A. PURPOSE. PER CMC INTENT AND REF (A), DEPUTY COMMANDANT FOR COMBAT DEVELOPMENT AND INTEGRATION (DC, CD&I) ASSUMES THE RESPONSIBILITY AS THE MAGTF INTEGRATOR.

REF (A) IS THE MARINE REQUIREMENT OVERSIGHT COUNCIL (MROC) DECISION MEMORANDUM APPROVING DC, CD&I TO REORGANIZE IOT SUPPORT MAGTF INTEGRATION OF USMC WARFIGHTING CAPABILITIES DEVELOPMENT.

Gayl states: **“The MRAP cases study has demonstrated that Marine Corps combat development organizations are not optimized to provide responsive, flexible, and relevant solutions to commanders in the field.”** (Gayl, p xv) According to Gayl this lack of optimization would include himself as a member of the GCE Advocate Staff. 621/05 reorganizes MCCDC but it also lists responsibilities and the manner in which MCCDC would interact with other combat development organizations to include the Advocates. This DC, CDI reorganization impacted Advocate responsibilities as well as the responsibilities of subordinate MCCDC organizations such as MCWL.

CG MCWL organization was as follows:

(C) CG MARINE CORPS WARFIGHTING LAB (MCWL)/HQ STAFF
SUPPORTED BY EIGHT DIVISIONS. MCWL RETAINED ALL PREVIOUS
RESPONSIBILITIES AND GAINED THE RESPONSIBILITY TO DEVELOP USMC
CONCEPTS/CONOPS AND IDENTIFY USMC CAPABILITIES TO SUPPORT THE CBP
PROCESS FOR COMBAT DEVELOPMENT ACTIVITIES. NOTE: THE FIRST THREE

DIVISIONS BELOW WERE FORMER EFDC DIVISIONS.

- 1 CONCEPTS AND PLANS
- 2 JOINT CONCEPT DEVELOPMENT AND EXPERIMENTATION (JCDE)
- 3 CENTER FOR EMERGING THREATS AND OPPORTUNITIES (CETO)
- 4 OPERATIONS & CIED
- 5 EXPERIMENTATION
- 6 TECHNOLOGY
- 7 SEA VIKING
- 8 WARGAMING.

Between deployments this author was the Division Head for Operations and CIED (line 4 above).

The Capabilities Development Directorate (CDD) included the MAGTF Integration Directorate (MID) which was tasked to conduct “integration meetings” called Capability Development Boards (CDB) (eventually adding Integration to become the CDIB). The CDB was the follow-on to the DOTMLPF Working Group (DWG) and was designed to involve all Deputy Commandants in the capability development process.

2. CONCEPT OF OPERATIONS. WITHIN CDD, THE MID WILL DRIVE THE SYNCHRONIZATION OF COMBAT DEVELOPMENT ACTIVITIES THROUGH THE SIX INTEGRATION DIVISIONS, AND TFSD. EACH DIVISION WILL SERVE AS A FUSION CENTER FOR INTERNAL AND EXTERNAL INTEGRATION ACROSS THE PLANNING STAFFS OF THE DEPUTY COMMANDANTS, MARFORS, AND SE. THE MID WILL CONVENE A CAPABILITIES DEVELOPMENT BOARD (CDB) ON A ROUTINE BASIS CONSISTING OF O-6 LEVEL DECISION AUTHORITY FROM THE PLANNING STAFFS MENTIONED ABOVE (IN PERSON OR THROUGH VTC) TO ENSURE THAT MAGTF INTEGRATION IS ACHIEVED. THE REVISED COMBAT DEVELOPMENT PROCESS ENCOMPASSES THREE CRITICAL DECISION POINTS IN THE FORM OF MROCS. MROCS WILL BE THE FORUM FOR OBTAINING SENIOR LEVEL LEADERSHIP GUIDANCE AND APPROVAL AS IT APPLIES TO PRIORITIZATION OF DESIRED WARFIGHTING CAPABILITIES AND IDENTIFICATION OF REQUIREMENT SOLUTIONS.

In addition to their regular duties, four Deputy Commandants were given additional guidance as Advocates. The Advocate responsibility is very important to understand in the context of combat development and the MRAP, and will be addressed later in Chapter 5. The MARFOR Commanders and other Supporting Establishment Commanders also had responsibilities for combat development.

B. REQUEST MARFOR AND SUPPORTING ESTABLISHMENT (SE) COMMANDERS.

(1) PROVIDE SUBJECT MATTER EXPERTISE AS REQUIRED TO CONDUCT MAGTF INTEGRATED COMBAT DEVELOPMENT ACTIVITIES WITHIN THE INTEGRATION DIVISIONS OF CDD.

- (2) DEVELOP UNS FOR ALL IDENTIFIED CAPABILITY GAPS IN SUPPORT OF COMBATANT COMMANDER INTEGRATED PRIORITY LIST (IPL).
- (3) (MARFORs) SUBMIT UNS IN SUPPORT OF FORCES ASSIGNED FOR OPERATIONS AND CONTINGENCIES.
- (4) PROVIDE 0-6 LEVEL REPRESENTATION AT THE CDB TO ENSURE MAGTF INTEGRATION AND SUPPORT DEVELOPMENT OF THE PRIORITIZED MAGTF CAPABILITIES LIST (MCL) AND MAGTF REQUIREMENTS LIST (MRL).

MARFOR and SE Commanders were to provide Subject Matter Experts/Expertise (SME) to the integration divisions. These SMEs had the opportunity to elevate issues to the various elements of CDD. MARFORs also had the responsibility to develop and submit UUNS. The specific task to “develop UNS” means that some level of analysis is required. MARFORs, with specific geographic focus, would analyze their AORs, coordinate with their forces, and submit their needs. They were in the best position to “geographically look forward” as they were, and are, the experts for their AOR. In comparison to Quantico, they had superior knowledge about their AOR as Quantico/MCCDC had/has a world-wide focus. Finally, the MARFORs were tasked with providing representation to the CDB. These representatives could bring up any issues of concern during the regular scheduled CDB meetings. The task in B4 actually directs that they do so. In addition to the MARFORs, Supporting Establishment (SE) Commanders had the same tasks (except for UUNS submission). In sum, all major Marine Corps Commands had responsibilities to conduct combat development.

The Hejlik UUNS had already been submitted when 621/05 was issued. Support tasks required during the processing of the Hejlik UUNS, however, remained tasked to the MARFORs and the remainder of the appropriate supporting establishment Commanders (e.g.-Training Command would concern themselves with driver training for the MRAP fleet). The final tasks in the 621/05 were for P&R and MCSC:

- C. REQUEST DC, P&R PROVIDE ANALYTICAL SUPPORT TO THE DC, CD&I TO ENSURE A FISCALLY INFORMED MCL AND MRL.
- D. REQUEST CG, MCSC PROVIDE PROGRAM MANAGER AND ACQUISITION EXPERTISE TO DC, CD&I TO FACILITATE THE ANALYSIS OF DESIRED CAPABILITIES WITH EXISTING/FUTURE SYSTEMS CAPABILITIES.

Both were to provide analytic support. They are not specifically tasked to track or Advocate but it is hard to imagine either command neglecting a planned billion dollar program. One would think that an active MRAP UUNS would have prompted some discussion. If the UUNS remained active, P&R and MCSC would have continued a full effort to provide a MRAP fleet. They did not (as the MRAP UUNS was concluded).

5 -THE ADVOCATE (GAYL'S COMMAND) ORDERS AND RESPONSIBILITIES

PP&O as the GCE Advocate (to include Gayl) had defined responsibilities for UNS/UUNS and MRAP combat development. The GCE Advocate was responsible for supervising the Hejlik UUNS. If Gayl is to be believed, and he is not, the Advocate was negligent in supervising the Hejlik UUNS. In addition, the GCE Advocate/Gayl did not identify the need for MRAP (along with the rest of the Marine Corps) despite its primary role in GCE combat development.

This chapter describes significant Marine Corps Advocate orders and responsibilities. The Advocates are not lawyers, but they do represent their constituency in the combat development processes. They also have unique combat development abilities of their own. CMC Policy Memorandum 1-02 established the Advocates in 2002. These Advocate assignments remained in effect through 2008 when there were several minor responsibility adjustments but the main elements remained the same. Gayl was on the GCE Advocate staff and these orders and responsibilities apply to him also.

Gayl states, **“In the end, neither the I MEF (Fwd) HQ, the II MEF (Fwd) HQ, nor any of the tactical commanders losing increasing numbers of Marines to IEDs in MNFW had a vote on the MRAP UUNS. Lacking process transparency also caused a delay in general operator awareness of non-fulfillment.”** (Gayl, p 28) This section will show that the Advocate is responsible to represent I MEF, II MEF and all of the GCE tactical commanders in processing and voting on the MRAP UUNS. This section will also show the Advocate responsibilities for processing and transparency on behalf of the operating forces. Combined with Chapter 4, Advocate responsibilities can be seen as more important than any other combat development organization for GCE capability development.

CMC Policy Memorandum 1-02

In addition to the responsibility as the Marine Corp's Operations Deputy, PP&O is also the Advocate for the Marine Corps Ground Combat Element (GCE). The command, air and logistics elements all have separate Advocates. As designated in CMC Policy Memorandum 1-02, Advocates are members of the MROC and have the specific MROC responsibility described below:

6. Advocates. As MROC members, Advocates provide broad-based experience and direct representation for each element of the Marine Air-Ground Task Force and the Supporting Establishment. The MROC provides a venue for Advocates to both participate in and influence requirements generation. This does not preclude Advocates from participating in other processes and associated forums. Assigned Advocates are:

- ACMC for the Headquarters Marine Corps
- DC, M&RA for the Marine Corps Recruiting Command
- DC, AVN for the Aviation Combat Element
- DC, PP&O for the Ground Combat Element, Chemical/Biological Incident Response Force, Marine Corps Security Forces, and Marine Security Guard Battalion
- DC, I&L for the Combat Service Support Element, Installations, and Materiel Command
- DC, CD for the Command Element, the Marine Corps Combat Development Command, and Science and Technology

The MROC not only provides a MRAP venue, it provides the senior-most venue of any decision making body in the Marine Corps that does not involve the Commandant. There is no subject, policy, piece of equipment or personnel issue dealing with combat development that the Advocate may not raise at the MROC. The Advocates report directly to the Commandant of the Marine Corps. If not satisfied at the MROC, the Advocate may raise the issue directly with the Commandant of the Marine Corps.

PP&O serves as the Marine Corps' Headquarters Operations Department. PP&O works directly for the Marine Corp's Service Chief, the Commandant of the Marine Corps. The PP&O mission is twofold; they act as the Marine Operations Deputy and interact with the other Services, COCOMs and Joint Staff. They are also tasked with the development of **"service plans and policies related to the structure, deployment, and employment of Marine Corps forces in general"** (HQMC, p 1). This current responsibility is consistent with the responsibilities of PP&O since 2001. PP&O is a senior decision maker in the Corps, sits on the senior decision making body in the Corps, and has daily interaction with CMC. If there was an issue with the Hejlik UUNS, PP&O was tasked with representing the GCE for issue resolution.

The Advocate in MARADMIN 621/05

As previously discussed, the MROC tasked DC, CDI to reorganize and the DC, CDI subsequently issued combat development guidance. That guidance included guidance for the Advocates:

3. TASKS.

A. REQUEST DEPUTY COMMANDANTS (M&RA; AVN; PP&O; I&L).

- (1) PUBLISH CAMPAIGN PLANS.
- (2) PUBLISH CAPABILITY LISTS USED TO DETERMINE CAPABILITY GAPS, SHORTFALLS, AND EXCESSES.
- (3) PUBLISH REQUIREMENTS LISTS USED TO IDENTIFY DOTMLPF RELATED ISSUES SUCH AS MATERIEL/NON-MATERIEL SOLUTIONS, SUSTAINABILITY, SUPPORTABILITY, SCHEDULED DELIVERY, AND AFFORDABILITY OPTIONS.
- (4) IDENTIFY AND PUBLISH POINTS OF CONTACT AT THE DEPARTMENT LEVEL AND SUBJECT MATTER EXPERT POINTS OF CONTACT ACROSS WARFIGHTING FUNCTIONS TO CONDUCT MAGTF INTEGRATED COMBAT DEVELOPMENT ACTIVITIES WITHIN THE INTEGRATION DIVISIONS OF CDD.
- (5) DEVELOP UNIVERSAL NEED STATEMENTS (UNS) FOR ALL CAPABILITY GAPS PERTAINING TO DEPUTY COMMANDANT/PROPONENT FUNCTIONAL AREA.
- (6) PROVIDE 0-6 REPRESENTATION AT THE CDB TO ENSURE MAGTF INTEGRATION AND SUPPORT DEVELOPMENT OF THE PRIORITIZED MAGTF CAPABILITIES LIST (MCL) AND MAGTF REQUIREMENTS LIST (MRL).

Task (1) is to publish a campaign plan. The PP&O campaign plan (the campaign plan issued immediately prior to the 2005 MRAP UUNS) will be discussed below. The Advocate, in conjunction with their campaign plan, would publish capability lists and requirements lists. One would expect MRAP to be featured in both the campaign plan and associated capability list as the Advocate is responsible for planning for the future. It was not.

UUNS that are not fulfilled would remain as capability gaps (therefore remaining in the requirements list). It would also be the task of the Advocate to develop UNS for those capability gaps. For example, a need for MRAPs is the responsibility of the GCE Advocate (PP&O) who should therefore submit an UNS for MRAPs to DC, CDI (Quantico or MCCDC). The Advocate responsibility is to both analyze to determine need, and to submit the paperwork for that need. Finally, the Advocate provides representation to the CDB to ensure integration and support for their issues/UNS/UUNS.

The Advocate is specifically tasked in paragraph 3.a.2 to “publish capability lists used to determine capability gaps, shortfalls, and excesses”. The DC PP&O was therefore tasked with establishing capability gaps as they applied to the GCE and publishing them. The DC PP&O did not establish a GCE capability gap for MRAPs until an UUNS was submitted by the operating forces (UUNS actions will be discussed in Chapter 6). This was clearly a task for the DC PP&O, and his staff. Combat developers at PP&O did not develop the need for MRAPs.

Gayl’s Position in PP&O

PP&O was (and is) the Ground Combat Element Advocate. The tasks for PP&O personnel overlap the tasks for the GCE Advocate and vice versa. The authority Gayl uses on his cover page descends from PP&O in Headquarters Marine Corps, to the Plans Division (one of three

divisions) to his specific branch which was the Information Operations and Space Integration Branch (PLI). PLI was the branch where the Science and Technology (S&T) Advisor worked but the S&T Advisor was not limited to information operations or space integration (as can be seen by the case study on MRAPs).

The views expressed in this study constitute the personal views of the author, and do not represent those of PLI, PL, PP&O, HQMC, USMC, DoN, or DoD



Mine Resistant Ambush Protected Vehicle (MRAP)

**Ground Combat Element (GCE) Advocate
Science and Technology (S&T) Advisor Case Study**

Franz J. Gayl

Franz J. Gayl 22 Jan 08

Information Operations and Space Integration Branch (PLI)
Strategy and Plans Division (PL)
Plans, Policies, and Operations Department (PP&O)
Headquarters United States Marine Corps (HQMC)

22 January 2008

(Gayl, Cover page)

Gayl, on the cover page of his MRAP analysis, terms himself the “Ground Combat Element (GCE) Advocate Science and Technology (S&T) Advisor”. This position provides the “authority” to conduct the case study. Gayl is part of the Advocate Staff and the Advocate tasks therefore also pertain to him, especially as the S&T Advisor. Gayl reported to PP&O in 2002.

Gayl correctly describes his position on page 1 of his study. **“The perspectives shared here are those of the author, the Science and Technology (S&T) advisor to the Deputy Commandant, Plans, Policies, Operations (DC, PP&O) and GCE Advocate. The author of this case study also served as the Science Advisor to the Commanding General (CG) Multi National Forces, West (MNF-W) during many of the events described herein.”** (Gayl, p 1) As the Science and Technology Advisor, Gayl is tasked with analyzing technologies that may support the warfighting tasks of the GCE. Gayl is the representative of the Advocate for these technologies, to include MRAP.

“As noted earlier for MRAP, a handful of USMC Advocates knew from history that mines would become an ever-more attractive insurgent weapon. Unfortunately, their repeated arguments begun in 1996 did not sway USMC developers, to consider even a limited purchase of MRAPs for Prepositioned War Reserve (PWR) or depot storage to hedge against uncertainties.” (Gayl, p 86). The “handful of USMC Advocates” (not the same as USMC Advocates) did not have the assigned responsibilities of the official USMC Advocates and the official Advocate Staff (Gayl). In this statement, Gayl is one of the **“USMC developers”**.

LtGen Huly (GCE Advocate) Campaign Plan

“2 MCCDC ignores requirement for developmental lead time: a When threats begin to emerge on the battlefield, it is incumbent upon a new UUNS process that MCCDC not focus single-mindedly on future wheeled vehicle requirements with a long-term, multi-year time horizon.” (Gayl, p 74) MCCDC plans for the lead time once the Corps decides a new capability is required. The planning, however, must occur by all responsible parties. The Advocate is tasked with looking forward in a “multi-year time horizon”.

The Advocate campaign plan published in 2004 by LtGen Huly further describes the GCE Advocate responsibility.

Advocacy. The Commandant has directed that each MAGTF element have an Advocate at Headquarters, Marine Corps (HQMC) to represent their interests in venues outside the operating forces. The Deputy Commandant Plans, Policies, and Operations (DC, PP&O) is designated as the GCE Advocate and whose task is to strive to achieve “increased communication and representation of operating force requirements and interest.”

(Huly, p2)

The USMC Advocate responsibility is very similar to civilian Advocates (lawyers). The Commandant also established a board for each element under the guidance of the Advocate. The GCE board is described by LtGen Huly:

Advocacy Responsibilities and Organization. In reaffirming the primacy of the operating forces, the Commandant established a Board for each respective MAGTF element.

Ground Board. The Ground Board, sponsored and chaired by the DC, PP&O as the GCE Advocate, provides a venue to harness the collective input of the GCE, develop consensus, and leverage unity of effort to define GCE requirements, all focused on enhancing warfighting capabilities. The Ground Board is comprised of the four Division Commanders and DC, PP&O. Other General Officers, Senior Executive Service members, and Headquarters, Agency, and/or Department of the Navy (DoN) representatives attend Ground Board meetings as appropriate. The Ground Board will meet as often as required but normally twice per year. The Ground Board responsibilities include; reviewing emerging GCE issues that warrant CMC attention, prioritizing GCE interests in the Planning, Programming, Budgeting and Execution (PPBE) process, and engaging in other HQMC or DoN processes. A framework of organizations and processes support the Ground Board by performing the preponderance of issue identification and development.

(Huly, p3)

LtGen Huly correctly identifies GCE leaders' roles in "issue identification and development". DC, CDI is not in charge of the Ground Board, nor is the Ground Board presided over by the MCCDC staff. These responsibilities remain with the GCE Advocate. LtGen Huly further describes his responsibilities:

The Advocate's Role and Responsibilities. In order to foster advocacy and ensure the GCE's requirements and interests are well represented in planning, programming, and budgeting activities, DC, PP&O will:

- Assist the GCE to identify capabilities, deficiencies, and issues, and ensure those issues are advanced through various processes within the EFDS and DoN.
- Provide liaison between the GCE and the various process owners within the EFDS, as well as those external to the

Marine Corps, to ensure that GCE interests are properly addressed.

- Serve as the single point of contact and provide oversight of GCE issues for the Marine Corps leadership.
- Ensure that all GCE-related UNS have been approved by the division commanders prior to their entry into the EFDS.
- Coordinate matters of mutual interest with the other MAGTF element advocates.

(Huly, p 3-4)

The Deputy Commandant PP&O articulates his responsibility with regards to GCE requirements in the above excerpts. They include the advancement of GCE “capabilities, deficiencies and issues” through the EFDS (to include UNS). LtGen Huly further identifies his task to “serve as the single point of contact and provide oversight of GCE issues for the Marine Corps leadership.” Should LtGen Huly experience any difficulty in accomplishing his tasks as the GCE Advocate, he had the venue of the MROC and direct access to the Commandant of the Marine Corps to take corrective action.

Statements such as the following point the finger of blame at MCCDC, but orders and directives and even the Advocate’s own campaign plan show that the Advocate had equal responsibility for the development of COIN capabilities. **“The COIN capabilities that might have prevented the emergence of a significant IED threat in the first place had not been provided by MCCDC combat developers. These included ISR, armed ISR, NLW, IO-supportive communications equipment, real-time language translation, and other tools.”** (Gayl, p 33)

There is no mention of MRAP within LtGen Huly’s Campaign Plan. Neither is there any concept or mention whatsoever that the GCE Advocate was contemplating in any way, a recommendation that the Marine Corps establish the MRAP, or any MRAP-type vehicle, as the needed vehicle for any forces going to or in Iraq. The closest it comes is as follows:

- “Provide armor protected mobility from the sea-base through sustained operations ashore.” (Huly, p 4) MRAPs are not, nor were they ever, designed for the sea-base.
- “Acquire better armor protection for vehicles.” (Huly, p 7)- This is a generic objective. It is also applicable to armor for HMMWVs and other armoring efforts. It does not say “acquire a new fleet of different vehicles called MRAP”.
- “Ensure Maximum survivability of Marines on the modern battlefield through development of equipment and tactics that better protect the force without sacrificing speed and agility.” (Huly, p 7). This is a generic objective. It is also applicable to armor for HMMWVs and other armoring efforts.
- Annex A lists the vehicles for consideration. The EFV, the next iteration of HMMWV, and the Vehicle Armor Kit are listed as GCE initiatives. The MRAP is not.

Gayl stated about the lack of MRAPs: **“I and several other Marines first brought this issue to the attention of my Pentagon chain of command while I was still in Iraq.”** (Gayl Testimony,

p 3). His timeline is correct. His first notification to his Pentagon chain of command was while he was in Iraq. There is no record, as the Advocates' S&T Advisor, of earlier notification about the lack of MRAP-type vehicles. The S&T Adviser to the Advocate did not bring up the 2005 MRAP UUNS while performing his duties in PP&O, nor did he do so prior to the 2005 UUNS. His first notification, despite his responsibilities, was in late 2006 or 2007.

“Foresight would have dictated that those additional vehicles so urgently needed in both countries be should have simply standing ready for rapid delivery.” (Gayl Testimony, p 8) This foresight is clearly a responsibility of the Advocate.

“Furthermore, the Marine Corps and others were aware of the threat posed by mines and IEDs in low intensity conflicts and of the availability of mine-resistant vehicles years before insurgent actions began in Iraq in 2003. Yet, Marine Combat developers at Quantico did not develop requirements for, fund, or acquire MRAP-type vehicles for low-intensity conflicts.” (Gayl Testimony, p 9) The combat development responsibility for initiating new requirements rested with the GCE Advocate and the operating forces. The initiating event was the submission of an UNS/UUNS.

Gayl, as an Advocate, did not develop MRAP type vehicles. In addition, either Gayl is wrong or the GCE Advocate failed catastrophically in their combat development duties.

6 -THE UNS/UUNS PROCESS MISUNDERSTOOD

The UNS/UUNS process is administered and overwatched by several organizations. Several steps of the process are administered by MCCDC, some by the Advocate, some by the MROC, some by P&R and MCSC, and some by operational commands. All of these organizations would have to conspire to “bury” an UUNS as they all had responsibilities for UUNS processing.

The MRAP UUNS itself describes the linkage between the Advocate and the process for UNS. Many copies of the MRAP UUNS omit the cover/first page. The cover page for each UNS shows and describes the process that the UNS will take. UUNS are a variety of UNS that are deemed Urgent, hence the term UUNS. “Diagram A” (below) is the cover page and page 1 for the MRAP UUNS submitted by BGen Hejlik. UUNS, such as the MRAP UUNS, were submitted with this as the first page in order to ensure that all handlers of the UNS would understand the process.

The Advocate played an integral part in the UNS development path. The MRAP UUNS shows the process which includes two instances where the process was totally controlled by the Advocate. Advocate rejection in either of these steps equates to a halt in UNS processing until the Advocate issue is resolved. The Advocate was also a listed representative for other steps (e.g. DOTMLPF analysis). The Advocate was also an unlisted representative for other steps (e.g. ACMC via MROC for Validation).

The Urgent UNS process, per the MARADMINS, would continue through the DOTMLPF assessment and then transition to the Executive level. Several steps in the UNS Development Path (see Diagram A) require action from the DOTMLPF Working Group (DWG). DOTMLPF is an acronym used to describe considerations for combat development.

The DWG Charter describes the role of different individuals and organizations in portions of the UNS Development Path. The DWG Charter describes its membership: **“The DWG membership serves as a nucleus of Advocate and Requirements/ Acquisition representatives who assist in the initial DOTMLPF categorization of each UNS.”** (Watson email, 11/30/2004). The Advocates, in addition to their designated portions of the process for which they were solely responsible, also featured prominently in the DWG portions of the process.

The role of the Advocate with regards to an UNS in the UNS Development Path was described: **“An approved UNS is championed by an Advocate and serves as the initial requirements documentation needed for implementation within the EFDS.”** (Watson email, 11/30/2004). Advocates responsibilities were specifically listed in paragraph 7 of the Charter:

7. Advocates. Advocates representation to the DWG is critical. Advocates alone can validate and approve an UNS for action within the EFDS. The Advocates provide broad-based experience and direct representation for each element of the MAGTF and the

Supporting Establishment. The DWG provides a venue for Advocates to both drive and participate in the UNS development process. Advocates are assigned to the DWG as follows:

- a. Command Element: CG MCCDC, Combat Development
- b. Ground Combat Element: Deputy Commandant, Plans, Policies, and Operations
- c. Aviation Combat Element: Deputy Commandant for Aviation
- d. Combat Service Support Element/Supporting Establishment: Deputy Commandant, Installations and Logistics

The Advocate approved UNS for action within EFDS. The Advocates are once again listed and the GCE Advocate was PP&O for whom Gayl is the S&T Adviser.

The interaction of the DWG and the Advocate for a portion of the process was described: "The DWG will review, analyze, and assist in the development of UNS Course of Action (COA), and ultimately recommend one of these COA's to the Advocate. The Advocate will endorse this COA (or select another COA) and generate a Solution Initiating Directive (SID)." (Watson email, 11/30/2004). The "Advocate representative" was a key part of the DWG in its recommendation to the Advocate...who could accept or reject it. DWG and Advocate responsibilities are described in greater detail in paragraph 6 of the Charter. While MCCDC personnel remain the Executive Agent for the process, the Advocate participated in the majority of steps and outright controlled the process in several steps.

Gayl, from a position of ignorance, states: **"MRAP was COTS with no combat developer Advocate, only GCE and operator Advocates outside of process control."** (Gayl, p 25) The Advocates had process control at several points in the process. The GCE Advocate had representation in most steps and access to the highest levels of the Marine Corps to voice any concerns about the process or outcomes.

Diagram A

UNIVERSAL NEED STATEMENT (UNS)

PURPOSE

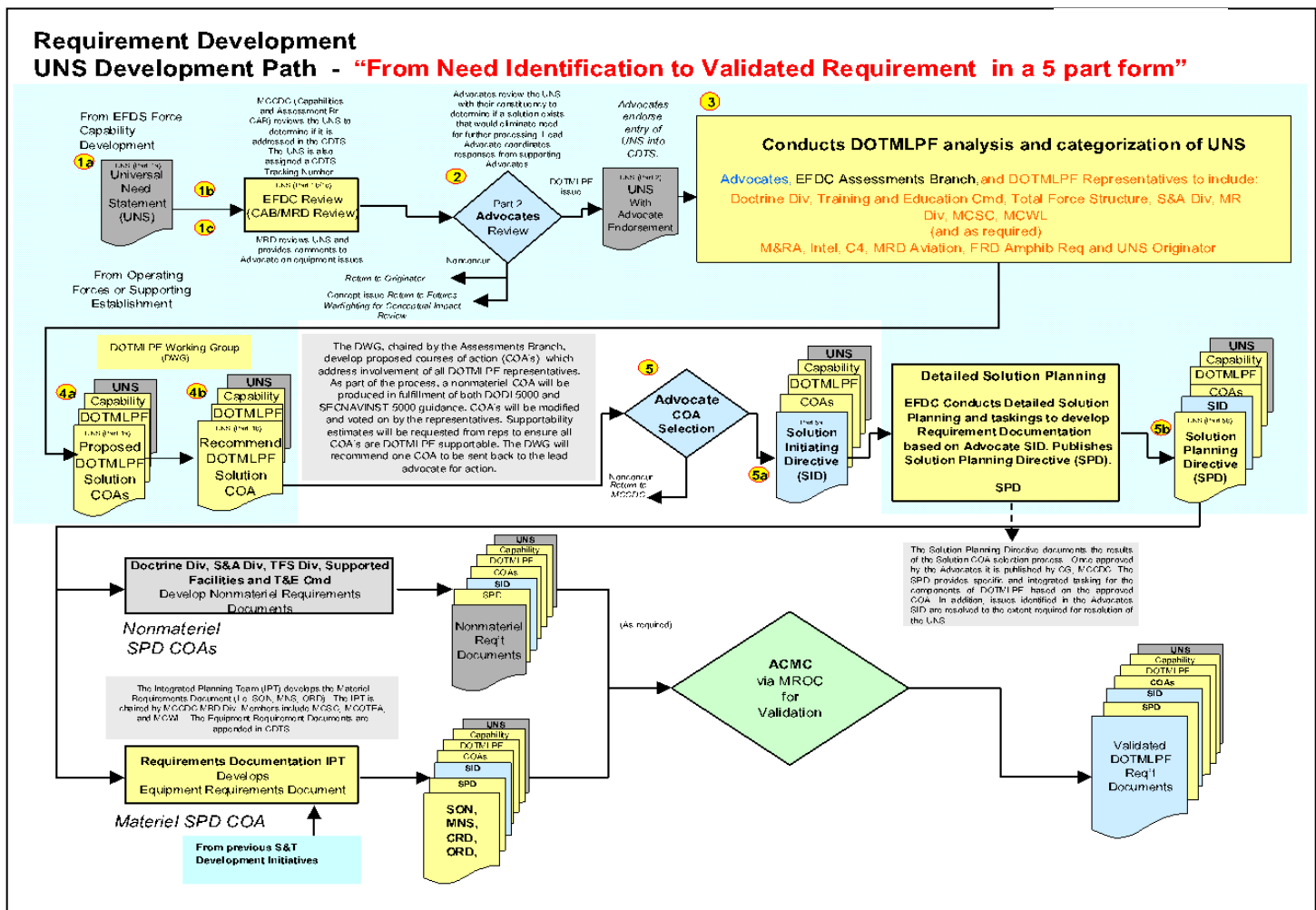
The completed Universal Need Statement is the most important information component in the Expeditionary Force Development System (EFDS). As the primary means of entry into the EFDS, the UNS acts as a "work request" for current and future capabilities within the EFDS. The UNS identifies operational enhancement opportunities and deficiencies in capabilities. Opportunities include new capabilities, improvements to existing capabilities, and elimination of redundant or unneeded capabilities. "Universal" highlights its common use by any Marine Corps organization to capture both current needs and future needs developed through analysis, assessment, and experimentation with future warfighting concepts.

All Universal Need Statements are entered into a web-based format for tracking purposes. The link for the Combat Development Tracking System (CDTS) web site is <https://www.cdts.marcorsyscom.usmc.mil>. Please ensure the letter "s" is included in the URL (https). For access to the web site, or if further information is

required regarding this processing and status of your submission, please contact the Capabilities and Assessment Branch (CAB) CDTs representative.

Personnel assigned to CAB, phone numbers and E-mail addresses can be found under <http://www.hqmc.usmc.mil/> by clicking on the CAB link. Information about the EFDS may be found by clicking on the EFDS link.

The UNS development path is depicted below. Please see page 5 for further submission instructions.



NAVMC 11475 (Oct 02)

Gayl quotes a Captain representing PP&O: "PP&O Advocate input to the UUNS: PP&O wrote: *"Enhanced survivability and mobility of our Marines operating in a hazardous fire area against mines/IEDs/RPGs/SAFs threats is a viable requirement. As we are seeing in OIF and OEF, a need to improve the Marine Corps' current vehicles and platforms against current and emerging mine/IED/RPG/SAF threats exist. This capability is required in all elements of the MAGTF. The engineer community has been pursuing a more survivable engineer platform (Engineer Squad Vehicle) for years, but the initiative has never made the cut in the ARL ranking. The Marine Corps is currently spending a great deal of money and effort in hardening current vehicles/equipment and*

purchasing COTs/NDI capabilities to mitigate the threat. These efforts address an effort to fix/improve operating forces deployed in theater, but doesn't establish a POR and fix the Marine Corps' requirement in the long term. As written, this UUNS will require billions of dollars to fund. Recommend pursuing some of these requirements using joint money provided through the Joint IED Defeat Task Force. Along with filling the requirements of this UUNS, recommend the Marine Corps establish a MRAP POR to establish the logistic tail and incorporate this capability into the Marine Corps for the long-term. PP&O, i.e. the GCE Advocate, recognized that an MRAP POR was essential in order to fulfill the requirement. The PP&O recommendation represents quite accurately what has occurred with the MRAP program that is being executed by MCSC today, though almost two years later than necessary. Additionally, PP&O recognized that MRAP fulfillment would be expensive. Instead of rejecting fulfillment in favor of a lesser capability as the CDIB would do later, PP&O was solution-oriented and suggested seeking JIEDDO funds.” (Gayl, p 20-21)

The above response from PP&O is the only known GCE Advocate recommendation that occurred in the process (below the executive level) following the 2005 MRAP request. It was submitted by a MCCDC Captain. There were no written recommendations by the PP&O Colonel on the CDIB, or the Colonel's boss (a Brigadier General) or the Colonel's boss's boss (a Lieutenant General and THE Advocate).

The material solution for one Advocate may not be the same as the material solution for a different Advocate. If the requirements of the MRAP UUNS were not fulfilled, then the GCE Advocate could have submitted a new UUNS. This was not done by the GCE Advocate.

The staff officer recommended submission to the JIEDDTF. This would have taken the process out of the UUNS process and put it into the joint process (discussed in Chapter 14). The GCE Advocate did not pursue additional MRAP capability through the JIEDDTF.

By way of excusing the GCE Advocate, Gayl states, **“Yet, no documentation exists stating that it was brought before the MROC or an Executive Session of that body for a thoughtful deliberation, one that would have included DC, PP&O as the GCE Advocate. The normal MROC process was evidently not followed and there was no oversight mechanism that would have caught the error in order to return to the CDIB in order to hold it accountable.”** (Gayl, p 38) The MROC did in fact get briefed on MRAP. The UUNS oversight mechanisms did in fact exist as described in 621/05. There was both Advocate oversight for the process as well as oversight for the MRAP capability need. This oversight was explicit and not implied. Additional oversight guidance was provided in the Advocate tasking in CMC Memorandum 1-02. This is in addition to the operating force oversight required by MARADMIN and policy.

The Off Ramp

Step 2 states that the UNS process can end if a determination is made that a solution already exists. Further processing is not required if a numbers increase for an existing solution is the established COA.

Supporting Advocacy

One of the excuses Gayl uses for his and PP&O inaction is that they were not designated as the lead Advocate: **“PP&O, the Advocate for the GCE at HQMC, was placed in a supporting advocacy roll only, even though MRAP was being requested by forward deployed GCE warfighters for the battlefield. As will be seen immediately below, the GCE represented by PP&O at the Pentagon recommended approving the request, and developing and fielding MRAP through an MRAP POR in early 2005. This recommendation was not carried forward to the MROC, the body on which DC, PP&O (the GCE Advocate) sits as a voting member.”** (Gayl, p 19) The PP&O recommendation will be discussed elsewhere, but the concept that a PP&O recommendation was not carried forward to the MROC is misleading. PP&O sits on the MROC as one of the members.

In addition, the need for cross-advocacy coordination was identified in the DOTMLPF brief:



Cross Advocacy Issues

- **Is an advocate partnership necessary to achieve this capability/eliminate this deficiency?**
 - This is a MAGFT issue and impacts all of the advocates
It will require all advocates to be involved.
- **Can another advocate’s initiative dramatically increase the benefits of pursuing the capability described in this UNS?**
 - TBD, what is the potential for other solutions from MCWL, ONR or the Joint community to provide solutions?
- **Are there any impacts on Maritime Pre-positioning Forces (MPF)?**
 - Only if they are added to MPF.

11

(Gayl, p 27)

The 2005 MRAP UUNS was assigned to the Logistics Advocate (I&L) but the GCE Advocate (PP&O) had designated points in the process for input. In addition, PP&O had representation for every step of the abbreviated process to include a vote in the MROC.

Gayl further states: **“Again, as senior retired Marines, the EFDS managers controlling the UUNS process at MCCDC could also not have missed the technical and operational authority of the signed UUNS, or the compelling urgency articulated within it. So, assigning a HQMC civilian logistician, having limited ground combat insight and committed to the health of stateside PORs, as the lead Advocate in the analysis of a GCE UUNS assured the process outcome. This misassignment also relegated the strong GCE Advocate endorsement paragraph from PP&O to a supporting Advocate input. In the end, PP&O’s MRAP requirement fulfillment and POR establishment recommendations meant little, in fact as will be seen later the UUNS was never even forwarded to MCWL for technological investigation.”** (Gayl, p 21)

As seen in the previous sections of this chapter, EFDS managers do not control large portions of the process. The assignment of a “civilian logistician” as the lead Advocate action officer does not negate the Lieutenant General GCE Advocate responsibilities (or those of his staff). Orders and directives apply no matter who is assigned as the lead Advocate action officer.

UUNS Conclusion

The previous section of the study focused on the generic responsibilities of the Advocates in response to the MRAP UUNS. Advocate responsibilities, however, covered other equipment deficiencies. **“While the IED emergency could perhaps not specifically be predicted in 2003, vast gaps in our tactical persistent surveillance, non-lethal weapons capabilities, and our deficient communications capacities in an Arabic and Kurdish speaking nation were.”** (Gayl, p 85) There was an absence of GCE Advocate UNS submissions that would have solved these gaps. The submissions that they did provide merely scratched the surface of the eventual surveillance, non-lethal weapons and translation needs. These capabilities will be discussed in subsequent chapters.

There is a widespread ignorance of how Marine Corps Combat Development occurs. The shallow analysis might state that Marine Corps combat development is performed by Marine Corps Combat Development Command (MCCDC) or Quantico (the location of MCCDC). However, the truth is that Marine Corps combat development is performed across the Marine Corps with each element playing a critical role. These roles are established by orders. There are checks and balances so that if one organization fails, there is redundancy and oversight. The Marine Operating Forces, the Components, the Advocates, and MCCDC organizations each control portions of the process but no organization has a monopoly on the whole process. Each of the four elements has access to the Commandant and representation on the MROC.

The CDIB (aka CDB or DWG) is comprised of members from across the Marine Corps. The below CDB existed in Dec 2005 (during the disputed 19 months):

CDB MEMBERSHIP ROSTER (Updated 2 Dec 05)		
ORGANIZATION	PRI/ALT	RANK & NAME
DC, CD&I	PRI	MR. STEVE CABRIAN
	ALT	MR. ROY TOLIVER

DC, AVIATION	PRI	COL STEVEN DRIGGERS
	ALT	LTCOL KIRK JANSEN
DC, PP&O	PRI	COL EDDIE RAY
	ALT	LTCOL DARIO VALLI
DC, I&L	PRI	LTCOL KEITH REVENTLOW
	ALT	MAJ GEORGE MARKERT
DC, P&R	PRI	MR. WILLIAM STRINGER
	ALT	
DC, M&RA	PRI	LTCOL RINGHOFFER
	ALT	CAPT VADEN
CG, TECOM	PRI	MR. LARRY RAMSEY
	ALT	MRS. TRACEY WILLIAMS
CG, MCWL	PRI	MR. FLOYD WATSON
	ALT	LTCOL STEPHEN CHILL
CG, MCSC	PRI	MR. DON BURLINGHAM
	ALT	LTCOL NANCY HURLESS
ADC, CD&I FOR J&EM	PRI	COL NATHAN WEBSTER
	ALT	MR. JOHN MONTEMAYOR
DIR, INTEL	PRI	MR. BOBBY STRAIGHT
	ALT	LTCOL CHUDOBA
DIR, C2 ID	PRI	LTCOL RICH HILBERER
	ALT	LTCOL DEB BEUTEL
DIR, F&M ID	PRI	MR. KEVIN MCCONNELL
	ALT	MR. CRAIG BENSON
DIR, LOG ID	PRI	MR. LAWRENCE PLATT
	ALT	COL JON HULL
DIR, FP ID	PRI	COL JEFF OLTMAN
	ALT	LTCOL MICHAEL JOHNSON
DIR, SEA ID	PRI	LTCOL JAMES WILSON
	ALT	MR. DAN STORM
DIR, TFS DIV	PRI	MRS. CYNTHIA CHEEK
	ALT	LTCOL DENNY MIRELES
DIR, OAD DIV	PRI	MR. MAX HIPHER
	ALT	MR. WAYNE BREAKFIELD
DIR, HQMC C4	PRI	LTCOL PAUL TIMONEY
	ALT	MR. WAYNE BIEMOLT
DIR, HQMC, INTEL	PRI	LTCOL JAMES WEST
	ALT	MAJ JESSE CONSTANCE
ADD-ONS FOR VISABILITY		
DIR, HQMC C4		LTCOL JEFFERY DIXON

(Lowe email dtd 12/2/2005)

Of note is the number of non-MCCDC Commands that made up the CDB. Colonel Ray represented Gayl's command and was one of the senior members of the board.

If MRAP failure is to be assigned, then one can point to orders and directives in order to determine failure responsibility. As Gayl stated to one of his supervisors **"I intend to successfully achieve a degree of accountability and concrete change at Quantico or I will be fired in the process of trying"** (Gayl Testimony, p15). As one of the Advocate representatives who was and is a major element of the combat development process, perhaps Mr Gayl should have focused on his own failings/accountability. The remainder of this study will provide the facts that show that the failures Gayl articulates did not occur.

7 – THE INSPECTOR GENERAL FINDS NO EVIDENCE OF MRAP NEED

If Gayl is to be believed, and he is not, then the Inspector General of the Marine Corps would have had to have been involved in the burying of the Hejlik UUNS. The IG conducted an inspection of the deployed I MEF immediately prior to the I MEF submission for 185 JERRV. The IG found no identified need for MRAP at that time nor did it find any active UUNS for MRAP nor did I MEF identify any unfulfilled need despite having the opportunity and duty to do so.

The Inspector General servicing the Marine Corps is called the Deputy Naval Inspector General for Marine Corps Matters (DNIGMC). The DNIGMC is part of the Naval (Navy and Marine Corps) Inspector General office which reports directly to the Secretary of the Navy. In addition, the DNIGMC is tasked with the following:

Authority and Responsibility of the DNIGMC. The DNIGMC is the senior investigative official within the Marine Corps and the principal Marine Corps advisor to the CMC on all matters concerning inspections and investigations. The DNIGMC shall direct performance of the NAVINSGEN mission and function as it applies to the Marine Corps. A Marine Corps Order will implement this Instruction within the Marine Corps. The DNIGMC may communicate directly with the Secretary of the Navy concerning Marine Corps matters. (SECNAVINST 5430.57G, p 6)

The DNIGMC therefore has two superiors with which to settle issues, the SECNAV and the CMC. The May 2006 DNIGMC Equipment Readiness Assessment referenced by Gayl addresses an absence of findings on MRAP and he accuses the IG in the following manner, **“However, the circumstantial evidence that 2006 IGMC omissions may have been deliberate or at least based on IGMC team member biases are compelling, and possibly worthy of IGMC review.”** (Gayl, p 48) The “conspiracy” to prevent I MEF from getting MRAPs, in Gayl’s analysis, extends to the IG. The IG conclusions and the facts, however, support different conclusions.

The IG conducted an assessment of I MEF equipment in Iraq in May 2006. This assessment occurred prior to the I MEF JUONS for 185 JERRV. The IG interacts with the appropriate elements of the inspected units and then outbriefs their results. These types of assessments are normally outbriefed to the highest level of the unit being inspected. I MEF had IG personnel at their command for the assessment. I MEF had the opportunity to add to the IG and also critique it and yet they made no mention of any unfulfilled MRAP-type vehicle requirements.

“First, the 2006 report again proposed that the HMMWV was right choice for protection in MNF-W, and there was no mention that the MRAP was wanted by operators to replace the more vulnerable HMMWVs. This is curious since the I MEF (Fwd) MRAP UUNS was

still unfulfilled.” (Gayl, p 47) The IGMCM clearly did not mention the lack of any progress on what would have been a billion dollar UUNS for equipment that would impact almost every element of the Marine Corps (operating forces and supporting establishment). This demonstrates that the Hejlik UUNS was no longer in demand. It also demonstrates that there was no demand whatsoever for a large MRAP buy. The IGMCM absence of MRAP comment supports this conclusion.

Gayl continued later: **“It is noteworthy in this regard that the lack of fulfillment of the very significant 17 Feb 05 I MEF (Fwd) MRAP UUNS was not mentioned in the 2006 IGMCM Assessment, nor was the pending renewed request.”** (Gayl, p 48) The IG does not assess future events in any depth as they are fluid. If Gayl is to be believed, then the 2005 UUNS (if in effect) should have been the central topic of the IG report, and yet it wasn’t. This again demonstrates the lack of MRAP demand.

“In spite of this close look at UUNS and the assessment’s overwhelming focus on vehicle protection, the body, findings, and recommendations of the assessment do not contain any reference to the MRAP UUNS submitted by I MEF (Fwd) in either 2005 or 2006.” And later Gayl states: **“In fact, it would appear that MRAP and the I MEF MRAP UUNS were never seen by the IGMCM, much less evaluated.”** (Gayl, p 65) Gayl finally draws the conclusion that the IGMCM did not review the MRAP UUNS. This is a correct conclusion. His logic for the IG not doing so is, however, incorrect. The IG did not review the UUNS because it was completed.

“The question for any future investigation of this issue would be whether the omission of the MRAP UUNS and any discussion of the I MEF (Fwd)’s known continued determination to acquire the capability in 06 was unintended or deliberate. In light of the case study constraints, the author’s insight is limited. However, the circumstantial evidence that 2006 IGMCM omissions may have been deliberate or at least based on IGMCM team member biases are compelling, and possibly worthy of IGMCM review.” (Gayl, p 48) Gayl’s conclusion is that the IG deliberately omitted MRAPs, or the IG team was biased. He then blames a junior member of the team (Maj Franks). Most Marines understand that the IG interacts with the highest levels of command for IG assessments. The I MEF General Officers had every opportunity to insert MRAP into the discussion but they did not do so. Other staff sections could have done the same. None did so because there was no active UUNS for MRAPs. The IGMCM did not arrive at the same conclusion that Gayl did, hence, Gayl thinks that the IG must be corrupt in some way. Gayl’s suggestion to investigate the IG for a corrupt effort is an insult to the IG and his team.

The results of the IG reflect on another process point. **“If today’s DC, CDI sense of urgency was codified and represented in process rules in 2005, then the MRAP UUNS would have been fulfilled as requested, and as a function of process, not combat developer intervention.”** (Gayl, p 75) The IGMCM did in fact study the process and the UUNSs in the process. The IGMCM assessed the UUNS status in support of I MEF and found no MRAP issues because there were no MRAP issues. MRAP was not an active UUNS and therefore it was not subject to the IGMCM. The codified process occurred. There was no conspiracy or wrongdoing by the IG or its members. They were not part of a fictitious Marine Corps effort to prevent the

operating forces from getting MRAPs. The IG assessed the process and found nothing with regards to MRAP or adverse combat developer intervention. This study explains why.

If the Gayl MRAP study is to be believed, and it is not, then there were many commands that did not perform according to order and directive. However, there was no negligence as the MRAP UUNS was completed and reduced to an UNS as initially reported by the Advocate. The IG was not corrupt.

8-WHY WAS THE MARINE CORPS INCORRECTLY HUMBLLED

This chapter will discuss the “why” behind the real MRAP events.

The MRAP issue occurred for several reasons. As seen in this study, the combat development process occurred according to order and directive except for the administrative tracking of the UUNS. Gayl focused attention on Quantico, presented a flawed perspective that seemed correct to the ignorant, used select data to paint a picture of neglect, and allied himself with elements of the media and powerful Senators with agendas. This author believes that Senator Biden and his staff saw an opportunity and seized on Gayl’s position for their own reasons. As a result, the myriad of flaws in Gayl’s writings went unchallenged.

Once Gayl’s story started to be recognized, the Marine Corps response was at times ill-conceived and at other times disastrous. The Marine Corps did not realize that Senator Biden was orchestrating events. The Marine Corps did not identify Senator Biden as allied with Gayl early on. Efforts to engage Gayl personally or as a whistleblower were doomed from the start. Gayl was protected and the personal attacks simply took attention away from his substandard work. The Marine Corps focused on the man and not the facts. Simultaneously the Marine Corps failed to identify the true aggressor. Biden was orchestrating events, not refereeing events.

The Marine Corps failed to adequately respond prompting the ACMC to ask for a DOD Inspector General Investigation (DODIG). The investigation was focused on MCCDC instead of allowing a broader investigation. The Marine Corps should have demanded a full investigation that included actions by Advocates, the MROC, ACMC, MARCENT, P&R, Gayl, and every other entity that had UNS/UUNS responsibilities. Instead, the Marine Corps focused on MCCDC. If a full investigation had occurred, a more complete and truthful picture would have emerged showing the flaws in Gayl’s study. If the 2005 Hejlik UUNS was not resolved in the summer of 2005, then all of these organizations/individuals would have had unfulfilled responsibilities. The DODIG would have had the opportunity to find flaw with the entire Marine Corps, but in reality the entire Marine Corps would have been able to show the flaws in the Gayl position. Instead MCCDC was offered up as a “sacrificial lamb”. In the end the DODIG both failed in its analysis and also found no fault with any MCCDC personnel. The DODIG failed to resolve the issue for reasons outlined in Chapter 19.

With the DODIG failure and the support of Senator Biden and the press, Gayl continued to critique MCCDC. The Marine Corps continued to critique Gayl instead of his points. Gayl wrote a study that would eventually be offered and accepted into the Congressional Record. It is incorrectly cited as fact and continues a focus on MCCDC: **“a. Purpose. The study uses a recent example of a Ground Combat Element (GCE)- requested capability that encountered combat development challenges in order to illuminate some of the systemic problems inherent and endemic to the Expeditionary Force Development System (EFDS) at Marine Corps Combat Development Command (MCCDC).”** (Gayl, p vi)

The study is constrained as stated by Gayl: **“c. Constraints. In accordance with DC, PP&O guidance, this study did not include interviews or written queries of any employees or institutions coming under the command or oversight of the larger Marine Corps combat development community. These are understood to include MCCDC, the EFDC, Marine Corps Systems Command (MCSC), the Marine Corps Warfighting Laboratory (MCWL), the Joint Non-Lethal Weapons Directorate (JNLWD), and the USMC S&T Program at the Office of Naval Research (ONR).** (Gayl, p vi) The constraints indicate what should have been a red flag for any impartial reader: Gayl’s study does not source from the individuals or commands upon which the study focuses. One does not have to be a military person to understand how baseless this type of study is. The acceptance of this study into the Congressional Record reflects poorly on Congress. The lack of any critique of such a flawed study allows Gayl to continue his one-sided portrayal of events. For example Gayl stated: **“The MRAP Case Study was conducted in an effort to better understand the challenges USMC operating forces encountered when seeking combat developer support for a capability of interest to the GCE Advocate.”** (Gayl, p vi) The blatantly obvious question arising from this sentence is, “What action did the GCE Advocate take for the capability they were interested in?” It will be answered in this study as will many other unanswered questions.

Gayl succeeded because he was not sufficiently challenged. The Marine Corps did not sufficiently challenge Gayl for the reason that these events occurred while the Marine Corps was engaged in fighting a war. Marines in combat still depended on those Marines who had answers to Gayl’s assertions. Given the opportunity to try to save lives or deal with a disgruntled civilian employee, Marines focus on saving lives. Gayl took advantage of a situation where those who could easily debunk his statements were busy doing more important work.

8A- THE TWO FACES OF SENATOR BIDEN

Senator Biden used Gayl and the press to smear the Marine Corps. Specifically, Biden saw a misleading blog (Danger Room) then organized Gayl, Danger Room and USA Today to take the misleading blog national. While organizing the press, Biden asked the Marine Corps to respond to the original blog. The Marine Corps responses disputing the blog were correct (albeit not detailed), and ignored. The Marine Corps thought it was dealing with the Senator's office in good faith. The Corps leadership, to include the Commandant of the Marine Corps, was involved in answering Biden's questions. They did not know that while Biden was asking questions he was simultaneously coordinating press coverage with the specific purpose of smearing the Corps. The smearing of the Corps expanded to a smearing of the Bush Administration and was used to argue for a withdrawal from Iraq.

For this study the term "Biden" will include his staff (one may assume his staff acted on his direction).

INTRODUCTION

At first Biden was working with the Marine Corps (in 2006) to fund the Corp's number one priority: MRAP. Momentum started to build for a full funding of both the Marine Corps and Army MRAP needs. Billions of dollars were added to defense appropriations proposals. Then, the first negligence accusation by Gayl, in the form of a blog called "Danger Room", was published in May 2007.

One would think that a United States Senator would query the Marine Corps on events that had occurred two years prior (Feb 2005) when the Hejlik UUNS was submitted for 1,169 vehicles. He did, but the Marine Corps did not recognize that, no matter what their answers, Biden was not interested in an honest hearing. The Corps would have been better prepared had it recognized that Biden had an agenda which included bashing the Corps in national news. Biden was not interested in a fair hearing, he was interested in the exact opposite: a well-coordinated smearing of the Corps.

Instead of querying the Corps and waiting for answers, Biden immediately conspired with members of the media to widely publicize Gayl's (and Danger Room's) false accusations. Simultaneously, while asking questions of the Marine Corps with whom he had been partnering to buy MRAPs, he coordinated with Danger Room, USA Today reporters and Gayl to trash the Marine Corps on the national stage. The result was that USA Today, "The Nation's Newspaper", ran several incorrect stories to include a scathing and misleading front-page-above-the-fold story on Marine Corps negligence in buying MRAP. These stories were based on Gayl's fabricated accusations and coordinated by Senator Biden. Biden's coordination of the press to smear the Corps occurred before the Corps leadership had read the questions that Biden asked, let alone had the opportunity to respond.

General Officers, to include the Commandant, recalled events but did not have on-hand proof from the time in question (two full years prior) in order to respond fully. Emails show the Corps scrambling to respond to the story while Biden organized the press. As emails and the rest of this study show, the Marine Corps leader's recollections were correct, albeit absent hard proof (provided in this study). Despite the Marine Corps support for MRAP, Biden smeared the Corps anyway. Biden sat in judgement of the Marine Corps while actively working to undermine the Corps with a fabricated story.

The resultant USA Today negligence stories were used by Democratic Senators as a cornerstone of their arguments to withdraw from Iraq. The main USA Today story ran on the front page the day before the Senate was to stay in session all night before voting on the Levin-Reed Amendment (setting a date for withdrawal from Iraq). The article was repeatedly referenced during this rare Senate overnight session as a demonstration of the Bush Administration's neglect in taking care of the troops. Biden stated on the Senate floor, **"I have absolutely no faith, none whatsoever, in this President to voluntarily do what should be done. The only way it is going to happen is when our Republican friends stop voting with the President and start voting to end this war by supporting our troops. I yield the floor."** (Biden, p. s9441) The **"supporting our troops"** line followed Biden's discussion of Gayl's MRAP accusations.

MARINE CORPS SUPPORT FOR MRAP

The Marine Corps supported a large MRAP buy well before Biden's involvement. In May 2006, 185 JERRV were requested in a JUONS. The Commanding General of Systems Command briefed Congress (in support) immediately. This occurred prior to the JUONS being approved in theater.

In July 2006, MNF-W submitted an additional JUONS for another 1,000 vehicles. The Marine Corps (to include MCCDC) remained in support of the JUONS.

In September 2006 I MEF submitted the same requests (totaling 1,185) as an UUNS through the Service chain. This UUNS immediately became the Marine Corps number one priority.

Between September 2006 and May 2007 the Marine Corps kept MRAP as its number one priority. The Marine Corps repeatedly briefed both Congress and DOD about this specific priority and tested and procured the initial MRAP fleet. In no way did Biden contribute to or influence the Corp's prioritization of MRAP as its number one priority. He eventually supported the Marine Corps' request and stated on the floor of the Senate on March 28, 2007:

"MRAP vehicles provide four to five times more protection to our troops than up-armored HMMWVs. That statement, that these MRAPs provide four to five times more protection than up-armored HMMWVs, is not my estimate. That is the judgment of our military leaders. The Commandant of the Marine Corps, GEN James Conway, with whom I spoke as recently as

this afternoon, wrote on March 1 to the Chairman of the Joint Chiefs of Staff. He said:

Multi-National Forces--West [that is, the Marines in Iraq] estimates that the use of the MRAP could reduce the casualties in vehicles due to IED attack by as much as 80 percent.

He went on further and said that even though the MRAP is not expeditionary:

It is, however, the best available vehicle for force protection.

He concluded by saying:

Getting the MRAP into the Al Anbar Province is my number one unfilled warfighting requirement at this time.

Let me repeat that:

Getting the MRAP into the Al Anbar Province is my number one unfilled warfighting requirement at this time.

He went on to tell me today that although there is some disagreement in terms of priorities within this building, he was speaking to me from the Pentagon, he said, ``I believe this is a moral imperative.''

How many generals with four stars or three or two or one on their shoulders have you heard use that phrase? How often is something so fundamental it is called ``a moral imperative'? This is a man who is heading back out to Iraq soon. He is talking about protecting his kids, his troops." (Biden-2, p. s4033)

Biden continued:


"Ever since the military began using MRAPs in Iraq, the requirement has grown, as commanders realize how much better they are at protecting their personnel. In May of last year the requirement was only 185. By July, it had risen to 1,185. By November, it had risen to 4,060. By February of this year, after the supplemental request was submitted, it rose to 6,738. One month later, the requirement went up again to the current level of 7,774. At this point every one in the military agrees, we need 7,774 MRAPs." (Biden-2, p. s4033)

Senator Biden clearly understood the Marine Corps' need as expressed through the Commandant's correspondence with the CJCS. Biden expressed his clear understanding of the Marine Corps' number 1 priority (as seen in the above statements). After the Corps' full throated support for (and initiation of) an MRAP program, Biden then incorrectly portrayed the Corps as unsupportive of MRAP.

Of note is that the CMC, CJCS and Senator Biden were all deeply involved with MRAP by 1 March 2007. The "credit hogs" (Gayl, Gates etc) should at least have had the common sense to establish the dates of their "self-described critical efforts" as prior to decision events by the

senior members of the Senate and Armed Forces (as described in the Congressional Record). The above statements from Biden were entered into the Congressional record before Gayl or Gates had any significant participation in MRAP.

The remainder of this section will provide proof of the smearing of the Marine Corps by Biden. The following table summarizes Biden's actions between May and July 2007 when the MRAP story broke. The actions often occurred on the same days, thus showing the two faces of Senator Biden. A detailed description of the elements in the table is provided after the table.

	Biden Queries the Marine Corps	Biden Works to Smear the Marine Corps
22 May 2007	<ul style="list-style-type: none"> • "Danger Room" posts first story alleging Marine Corps negligence. • Marine Corps Senior Leadership, to include CMC, responds to "Danger Room" story. • Marine Corps Congressional Liaison mistakenly presents "good relations with Biden Office" 	 <p>same</p>
23 May 2007	<ul style="list-style-type: none"> • Biden signs letter to the Marine Corps asking for answers to "Danger Room" allegations (due in mid-June). Marine Corps Generals attempt to respond to Biden office. 	<ul style="list-style-type: none"> • Shachtman (Danger Room writer) identifies Biden as politically taking advantage of the situation. • Biden aide calls Gayl and asks if Gayl would like to discuss MRAP flaws with congressional staffs and the press. Biden staff organize a meeting between Gayl and Tom Vanden Brook of USA TODAY who posts a MRAP article that night. Gayl starts providing information eventually leading to a front page article in USA TODAY.
24 May 2007	<ul style="list-style-type: none"> • Marine Corps Congressional Liaison (BGen Kelly) briefs Marine Senior Leadership that the Marine Corps explanation is, for some reason, not resonating. The liaison still hopes for a fair hearing. The Marine Corps is unaware of Biden's coordinated press effort against the Corps. 	
June	<ul style="list-style-type: none"> • Marine Corps sends response to 	

2007	Biden per Biden's timeline.	
July 16/17/18		<ul style="list-style-type: none"> USA Today front page MRAP article runs the same day as Levin-Reed Amendment debate (Iraq withdrawal)(vote next day). This "well timed" article is used by Senate (and House) Democrats as a reason to withdraw from Iraq.

MAY 22, 2007

On May 22 several online publications presented a fabricated study on Marine Corps MRAP negligence. Biden voiced criticism of the Marine Corps. Marine Corps leadership disputed the story in a series of shared emails.

On May 22, 2007 at 2:43 PM Noah Shachtman posted the first story alleging that **"The Marine Corps waited over a year before acting on an "priority 1 urgent" request to send blast-resistant vehicles to Iraq, DANGER ROOM has learned."** (Shachtman, 2007)

On May 22, 2007 *Inside Defense* picked up on the story and got several quotes from Senator Biden before publishing. **"I am absolutely sickened," he said in a statement issued to InsideDefense.com, which apprised Biden of the 2005 request.**" (Sherman, 2007) Senator Biden elaborated: **"We were told that Marine Corps commanders in Iraq made the first request for MRAPs on May 21, 2006, for 185 vehicles," Biden said. "Now we learn that Marines on the ground in Iraq made an urgent request to their commanders for more than 1,000 MRAPs as early as February 2005 -- but nothing happened. How is it possible that a request that is literally life or death got lost?"** (Sherman, 2007) Of note is the automatic acceptance that the Corps was untruthful and that the story of a "lost request" was valid (both points disproven in this paper).

On 22 May, the Marine Corps responded up to and including the Commandant of the Marine Corps:

-----Original Message-----

From: Conway Gen James T

Sent: Tuesday, May 22, 2007 22:16

To: Amos LtGen James F

Cc: Magnus Gen Robert; Kramlich LtGen Richard S; McKenzie Col Kenneth F Jr;

Dallas Col George M; Milstead BGen Robert E; Lapan Col David; Kelly BGen

John F; Johnson MajGen Stephen T; Brogan BGen Michael M; Conant BGen Thomas

L; Blasiol GS15 Len A; Brady Col Robert M

Subject: RE: MRAP

Jim,

I agree with all you cite below, and would add that we have only gotten excited about MRAP since it has PROVEN it's ability in theatre to prevent injury and save lives. So clearly our little buddy may be looking for sensationalism -- vetted through 20-20 hindsight. If he writes something we think is wrong, we'll either ignore it, or if it's grossly inaccurate (or damaging to our senses) we'll take him to the woodshed with the facts.
S/Fi C.

-----Original Message-----

From: Amos LtGen James F

Sent: Tuesday, May 22, 2007 21:55

To: Conway Gen James T

Cc: Magnus Gen Robert; Kramlich LtGen Richard S; McKenzie Col Kenneth F Jr; Dallas Col George M; Milstead BGen Robert E; Lapan Col David; Kelly BGen John F; Johnson MajGen Stephen T; Brogan BGen Michael M; Conant BGen Thomas L; Blasiol GS15 Len A; Brady Col Robert M

Subject: FW: MRAP

Importance: High

Commandant...my guys will have the info paper on the 05 MRAP UNNS matter in the morning. Honestly, this is a non story in my mind. Not every UUNS turns into an immediate buy...we don't do business that way. An UNNS is not directive in nature as you know. We take each one seriously and run the trap lines to see if there is a true need and a readily available solution. I wasn't here in Feb 05 and neither were most of my guys...but I can tell you that the decision to buy 1114's by the CMC was well thought out and discussed thoroughly at an EOS in mid 05.

This UNNS was sent in in Feb 05...later that spring/summer Gen Hagee agreed at an EOS that he would replace 100% of all theater MAK'd HMMWVs with what he called "the Gold Standard," ...the M1114. We'll have the final number bought and sent to theater in the morning but it will be around 3K' or so...a substantial investment. We also bought in 05-06 ~ 50+ MRAP like vehicles for road clearance missions (Cougars and Buffalos...these were the result of a mid-05 UNNS)...we also invested a ton of money in 04 to design and install MAK kits on all of our HMMWVs and MAS kits for our 7 tons. All of this was an evolutionary investment strategy, based on the enemy's actions, that began in 04 and ran until we began serious MRAP discussions in the fall of 06. We looked at the threat in 05 and determined that the 1114's were the answer...as the threat ratcheded up in 06 we changed our tack and agreed that the MRAPs were the way to go. From that point on we

haven't looked back.

All of this will be laid out over a timeline...no irresponsibility on our part as this guy is trying to imply. We are on the high ground and I recommend that we approach it from that perspective. More to follow in the morning.

Semper fidelis

Jim

-----Original Message-----

From: Dallas Col George M

Sent: Tuesday, May 22, 2007 19:58

To: Amos LtGen James F

Cc: Blasiol GS15 Len A; Conant BGen Thomas L; Johnson MajGen Stephen T;

Brady Col Robert M; Hull Col Jon; Oltman Col Roger J; Karcher COL David P;

Welsh Col James L

Subject: MRAP

Sir-- we are tracking nicely on the paper to address the MRAP -- Jim has responded with a June 05 EOS decision and MCSC is pulling the M1114 history.

Len is preparing the timeline as we discussed-- Col Dallas

(Tomczak email dtd 5/23/2007)

MAY 23, 2007

On May 23 Marine Generals thought that the Corps had good relations with the Biden office and would be able to answer Biden's questions. Simultaneously, Biden's office contacted Gayl in an attempt to further spread the story and discredit the Corps. Marine Corps leadership was answering Biden's questions while Biden was organizing a smear of the Corps. Biden's office directly contacted Gayl and put him in touch with *USA Today* which published several condemning stories to eventually include a front page story.

On May 23 the Commandant's Congressional Liaison (BGen John Kelly) confirmed the positions of the Commandant and LtGen Amos (above) and added:

"We have good relations with the Biden office and will back brief them once we get the paper from Quantico.

**Respectfully,
John Kelly"**

(Tomczak email dtd 5/23/2007)

The facts asserted by the Generals in the above emails are all correct and truthful (as seen in the other sections of this study). Unfortunately, Marine Corps leadership did not recognize that the issue was more than a public debate with elements of the press. At this point they believed that they had good relations with Senator Biden's office and that a fair answering of the MRAP points brought out in the press would be enough to convince Senator Biden that there was no wrong-doing or negligence. Marine Generals were unaware of Biden's participation in spreading the story.

On May 23 Senator Biden had prepared a letter that he intended to present to the Marine Corps. It included several critical paragraphs as well as several questions that forced the Marine Corps into a reactive mode:

I am also deeply troubled by information that came to light this week which suggests that the military leadership ignored an urgent request from commanders in Iraq for 1,169 MRAPs in February 2005. It was not until more than a year later, in May 2006, that the military acted on a second request, and then for only 185 vehicles. How is it possible that with our nation at war, with more than 130,000 Americans in danger, with roadside bombs destroying a growing number of lives and limbs, we were so slow to act to protect our troops? I hope you will make clear your personal interest in getting answers and provide them to Congress.

In particular, I would like answers to the questions that follow. What did the data show regarding the causes of American casualties and deaths in Iraq in 2004 and 2005? Were improvised explosive devices a significant threat? What technology existed at the time to protect against this threat? What were the obstacles to producing and deploying it? Was consideration given to a plan to overcome any production obstacles and if so, was it pursued and if not, why not? Was a decision made to deploy additional humvees with better side and undercarriage armor instead of MRAPs? If so, did Marine commanders in Washington believe that up-armored M-1114s could be effective against improvised explosive devices (IEDs) and, in the words of the February, 2005 request for MRAPs "Protect the crew from IED/mine threat through integrated V-shaped monocoque hull designed specifically to disperse explosive blast and fragmentary effects?" With regard to the February 2005 request, by whom was it considered and what was its disposition? Did it ever reach the Marine Corps Requirements Oversight Council? If not, where in the chain did it stop?

Senator Biden did not wait for the answers to the above questions. Despite the above presentation of questions, Senator Biden had already coordinated the press to embarrass the Marine Corps. Senator Biden established a response date of 15 June 2007. (Tomczak email dtd 5/30/2007)

On May 23 (10:31 pm) Tom Vanden Brook posted (for the 24 May edition) in USATODAY: **"More than two years before the Marine commandant declared getting new armored vehicles his top priority, the Corps did not fulfill an urgent request to buy 1,200 of the vehicles for troops in Anbar province, according to Marine officials and documents."...** **"The Pentagon should have moved faster, Biden said. "You cannot tell me that this country is**

incapable in the next six months of building every single damn one of these vehicles that needs to be built," he said." (Vanden Brook, 2007) The automatic blame of the Pentagon was picked up on by Shachtman who wrote, **"And at least one Presidential candidate is trying to make political hay out of the MRAP delay. "You cannot tell me that this country is incapable in the next six months of building every single damn one of these vehicles that needs to be built," he tells *USA Today*."** (Shachtman, 2007) The "make political hay" comment refers specifically to Senator Biden. His quote is repeated in both writings even though Shachtman does not use Biden's name specifically. Shachtman is implying that Biden saw opportunity in criticizing the Marine Corps. Shachtman was in a position to know as he wrote the original "Danger Room" piece. Shachtman also links the "political hay" that Biden is pursuing to his political aspirations. There is no "political hay" without the delay. The "political hay" for Biden becomes more significant if the story goes national and also if the Marine Corps explanations are discounted.

Senator Biden's office is particularly mentioned in a retrospective later published in the Washington Monthly. This retrospective stated the "Danger Room" article was published on the 22nd and Gayl was contacted the next day (23rd) before talking with his wife that night (23rd). It notes that Gayl's name was not mentioned in the article, yet Senator Biden's office knew where the information came from and called Gayl. As the Washington Post reported, Gayl emailed Weinberger:

"So he e-mailed Sharon Weinberger, attaching Roy McGriff's original MRAP request, and that afternoon, May 22, 2007, a damning headline appeared on Wired.com: "Military Dragged Feet on Bomb-Proof Vehicles." The article, which didn't mention Gayl by name, made its way through the military in hours. The next morning it was published in the Defense Department's news briefing.

The rebukes started flying at the Pentagon and on Capitol Hill. An aide to Delaware Senator Joe Biden then called Gayl. During visits to Iraq, Biden and then Missouri Senator Kit Bond (each of whom has a son who served in the military in Iraq, Bond's as a Marine) had learned about MRAPs and were trying to appropriate money for them. They'd written to President Bush and Defense Secretary Robert Gates without effect. Would Gayl be willing to brief their staffs on the MRAP affair, the aide asked—and, if need be, talk to the press?

Gayl came home that night and spoke to his wife."
(Verini, p 1)

MAY 24, 2007

Marine Corps leadership expressed frustration that the simple explanation did not resonate with the Biden office. They did not understand that Biden was working behind the scenes.

The following sequence occurred on May 24. The Marine Corps, to include the future Commandant, continued to organize the response. The participants were unaware that Biden had already coordinated the press to smear the Corps.

-----Original Message-----

From: Amos LtGen James F

Sent: Thursday, May 24, 2007 06:38

To: Kelly BGen John F

Cc: Magnus Gen Robert; Gardner LtGen Emerson N; Regner BGen Michael R; Kramlich LtGen Richard S; Castellaw LtGen John; Sanchez Col George F; Olson Col Gregg; Cox LtCol Jamie; Milstead BGEN Robert E; Lapan Col David; Dallas Col George M; Alles BGen Randolph D

Subject: RE: CMC Phonecon w/ Creighton Greene

John...two more pieces of info...the important slide will be to you here in about another hour or so...

Semper fidelis

Jim

-----Original Message-----

From: Amos LtGen James F

Sent: Thursday, May 24, 2007 6:30

To: Kelly BGen John F

Cc: Magnus Gen Robert; Gardner LtGen Emerson N; Regner BGen Michael R; Kramlich LtGen Richard S; Castellaw LtGen John; Sanchez Col George F; Olson Col Gregg; Cox LtCol Jamie; Milstead BGEN Robert E; Lapan Col David; Dallas Col George M; Alles BGen Randolph D

Subject: RE: CMC Phonecon w/ Creighton Greene

Importance: High

John...Boomer had several reporters in yesterday afternoon for a 1.5 hr séance over the MRAP UUNS matter. While the reporter who wrote yesterday's article for Inside Defense was not present his amigo, and of course no stranger to the USMC Chris Castelli, was present along with an AP reporter. Havent seen the Early Bird this morning so cannot comment on the results of the meeting.

Attached is a paper dealing with the matter. Tex brought me a classified slide last evening that speaks to numbers of attacks by month and year. It tells the story about what the threat was doing that drove our decision-making. My guys are declassifying it first thing this morning and I will send it to asap.

Semper fidelis

Jim

-----Original Message-----

From: Kelly BGen John F

Sent: Thursday, May 24, 2007 6:12

To: Gardner LtGen Emerson N

Cc: Magnus Gen Robert; Regner BGen Michael R; Amos LtGen James F; Kramlich

LtGen Richard S; Castellaw LtGen John; Sanchez Col George F; Olson Col

Gregg; Cox LtCol Jamie

Subject: RE: CMC Phonecon w/ Creighton Greene

Sir,

Thanks for the brief back. The CMC is certainly an upfront Gentleman, as he should be, I wish others - however - would refrain from shooting on his targets.

On another issue, Sir, we were working this 05 MRAP issue late into last evening and will pick it up again today. Media, and in my lane more importantly the Senate, has a sense we are either lying, incompetent, or both. I've insulated the boss from most of this, but if we can't turn the corner on the Hill (particularly in Senator Biden's office) we will have to plead the 6th (stupidity) and beg forgiveness. I told him (CMC) last night that on these issues we must consider how our explanations sounds to the media and Hill, not ourselves. An explanation that convinces us, might not make sense to the Hill who wants to believe, and certainly make no sense at all to the media that seemingly works hard to never believe. This started from what has been described to me as a third tier reporter from a third rate publication (Inside Defense) so it shouldn't be taken seriously. The net is the net, however, and we've got a first tier credibility problem on our hands and the issue is now out in the mainstream media. The AP reporter briefed yesterday went right to Mr. Biden's office and countered our explanation and characterized it as BS, but, more importantly, was at odds with the information we provided the Hill yesterday morning. I may need your help on this today Sir.

Respectfully,

John Kelly

(Alles email dtd 5/24/2007)

It is clear that Marine Corps leadership recognized the hostile nature of the press, but still held out hope for an honest hearing from the hill **“who wants to believe”**. BGen Kelly was mistaken in his assessment that the hill wanted to believe. At this point the Marine Corps thought it would get a fair hearing from Senator Biden before he passed judgment. It was thought that Biden’s judgment of the circumstances surrounding the old UUNS would be informed by the Marine Corps response.

Unfortunately, before the Marine Corps could respond, Senator Biden had worked behind the scenes to discredit the Marine Corps. His staff had gotten in touch with Franz Gayl (the source of the blogs) and offered to put him in touch with a reporter from USATODAY (on the 23rd) in order to increase the visibility of the story to a national newspaper. The following sequence is articulated by Gayl, Weinberger (Blog Danger Room) and Vanden Brook (USATODAY) in the movie “War on Whistleblowers: Free Press and the National Security State”:

Gayl: I contacted Sharon Weinberger of the blog called “Danger Room”.

Weinberger: He was a champion for fighting against the Pentagon bureaucracy that was slowing things down.

Gayl: Military-industrial... and the military piece is supposed to be in charge. Tell the industry. You know. But what happens is the bureaucracy has its own interests.

Weinberger: We had documents backing it up and so we went ahead and published it.

Gayl: ... publishes the actual document on Danger Room which was very very helpful. That got the attention of Senator Biden and his staff. They asked whether I would like to speak to USA Today. I said yes and I got a call from Tom Vanden Brook I believe the very next day.

Vanden Brook: ..and as soon as I find out about Franz I thought “Oh my God. I got a real live honest to God whistleblower who knows what’s going on.”

Gayl: I provided him unclassified information which was key to understanding the issue.

Vanden Brook: I thought immediately we were embarking on a bigger project to find out why these vehicles hadn’t been getting there in the first place.

Gayl: ...and immediately he took and ran with it and he understood and was fortunately able to bring this to a front-page article.

(Greenwald)

Senator Biden’s office elevated the story to the national level by actively working to get the story published in USATODAY (front page).

July 16/17/18, 2007

On July 16, 2007 USA Today published Gayl's accusations in a front page story. That story was immediately used by Senate Democrats. On July 17, 2007 The United States Senate took up debate on the Levin-Reed Amendment which was to be voted upon on the 18th. Senate Democrats scheduled a rare all-night session on this Amendment which would require a withdrawal from Iraq (a position opposed by the President). The USA Today article was used by Senate Democrats to buttress their argument and criticize the President's support of the troops.



(Wong, p. 1)

On July 16, 2007 USA Today ran the MRAP story on page 1 as seen in Senator Reid's hand at a press conference. He was the Senate Majority Leader and was flanked by Senator Durbin (The Majority Whip) and Senator Schumer (Democrat Third Ranking Member). The theme of their press conference was focused on the War in Iraq and the upcoming overnight session scheduled for 17-18 July.

The article was used to buttress the Democrats arguments that the President was not taking care of the troops. The Senate was to stay in session overnight creating maximum visibility for the Democrat led effort to withdraw from Iraq per the Levin-Reed Amendment. One of the major pillars of their argument was that the President was not taking care of the troops, therefore a withdrawal was in order. The majority of Democrat Senators were critical of the Presidents handling of the Iraq War to include the President's support for the troops in harm's way. The criticism of MRAP and the use of the USA Today article as the factual source for this criticism was widely used by Democrats on the floor of the US Senate:

- Senator Brown (D-OH): "Every year I see Iraq slip further and further into a civil war with our Nation's military caught in the middle. The President sent our Nation's military into

a war of choice on failed intelligence and, as we know, without proper body armor. Adding insult to injury, literally just today, a USA Today article revealed that nearly 4 years later our troops are still without the lifesaving equipment they need. The USA Today article highlighted the lack of planning to protect our soldiers riding in Humvees from the impact of IED bombs. Humvees have a very low ground clearance, a little less than a foot and a half. The bottom of a humvee is flat so when it is hit by an IED blast from the bottom, troops suffer the brunt of the explosion. The Mine Resistant Ambush Protected Vehicle, or MRAP—the Mine Resistant Ambush Protected Vehicle, on the other hand, has a 3-foot clearance, and its body is V-shaped so when the explosion happens, the explosion, if you will, is dissipated and more often than not the troops are not nearly as badly injured. The soldiers are much better protected. The few MRAPS in theater have proven their effectiveness and clearly saved lives and clearly saved many of our soldiers and marines from injury. What infuriates me and should infuriate everyone across this Nation is that the Pentagon and the administration, similarly to back in 2002 and 2003 when they failed to work hard to provide the body armor to prepare for this war, the Pentagon and the administration again did not immediately work to fix the problem of the humvee's susceptibility to IEDs; the needless loss of life from this willful ignorance to correct the glaring problem of the unprotected humvees could have been prevented, but arrogance and stubbornness from the administration kept the administration from doing the right thing." (Congressional Record, Brown, p. S9361)

- Senator Dodd (D-CT): "Our military's top generals and admirals have submitted to Congress lists of critical military priorities that would not be funded under the President's fiscal year 2008 budget proposal. Billions of dollars a week are being squandered in Iraq, while our Nation's military is calling out for additional resources to repair the damage caused by the administration's policies." (Congressional Record, Dodd, S9299)
- Senator Whitehouse (D-RI): "As I traveled around Rhode Island in the last few years I met mothers who felt they had to buy body armor for their sons who were being shipped to Iraq because they could not trust this administration to provide it. Just this week, USA Today reported extensively on the Pentagon's failure to address the Marines' request for Mine Resistant Ambush Protection—or MRAP—vehicles." (Congressional Record, Whitehouse, p. S9403)
- Senator Biden (D-DE): "Finally, I say to my colleagues, regardless of one's view on the war and how to end it, there is one commitment each and every one of us should make. That commitment is so long as there is a single—a single—American troop in Iraq—a single American troop in Iraq—that we should do all that is needed to give them the best possible protection this country can provide, and the way to start with that is to replace the humvees with these mine-resistant vehicles that in our last supplemental I was able to convince our colleagues to add 1.7 billion more dollars to build them. These vehicles have a V-shaped hull and they can reduce casualties from roadside bombs up to

80 percent. Right now, 70 percent of all the casualties taking place in Iraq is because of roadside bombs. I will offer an amendment to the Defense bill when we get to it to make clear, with absolutely no ambiguity, that Congress will provide every single dollar needed and every authority necessary to build these vehicles as quickly as possible because our kids are dying, and it can radically reduce the number of casualties. I conclude by saying our Republican colleagues say—all of whom I respect, but the one I particularly respect is Senator LUGAR—that they expect the President to voluntarily change course. I have absolutely no faith, none whatsoever, in this President to voluntarily do what should be done. The only way it is going to happen is when our Republican friends stop voting with the President and start voting to end this war by supporting our troops. I yield the floor.” (Biden, p. S9441)

The entirety of the Democrat Party Leadership in the Senate used Gayl’s information and perspective in an effort to end the war in Iraq. It is unclear whether Gayl was an active participant or a convenient dupe. Either way, Gayl had provided a tremendous service to support the position of the Senate Democrats.

House Democrats also cited this article:

- Congressman Hall (D-NY): “In the latest example, USA Today revealed that the Pentagon has been even slower than we thought in providing safer vehicles for our troops. According to e-mails within the Pentagon, a Marine general in Iraq requested MRAPs, mine resistant ambush protected vehicles, as far back as December 2003. These vehicles offer the best protection from IEDs for our troops. The number one killer of troops in Iraq are IEDs. However, while Pentagon leadership delayed in providing these vehicles to U.S. troops, they decided to equip the Iraqi Army with these vehicles, while leaving our soldiers with Humvees. This resulted in the unnecessary deaths of at least 600 Americans. For \$3,000, the taxpayers of my district paid for the best equipment we could buy for the Iraqi Army, but left our soldiers and marines with substandard Humvees. It is time we reorient our priorities, protect our own soldiers, and end this war.” (Congressional Record, Hall, p. H7856-7)

Any effort that the Marine Corps made to respectfully explain the happenings surrounding MRAP were too late and doomed. If the Marine Corps explanation was to be believed, then the Senators’ positions would be open to criticism and the press would be obliged to issue retractions. The Senator sitting in judgment (Biden) was actively undercutting the Marine Corps. As Senator Biden became Vice President of the United States, the Marine Corps’ position became even more precarious. Franz Gayl became untouchable no matter what he said. Franz Gayl did not “speak truth to power”. He was used by power and then protected by power: one of the most influential politicians on the planet. That support was buttressed by the most powerful Senators in Congress and the press. The Marine Corps was outgunned from the start and didn’t recognize it.

8B-NOBODY READS OR HAS THE CAPABILITY TO READ

Very few have the vocabulary to read, let alone understand, MRAP issues. As a result, manipulative arguments were made without challenge. In addition, a critical reading of MRAP documents was abandoned by readers unfamiliar with esoteric military language.

There have been very few challenges to the content and veracity of Gayl's study. Many feel his study is accurate. He has been quoted in the press, but the press does not have the capability to understand Gayl's writings. Most military readers do not have the specialized knowledge needed to understand Gayl's writings. The end result was an acceptance that Gayl's study and commentary were correct. In order to understand the events surrounding MRAP as well as the accusations levied by Gayl, one must understand the basics of:

- Marine Combat Development Procedures and Responsibilities
- Advocacy
- Componency
- Command Relations
- Counter IED
- Technology
- Procurement and Budget
- Tactics

This lack of understanding extended to those directly involved with MRAP. Either Gayl did not understand several of these critical basics, or he deliberately misled his readers. This author has had the unique opportunity to serve in billets where an understanding of these basics was required.

A randomly selected page provides a listing of words and acronyms required to read Gayl. Understanding the terms and their relationships requires yet another level above knowledge about the meaning of the words. Page 25 in Gayl's study (not a full page and randomly selected) contains the following terms:

- CDIB
- Material impacts
- MRAP UUNS
- MRAP
- UUNS
- POR
- Fully funded POR
- MCCDC
- Casualty rate data
- Strategic impact
- Operational impact
- Tactical impact

- MNF-W
- Quantico's localized programmatic vision
- Urgent needs
- COTS
- Combat developer advocate
- GCE
- Operator advocate
- Process control (for combat development)
- Reprogramming
- CDIB voting members
- S&T
- ONR
- HMMWV
- JLTV
- COTS MRAPS
- MCCDC staff
- Urgent vehicle needs
- Long term capability plans
- Combat-proven COTS system
- Immature funded S&T initiatives
- Development system advocates and managers
- Operating forces

If one cannot understand the words, then one cannot understand the sentences and paragraphs, and by extension the study. The military uses its own jargon and Gayl took advantage of this by using plenty of it in his study. While Gayl's use of the aforementioned military jargon is grammatically correct, his understanding of the jargon is incorrect (see the remainder of this study). Other commentators, such as Mr Jankowski (Col USMC Res and a Gayl advocate) also made fundamental usage errors leading to erroneous conclusions.

For example, Jankowski published several articles in "Small Wars Journal" dealing with MRAP. Jankowski was an activated LtCol who was on the MARCENT staff and worked the MRAP issue between July 2006 and Mar 2007. He criticized the "Pentagon Establishment" while referring to the actions of MCCDC, Quantico. **"My 2006 study of MCCDC's "analysis" of the McGriff/Gregson initiative in 2005 made it obvious that it was a Pentagon Establishment hatchet job."** (Jankowski, p 1) MCCDC is not part of the "Pentagon Establishment". MCCDC is commanded by a Lieutenant General at Quantico and is a service command answering to CMC. Jankowski's command was also commanded by a Lieutenant General who also answered to CMC. Jankowski used the term "Pentagon Establishment" over thirty times. Some usages appear to be correct. Others were incorrect. The only way to discern which is which would be to ask Jankowski which organizations he was addressing for each usage. If a Marine LtCol has trouble with terminology, civilians and the press would have even greater difficulty. One of the

civilian organizations that needed extensive help understanding the terminology and associated processes was the DODIG.

This author had the opportunity to be interviewed for four hours by the MRAP DODIG. They were a group of lawyers versed in the DOD yet a good portion of the four hour interview amounted to educating them about combat development. These were all sharp and learned professionals, yet the Marine jargon and process required detailed explanation. The DODIG report uses correct language which reflects a significant improvement between their interview stage and the final report. Several of their conclusions, however, were incorrect (discussed in DODIG chapter). The DODIG, after mastering the meaning of the language, still failed to master the implications of the language.

Compounding the DODIG language issues was the interpretation of the DODIG report by others. Gayl apparently relied on the readers' inability to understand the language in the DODIG when he stated:

- **"My concerns expressed then have been overwhelmingly validated during the course of an MRAP DOD IG audit conducted since that time and published in December 2008."** (Gayl Testimony, p 3-4)
- **"My concerns have been validated multiple times through independent organizations external to my chain of command"** (Gayl Testimony, p 6)
- **"This audit was conducted prior to and separate from both the DOD IG MRAP UUNS Audit and the GAO JNLWP audits, but in the end the findings of all three turned out to be interrelated and complimentary."** (Gayl Testimony, p 7)
- **"The DOD IG MRAP UUNS audit overwhelmingly validated my MRAP case study. It revealed multiple inexplicable discrepancies between the words and deeds of officials at MCCDC, as well as between the statements of senior USMC officers and factual evidence documented in the audit. It was significant that the audit did not refute my case study finding that gross mismanagement of the MRAP requirement was evident, and that inaction by MCCDC officials on acquiring M RAP vehicles cost many Marines their lives."** (Gayl Testimony, p 9)

These false statements were given to the United States Congress, yet no one questioned his veracity. This author attributes the lack of questions to a lack of understanding. The above statements are easily discredited in other chapters.

Gayl's presentations overwhelm the reader. The content is so varied and difficult to understand that only a very few individuals have any hope of understanding his language, let alone his points. He therefore received a free pass by those who should have been examining his assertions more closely. Several of Gayl's assertions should have been questioned:

"Based upon the research provided in this case study the author suggests I MEF UUNS was not fulfilled because individuals throughout the EFDS perceived the MRAP as a threat, as it would compete for limited funding against other existing programs and combat vehicle initiatives." (Gayl, p vii) If Gayl was prohibited from discussing MRAP with EFDS personnel in

MCCDC (he was), then how did he determine which individuals perceived MRAP as a threat? Subsequent questions could be asked such as, “Did those individuals actually matter in the funding decisions?”

“During this second attempt, I MEF (Fwd) requested MRAPs, Intelligence, Surveillance, and Reconnaissance (ISR), and other COIN-enabling capabilities through Joint channels and self-help open purchases (References r.8., r.11, r.12., r.13., r.15., r.16., r.17., r.18., r.24., r.25., and r.28.). This approach better served the Marines, Soldiers, Sailors, and Airmen of MNF-W because it circumvented the EFDS.”(Gayl, p vii) The EFDS includes I MEF. Did they circumvent themselves? Did Gayl understand that the EFDS was involved in the Joint purchase of both MRAP and I MEF requested ISR assets? Did Gayl understand that joint processes are coordinated with the Services?

“In 2007, when MRAP was combined with the I MEF (Fwd)’s other self-acquired capabilities and the favorable developments resulting from the “Anbar Awakening,” the IED emergency was contained.” (Gayl, p vii) Which self-acquired capabilities does Gayl address? MRAP was not “self-acquired”.

“In the absence of combat developer support for MRAPs, Service support was obtained directly from the Commandant of the Marine Corps based on a statistically verified casualty analysis at MARCENT.” (Gayl, p X) MARCENT is a combat developer. Which combat development organizations did not favor MRAP?

“In the end, SECDEF, Congress, and GO Advocates in I MEF (Fwd) warfighter and MARCENT component billets were required to shepherd MRAP and other requirements by means of forcing functions.” (Gayl, p xiv) What were the forcing functions? I MEF submitted UUNS and JUONS per Marine/Joint orders and directives.

“Although my charges have been largely confirmed” (Gayl Testimony, p 1)-What are the specific charges and does Gayl have the authority to charge or simply to accuse? Who was found guilty of these charges?

“Despite unambiguous and continuous feedback from the deployed Marines MCCDC, at Quantico, the Marine Corps turned a blind eye to requests for urgently needed equipment whenever those requests conflicted with parochial concept or acquisition priorities in a competition for resources” (Gayl Testimony, p 3) What is the proof of unambiguous and continuous feedback? Where is the proof of turning a blind eye to conflicting priorities?

The simple questions to some of Gayl’s largest points were never asked. They were simply ignored. This study will address the above questions. This author believes that Gayl did not have to answer many simple questions because he was not understood.

8C-GAYL PRESENTATION MISLEADS

Gayl's MRAP presentations rely on the ignorance of process on the part of the readers. In the absence of an understanding of the information/processes Gayl critiques, a reader can be misled in any way Gayl intends.

As discussed in the previous section, Gayl's presentations were hard to understand based on the complexity of the points and the requirement to have a working knowledge of many aspects of the military and Marine Corps. Complicating the ability to understand Gayl was the way his evidence was crafted to lead to his false conclusions.

This author was an addressee on several of the emails presented in Gayl's study. Most of them contained select messages from a string, so context was left out. Others used only the sentences that Gayl wished to present. These half emails were especially misleading when presenting the I MEF rejection of more MRAPs. As seen in Chapter 9, I MEF deliberately rejected more MRAP-type vehicles after the 185 JERRV JUONS. The insistence that their requirement was only 185 debunks the idea that they were constantly asking for more or that their requirement was 1,169. Gayl omits this part of the email (discussed later).

Gayl also failed to link his points to orders or directives. His accusations are therefore based on his interpretation of how the process works. A discerning reader cannot trace Gayl's accusations to the orders and directives that form the basis for his accusation. In the civilian world a similar problem would occur if police officers charged people with crimes based on their own sense of right and wrong instead of established law.

Oftentimes Gayl does not interview or cite the sources for his accusations. He simply makes the accusation with a bold assumption that he is correct. The reader is left to search for the evidence (which often doesn't exist).

Gayl selects slides and draft slides from presentations that are provided only with Gayl's interpretation. **"The presentation referred to by Richard Lardner above confirmed that there are indeed challenges within the MCCDC combat developer process, and perhaps even amongst its personnel (Reference p.6.). Slides from that draft presentation included those posted immediately below this paragraph."** (Gayl, p 117) Draft bullet presentations do not constitute Marine Corps policy. In this case, the presentation was created by Gayl in his DDR&E presentation. This is an instance of Gayl quoting a press release that is quoting Gayl himself and passing it off as independent information. Any generic reader of Gayl's study would have to spend time determining that Gayl is quoting himself. Most readers would simply accept the point and continue reading.

Gayl also infers a lot from simple slides presented for discussion. Some forums, to include the CDIB, are required to establish problem areas in their slides. A CDIB briefer may present five negative points in their UUNS slide, but be a passionate supporter of the UUNS.

The negative points do not in any way reflect the final position of the briefer and they certainly do not reflect the final position of the CDIB in total. These are deliberative slides, not a final position. Gayl does not distinguish between the two creating negative impressions of events that were simply staff deliberations. The below Doctrine slide is from a MRAP CDIB brief:



Doctrine Impacts

- Unknown
 - Consider employment of a significantly heavier force. (28,000lbs)
 - Consider emerging concepts.
 - EMW
 - DO

5

Gayl concludes, from this slide and no other information (such as email or interview): **“So, the first bullet observed with concern that a heavier force might result, even though a heavier force is exactly the material solution that the MEF wanted delivered. Unfortunately, the MEFs and MARCENT did not have a vote on the MRAP or any other UUNs requested capability during the conduct of the CDIB deliberations. The immediate needs of the MEF for MRAP were eclipsed by funded combat developer priorities because MRAP was an idea invented outside of Quantico and lacked any advocacy amongst influential voting combat developers.”** (Gayl, p 24) Most readers would not arrive at that conclusion based on the above slide. Combat developers would appreciate the information as they would have to plan for additional fuel, lift, roads/bridges, maintenance etc.

Gayl’s omission of content and context, especially in topic areas not well understood, leaves readers believing flawed and unproven conclusions.

8D-GAYL CONFLATED WHISTLEBLOWER STATUS WITH MRAP ISSUES

The events surrounding MRAP had little to do with Gayl until he became a whistleblower. The Service Secretaries, Congress and senior DOD officials understood the Marine Corps need for MRAPs well before that point. In order to increase Gayl's standing, whistleblower organizations created a "fictitious Gayl" whose "heroic" MRAP efforts drove the Marine Corps to buy MRAP. This assumption is false on two accounts: It invalidates the Marine Corps efforts up to that point and it incorrectly gives Gayl credit for getting the Marine Corps to respond to the MRAP need.

The only reason the MRAP "issue" received the attention that it did was because the issue of whistleblowing was introduced. The whistleblower community parroted Gayl's Study comments, after all, a whistleblower needs something about which to blow the whistle. Every time Gayl testified about whistleblowing, he used the stage to promulgate his incorrect version of MRAP events:

Gayl erroneously linked his whistleblowing to deaths in Iraq. **"As a civil servant I enjoyed an unblemished record until 2007, when I blew the whistle on a procurement breakdown caused by Marine Corps support institutions at Quantico, Virginia. I felt it was my duty, because vital equipment was not getting delivered to the field, and many lives were unnecessarily lost-Marines and Soldiers, as well as Iraqi civilians."** (Gayl Testimony, p 1) Gayl's whistleblowing did not solve any procurement breakdowns.

Gayl erroneously linked his whistleblowing to his assigned duties. **"Until early 2007, I was granted great freedom in interacting with corporate Marine Corps at HQMC and Quantico, as well as the Pentagon and larger US Government Communities. That freedom and the science and technology focus had been built into my Position Description- it was why I was hired. However, once my efforts began to point out flaws in the Marine Corps procurement system, not only did my supervisors take away my professional freedom to interact with the people and agencies that could solve these problems, they also began to retaliate against me as a whistleblower."** (Gayl Testimony, p 2) Gayl's responsibilities did not include analysis of the procurement system nor did it benefit the Marine Corps for Gayl to spread his misinformation throughout the DOD.

Gayl erroneously linked his vocal candidness, or vocal opinion, to his job in Iraq. **"However, when I returned to the U.S., the same advocacy that had earned me praise from the Commanding General in the field brought me retaliation from the bureaucrats in Quantico and my superiors at the Pentagon who were displeased with my vocal candidness regarding lacking capabilities in Iraq."** (Gayl Testimony, p 4) Gayl's "vocal candidness" did not begin while he was in Iraq so his "CG in the field" did not endorse his post deployment ex post facto "vocal candidness". Gayl's advocacy in theater was different from his post deployment whistleblowing.

Gayl masked his own lack of accountability by accusing General Officers during House Testimony on whistleblowing. **“Officials must be held accountable for their past willful blindness to known threats that have caused tragic consequences. Similarly, the General Officers who 1) failed to supervise those officials then and 2) continue to defend their past actions today should be held accountable as well.”** (Gayl Testimony, p 15) Gayl complimented the Generals in MCCDC in Jan of 2007 (King email dtd 1/24/2007) but once he started blowing the whistle, his evaluation of Generals changed.

Gayl states: **“As I stated to my supervisor during a counseling session in 2007, I intend to successfully achieve a degree of accountability and concrete change at Quantico or I will be fired in the process of trying.”** (Gayl Testimony, p 15) Gayl’s offer of his firing is false bravado. Gayl knew, as he testified in the House of Representatives, that whistleblowing was not an issue that would get him fired. He eventually had problems due to security violations, not whistleblowing. Once again, his whistleblowing testimony provided a platform for pointing the finger at Quantico.

Organizations such as Government Accountability Project (GAP), Project on Government Oversight (POGO) and Center for Public Integrity (and others) continued following Gayl’s whistleblowing case. In the pursuit of their whistleblowing interests, these organizations and others also published Gayl’s MRAP fabrications. Their blind allegiance to “the heroic whistleblower” allowed them to be duped into believing Gayl’s story.

8E-MARINE CORPS RESPONSE WAS POOR

Of note is that responses, criticisms and investigation all occurred while the Marine Corps was performing the vastly more important work of fighting in Iraq and Afghanistan (and supporting those fights). The Marine Corps response to the MRAP issue was poor. Even simple arguments went unmade. In-depth fact-finding did not occur.

The Marine Corps response to MRAP accusations was tepid, poorly focused, and totally inadequate. Some may take comfort that the Marine Corps' lawyering skills are not as fine-tuned as their expeditionary and amphibious warfare skills are. Occasionally, however, the Marine Corps finds itself in situations where a good simple defense against scurrilous charges would be helpful. That simple defense was absent for MRAP.

The first mistake the Marine Corps made was to cede control of the questions. Gayl, Biden and the press focused the Marine Corps on answering questions that were out of context in the first place. For example Senator Biden asked: **"Was a decision made to deploy additional humvees with better side and undercarriage armor instead of MRAPs?"** (Tomczak email dtd 5/30/2007) Biden makes the decision seem binary focused on side and undercarriage armor. There were many factors going into the vehicle decision and for those Marines in harm's way, timeliness and reliability were factors.

Other questions offered opportunity to forward points that could have stopped the inquiry cold. For example Biden asked: **"With regard to the February 2005 request, by whom was it considered and what was its disposition?"** (Tomczak email dtd 5/30/2007). Gayl chimed in later **"The question for any future investigation of this issue would be whether the omission of the MRAP UUNS and any discussion of the I MEF (Fwd)'s known continued determination to acquire the capability in 06 was unintended or deliberate."** (Gayl, p 48)

Simple grade school math provides the answer. Suppose **X** is the requested amount of MRAPs by I MEF prior to their request for 185 MRAPs in May of 2006. **X** represents the full MRAP-type vehicles number requested by the Hejlik UUNS plus any number suggested by Senator Biden that was ignored plus any other request of any sort from the deployed MEFs plus any number that Gayl suggests were not provided up until the time of the request for 185. In sum, any requested MRAPs of any sort from I MEF prior to the 185 request is added into **X**.

In July 2006 I MEF submitted a JUONS for 1,000 MRAPs. The total requested amount of MRAPs was 1,185 by August of 2006. All of these numbers are reflected in Gayl's study, the DODIG, emails and press releases. The following math problem applies. Solve for **X**:

$$X + 185 + 1000 = 1,185$$

Obviously **X** equals zero. Zero is the number requested by I MEF prior to the request for 185. Zero is the number of MRAPs I MEF anticipated. Zero is the number MCCDC ignored and

zero is the number that combat developers, to include advocates, were responsible for delivering. "When did I MEF decide that they desired no MRAPs?" is the question that should have been asked. The assumption that there was demand is, by grade school math, disproven. This study will discuss in more detail other proof I MEF did not request/demand/submit needs for MRAPs.

Instead of answering questions about the lack of demand for MRAPs, the Marine Corps was forced to answer questions about why they were not provided. This study will provide many answers that should have been provided, but were not. It will also disprove several of the basic assumptions that shaped the MRAP discussion.

8F-THE TYRANY OF TIME

MRAP investigative efforts and criticisms occurred well after the actual occurrences. Responses were degraded by the gap in time.

The amount of time that passed between events dealing with MRAP was a major problem in separating fact from fiction. Emails were deleted. People in decision-making positions changed. Those who were interviewed were addressing issues that were years old. Oftentimes statements were not backed by some sort of factual reference such as a brief or email or reported statement. Gayl stated: **“In the end no historical trail other than a few presentations, process documents, and a MCCDC info paper are known to exist.”** (Gayl, p 39) In this atmosphere the uncovering of fact suffered.

The Hejlik UUNS was submitted in Feb 2005:

- Two years and three months later the first inquiry by Senator Biden occurred.
- Two years and eleven months later Gayl published his study.
- Three years and one month later, the DODIG started collecting data for their investigation.
- Three years and ten months later the DODIG published their results.

Those involved may have kept their unclassified emails. Marines, however, are not allowed to keep a copy of their classified emails. Much of the equipment discussion was carried out on the secret networks supporting those in the ITO. Many of those classified emails are and were unavailable. This author provided emails to the DODIG debunking many of Gayl's charges, however, those emails are not included in the published DODIG.

The unavailability of much of the documentation allowed Gayl to hypothesize without any contrary evidence. This study provides that evidence (unclassified).

8G-THE CHANGING NATURE OF OIF FROM BUS TO MRAP

The critics of the Marine Corps use the tactical situation that existed in 2006 as the sole reference point for the nature of the threat. This form of presentism made Marine Corps equipping decisions seem incoherent. The threat matured to focus on underbody attacks where it had previously focused on side attacks.

One must remember that the situation in Iraq (OIF) was constantly changing. This author travelled in the ITO during visits in 2004 and 2005 and deployments in 2005 and 2007-2008. Initially, the ground war was supported with soft-skinned HMMWVs and trucks with no armor at all. The ground transport fleet was largely unarmored and tactics were used to keep these vehicles away from direct combat.

In early 2004 this author was the senior military official on the planning trip to turn the Green Zone over to the State Department. We landed at the military airstrip at Baghdad and deplaned. We had civilians and military personnel. We boarded a civilian bus with no armor and rode to the Green Zone. We had approximately 20 personnel on the unarmored bus and no ammunition. This road would later become one of the most heavily IED'd roads in Iraq and we were packaged in an unarmed group of 20 on a several bus convoy. We did not have welded on armor, MAK kits, m1114s or any other armor. Just a simple bus.

In 2005 many of the vehicles used for travel used welded steel for armor as the IED threat grew. Armor kits started to be fielded and m1114s started to show up. The side blast IED was the most common IED and those who had the up-armored HMMWVs appreciated them. This author had the opportunity to "borrow" one during a trip through Ramadi. The "lender" had survived several attacks while using this vehicle and very graciously extended the use of his vehicle to this author. It was the "gold standard" at the time.

Underbody attacks were not the prevalent type of attacks and the m1114 was not regarded as a death trap. **"Employing the MRAP as an example, since the mid 1990s the Marine Corps has known that up-armored High Mobility Multi-Purpose Wheeled Vehicle (HMMWVs) are "death traps" in their vulnerability to mines because of the HMMWV's flat bottom, low weight, low ground clearance, and aluminum body."** (Gayl Testimony, p 3)

Gayl's testimony and writings suffer from presentism. At times from 1990 through 2005 the m1114 was prized. The eventual switch to underbody attacks occurred and the m1114s were overmatched, but the m1114 effort prior to that time saved countless lives. The portrayal of the nature of the conflict at different times as homogeneous lent an air of credibility to Gayl. The failure to consider the escalating nature of the threat presents a misleading picture of Marine armoring efforts.

8H-MRAP NAMES MISLEADING

The term “MRAP” had different meanings at different times. It was a capability as well as a specific vehicle at different times. Other terms were used for the same vehicle. The lack of clarity allowed disparate events to be linked. This linkage gave the impression that the MRAP issue went back much further than it actually did.

The term “MRAP” was one of the key culprits in the ability to criticize the Marine Corps for “delays” in fielding armored vehicles. The confusion over the term MRAP added to the misconceptions about Marine actions. The DODIG used the term “MRAP-type” because no other term exists. The constant confusion of terms was in part due to the use of same terms for different capabilities (the different “MRAP” usages) and different terms for the same capability (JERRV, MRAP, MMPV, Cougar). Only after the 2005 Hejlik UUNS was rediscovered in May of 2006 did I MEF (2006-2007) start requesting MRAPs. The recycling of the term in 2006 was an effort to lend weight to the new MRAP requests.

The I MEF name change was probably prompted by a requirements search initiated by MCWL. MCWL, as described in Chapter 2, was advocating for more MRAPs and initiated a search for old UUNSs under which more armor could be purchased. Once the old MRAP UUNS was discovered, I and II MEF staff started using the term. In addition, they started using the old UUNS as if they had been advocating for the capability all along. They were not. The term “MRAP” became the default term and the old resolved UUNS became portrayed as active. This allowed a fact free criticism of the Marine Corps by those ignorant of MRAP history. The press followed along and simply accepted that MRAPs were always in demand because the names for the requests were the same.

Similar vehicles to MRAP-type vehicles had been requested since 2003. They were lumped under the term Hardened Engineer Vehicles (HEV) and were focused on satisfying Engineering needs (not Infantry and other combat arms needs). The vehicle “Cougar” became a variant of “HEV”. This occurred before the 2005 MRAP UUNS. These vehicles were approved by the MROC and demonstrated that the Marine Corps supported buys of MRAP-type vehicles. The next name used for specific vehicles became JERRV (MRAP remained a descriptive term).

The initial “MRAP-type” request of 2006 was actually called the JERRV: **“In order to provide added protection to our explosive ordnance disposal teams and combat engineers, we also pursued the recent procurement of the Joint Explosive Ordinance Disposal Rapid Response Vehicle (JERRV), commonly referred to as the Cougar.”** (Gayl, p 39) There was no mention of MRAP, however, the lack of mention of MRAP was not an effective approach for Gayl to mislead readers.

He changed terminology and used the term MRAP despite the request being called JERRV: **“CMC immediately authorized a large procurement of MRAPs. Thus empowered, I MEF (Fwd) immediately submitted a 2nd MRAP JUONS request for the entire warfighter need at**

that time for all forces operating under MNF-W command—Soldiers, Sailors, and Marines.” (Gayl, p 47) Flaws with this statement include:

- CMC has no JUONS authority (Chapter 14).
- This JUONS was pushed by MCCDC (Chapter 11).
- There was no first MRAP JUONS, it was a JERRV JUONS.

The real story is that I MEF arrived at a point where they wanted more JERRVs and asked for them. Pressured to ask for more and discovering the old MRAP UUNS, they made a second request and called the entire request MRAPs. Gayl then commenced blaming Quantico while falsely assuming that the original 2005 UUNS was active the entire time. This is only possible if every request is called MRAP. They were not.

The JERRV (Joint EOD Rapid Recovery Vehicle) was originally focused on EOD requirements. The spread of IEDs and the need for additional armor was the prompt for I MEF to express the need for JERRVs. I MEF submitted the JUONS for JERRVs in support of infantry and non-EOD units. Until this point, I MEF had submitted no UUNS for any MRAP-type vehicle nor had they acknowledged that there was a large MRAP-type vehicle need. When I MEF (via MARCENT) requested these types of vehicles they requested JERRVs, not MRAPs:

In response to CG, MCWL request for training and material shortfalls for C-IED operations, the table below lists, **in priority order**, equipment requirements for Marine Corps operating forces in the CENTCOM AOR.

Description	Reference	Comment	Qty	\$'s
Armored Vehicles	I MEF (Fwd) UUNS 05-07-064	180 x 6x6 JERRV (TAMCN D00277K, NSN 2355-01-529-2246) . ** Quantity should be modified to account for 2xRCT operations ... between 600 and 1100.**	180	
Persistent Surveillance	I MEF (Fwd) G-BOSS UUNS	Comprehensive system ISO COIN operations in urban and rural areas.	1 system	
Route	30 x Robotic	Submitted as a	30	

(Butter email dtd 6/26/2006)

I MEF requested JERRV in emails, on spreadsheets, and the JUONS was a JERRV JUONS (often mistermmed as a MRAP JUONS). The terminology continued to change with the introduction of MMPV (Medium Mine Protected Vehicle). Once again, the term MRAP was not used. MajGen Catto's statement to the House Armed Services Committee in June 2006 used the term MMPV: **“In the interim, we're moving forward with approvals for the Medium Mine Protected Vehicle (MMPV), which has been requested as a Joint Urgent Operational Need. Various types of IEDs, rocket propelled grenades, and small arms fire in-theater make it necessary for the Marine Corps to field a vehicle capable of surviving these types of attacks, and be able to counter attack. The MMPV provides that increased survivability and mobility. The Marine Corps plans to procure and field 185 MMPVs, which will provide our forces with a**

modular and scalable system capable of increasing the level of protection in accordance with the type of weapons available to the enemy.” (Catto, p 13)

The below table shows MARCENT, I MEF and II MEF priority in mid-2006 as the MMPV.

URGENT ITEM	DESCRIPTION	I MEF Priority	II MEF Priority	III MEF Priority	IV MEF Priority	QTY	MARCENT RATIONALE
1 Medium Mine Protective Vehicle	Mine-resistant wheeled vehicle. Protects from IEDs/AT mines. 10 Pax.	JUN 1	1	JUN 1	1	185	Same MEF rankings
2 Robotic Explosives Detector	A small, ground, remote-controlled vehicle that can visually and electronically search for explosives.	JUN 1	2	JUN 1	2	30	Same MEF rankings
3 Detention Collection System	Large-capacity, hardened, Regional Detention Facility in which all detention cells contain voice collection capability.	JUN 1	3	JUN 1	4	1	Deployed MEF ranking per BR #1
4 Robotic Vehicle to counter Roadside- and Vehicle borne- IED (RSIED/VBIED)	Leverages DARPA Challenge robotic vehicle technology; equipped with cameras, magnetic detectors and spectrum analyzers to (1) detect changes in the road since last transit. (2) conduct unmanned convoy escort. (3) unmanned cargo transport.	JUN 1	4	JUN 1	3	TBD	Deployed MEF ranking per BR #1
5 Pressure-plate IED roller	Pressureplate rollers attached to the front of vehicles to trip/activate pressure-plates (Victim-Operated IEDs).	1	1	1	1	1	23 Same MEF rankings

(Johnston email dtd 7/31/2006)

After MMPV, the name changed again and MRAP started to be used. With the use of the term MRAP, linkages were made between the separate requests. The use of the same name make these linkages appear legitimate. For example: **“The I MEF (Fwd) decision to request the JERRV (Cougar) MRAPs by means of JUONS was deliberate. I MEF (Fwd) was aware of the fact that MCCDC had disapproved the MRAP UUNS that it had submitted early in 2005. Instead of battling with the bureaucracy at Quantico, I MEF (Fwd) decided to try the Joint resourcing route.”**... **“It is also noteworthy that the MEF asked for only 185 vehicles as opposed to the 1,169 it had asked for in 2005. This was a direct reflection of the psychological effect of repeated combat developer refusals to provide requested equipment.”** (Gayl, p 49) This fabricated analysis indicates that the old MRAP UUNS was linked to the new submission. However, the term “JERRV (Cougar) MRAP” was not requested. Only the term “JERRV” was requested and it was understood the JERRV was the same as a Cougar.

Gayl continued: **“The confusion of these words above introduces the reader to a misleadingly vague definition of MRAP, in spite of the abundant and compelling documentation that meticulously and unambiguously defined an MRAP.”** (Gayl, p 68) Had the term MRAP been universally understood, I MEF would not have asked for MMPV or JERRVs. MARCENT commented: **“On 20 Jun 06 Maj Joseph Allena wrote to fellow MARCENT MRAP champions: “...The 185 [JERRV] is down range. The 1000+ is a re-energized previous UUNS...Two distinct efforts.** (Gayl, p 51) Even MARCENT had to adjust and figure out the terminology. The two requests were for the exact same capability and were eventually combined to a total request of 1,185 vehicles.

Gayl also accused CMC of falsely stating that the first MRAP request was in July 2006: **“The ITP had reported on a letter from the Commandant of the Marine Corps (CMC) to the Chairman of the Joint Chiefs of Staff (CJCS) in which he inaccurately stated that the first combat request for MRAPs occurred much later than it actually had.”** (Gayl Testimony, p 5) The MRAP request in 2005 was a descriptor of many vehicles. I MEF and MARCENT continued to use different terms for MRAP-type capabilities through 2006. The first 2006 request was for JERRV. It is disingenuous to portray a unified understanding of MRAP, MRAP-type, MMPV and JERRV requests. Both the author of the Hejlik UUNS and General Hejlik used the term MRAP to describe m1114s (see chapter 11B). The CMC was correct based on the MRAP definition of that time.

The first UUNS use (Hejlik UUNS) of the term “MRAP” was a generic description of a capability that had over ten solutions (to include the m1114). The intervening year (between the Hejlik UUNS and the 185 JERRV request) saw multiple terms applying to the same capability. The second request used the term JERRV and the third request used the term MRAP again. The third request, however, was understood as specific types of vehicles. The term “MRAP” had clearly changed meaning. More importantly, the term MRAP was interpreted differently at different times. In another example of presentism, Gayl uses the term “MRAP” to describe all of these vehicle requests since 2005 when in fact several terms were in use.

MCCDC did not disapprove the MRAP UUNS and was very supportive of the new JERRV JUONS. The request by means of a JUONS was not a deliberate choice to go around Quantico, it was a recommendation BY Quantico. Gayl’s points make less sense if the old term MRAP is not linked to the new term MRAP. He therefore links them. There is no debilitating “psychological effect” of being rejected if the new JUONS remained as a JERRV JUONS (not “MRAP JUONS”). There is no “constant rejection” issue if the new JUONS was for something other than MRAP (e.g. JERRV or MMPV) so Gayl has to incorrectly use the “MRAP” term in order to make his point.

The confusion in terms greatly increased the confusion in response to queries about how the Marine Corps responded to the 2005 UUNS. The DODIG coined the term “MRAP-type” vehicles in order to allow for easier understanding of their investigation. The average reader of the DODIG would not be able to discern between the use of the term “MRAP-type” and “MRAP”. One may even argue that the DODIG expansion of terminology expanded their investigation beyond their charter. The DODIG chapter will discuss this point further.

The same terms would suggest that the MRAP effort of 2005 was linked to the MRAP effort of 2006. They were the same words, but the meaning had changed from capability to specific vehicle.

8I-THE MRAP DODIG WAS CONSTRAINED

The DODIG was focused on the charges levied by Biden and Gayl. Had the DODIG been given the latitude to investigate the entirety of the issue, their results may have been more accurate. Their inadequate investigation failed to clear up the MRAP issue.

Instead of spending the time to crush Gayl's argument, the Marine Corps relied on a DODIG to determine the veracity of Gayl's charges. The DODIG, however, was limited in scope (see the DODIG Chapter) and left huge swaths of the combat development process unconsidered. Beyond that, the DODIG missed critical information and drew conclusions based on a superficial understanding of the combat development process. Despite its failings, the DODIG did produce some noteworthy conclusions.

The DODIG produced conclusions focused on areas not addressed by Gayl. They also produced conclusions disputing Gayl's conclusions. Gayl stated: **"The DOD IG MRAP UUNS audit overwhelmingly validated my MRAP case study"** (Gayl Testimony, p 9) and **"It was significant that the audit did not refute my case study finding that "gross mismanagement" of the MRAP requirement was evident, and that inaction by MCCDC officials on acquiring MRAP vehicles cost many Marines their lives."**(Gayl Testimony, p 9) Both of these statements are fabrications. The DODIG found no "gross mismanagement" nor did they validate Gayl's study. Their main conclusion was not even mentioned as a conclusion in the Gayl study (see DODIG Chapter).

The DODIG had the opportunity to disprove the allegations against the Marine Corps. They failed. As a result, many continued to view Gayl's unanswered allegations as correct.

8J-SERIES OF ISSUES (NOT MRAP) WITH I MEF G9 CAUSED DISCORD

I MEF G9 mistakenly believed that they had the competence to perform every element of combat development. Instead of maintaining a focus on articulating well thought out needs, I MEF G9 demanded a role in assembly, maintenance, engineering, contracting, support and selection for several of their needs. Despite being in combat, the I MEF G9 staff believed that their proper role was to perform all of the functions heretofore the responsibility of the thousands in the supporting establishment. This occurred with a I MEF G9 staff of approximately 5.

MRAP was not a contentious issue for I MEF. The other equipment efforts were the cause for I MEF G9 debates with the supporting establishment.

The MRAP issue was not one of the problem areas that occurred with elements of I MEF (Fwd). There was a constant debate with the I MEF G9 (Fwd) about other equipment solutions that answered I MEF (Fwd) needs. I MEF G9 insisted on developing the need, but upon occasion also insisted in establishing the equipment to answer the need. Upon occasion, I MEF also insisted on:

- Assembling different equipment suites
- Contracting for parts and support
- Acting as Field Service Representatives (FSR)
- Acting as the sole maintenance entity for various equipment

This flawed approach created conflict with combat developers as I MEF G9 believed their solutions and production capabilities in Iraq were superior to the CONUS system.

I MEF established several efforts that were very worthwhile early on. They fabricated their own armor as the CONUS m1114 effort was executed. They designed and welded together mine rollers which were attached to the front of vehicles and rolled over IEDs triggering them before the vehicle hit. The simple tasks of fabricating equipment that was not complex fit the I MEF “in country” approach. More complex aspects of “in country” equipment combat development, however, became problematic.

I MEF G9 started to believe that they could purchase, assemble and maintain more complex equipment. The GBOSS and Laser Dazzler chapters will illustrate the near disasters that were barely avoided as I MEF G9 attempted to contract and assemble equipment beyond their capability. The simple mistakes that were made by I MEF G9 were easily avoidable by those who understood equipment. One of the biggest lessons learned should have been that certain types of support could be better performed by MCCDC resulting in better equipment for the troops forward.

Compounding the “do it yourself” mindset was a technology hubris. Gayl states that the I MEF G9 was tasked with conducting tech research and defining solutions. He believed that the I MEF G9 in Iraq had a “broad technology field of regard”:

General Observations WRT Needs

- I MEF Fwd Operators Defined Solutions:
 - Need for speed to get ahead of AIF
 - Operators know the requirements
 - CG expected staff to do tech research and define solutions
 - Broad G9 technology field of regard (Labs, Academia, Industry, DARPA)(McCord email dtd 5/30/2007)

The I MEF G9 was able to send emails and make phone calls. Unfortunately the self-perceived “broad field of regard” turned into a self-delusional perception of equipment expertise. Nowhere was this more evident than in the writings of Gayl. Gayl’s “tech research” was often incorporated into official needs statements. Needs statements often contain equipment recommendations that are entered into procurement considerations. The I MEF G9 recommendations often went beyond recommendation and became I MEF G9 demands. With the demands came a refusal to use equipment that was not “I MEF G9 selected”.

The GBOSS Chapter illustrates the full range of problems articulated above. The I MEF G9 GBOSS effort included inept contracting, poor research, selection of lesser capability, poor budgeting, and what would have been disastrous maintenance and support plans had not senior flag officers intervened. The DODIG for Laser Dazzler also illustrates many of the same flaws. Later Chapters discuss both GBOSS and Dazzler.

The I MEF G9 technical overreach is demonstrated in Gayl’s DDR&E presentation. Gayl’s DDR&E presentation contained 31 slides, two of which dealt with MRAP and armor. Of the other 29, only four contained the acronym MRAP. The majority of Gayl’s issues were in areas other than MRAP. For example, “Laser Induced Plasma Electrostatic Discharge”, “sheer thickening liquid armor”, “Precision Airborne Standoff Directed Energy Weapon”, “Directed Energy Low Altitude Air Defense System”, and “Cognition Based Electromagnetic Pattern Analysis System” were all offered as technology solutions. Many were rejected as unfeasible. Gayl was obviously not an expert in many of the fields for which he offered solutions.

Some of his technical presentations were also tactically questionable such as F-TAWS.



• Description:

- Fast - Tracking Attack Weapons System (F-TAWS)
- Expands dog-handler team mission beyond tracking and detection
- Specially trained, ISR-equipped attack dogs to spoil or interrupt sniper attacks
- Deterrence value projected to be significant as capability is publicized

• Status:

- UUNS signed 29 January 2007
- To be considered by MCCDC soon



(MCCord email dtd 5/30/2007)

I MEF G9 suggested ISR equipped attack dogs to spoil or interrupt sniper attacks.

This author was involved with dog programs and wrote dog handler doctrine. High aggression dogs operating away from a handler is a questionable concept in a civilian population. In addition, off-leash dogs would give insurgents an opportunity to organize a dog mauling (women/children) and film/publish it blaming US forces. A better understanding of dog capability would have allowed Gayl and I MEF G9 to understand that off-leash capabilities for high aggression dogs can only be used in highly controlled environments (as opposed to preventive sniper missions). The failure to provide this solution to I MEF was included in Gayl's complaints.

CONCLUSION

Gayl was a disgruntled scientist who bristled every time one of his technical solutions was not accepted. Gayl was disgruntled about non-MRAP issues. These issues were the focus of his I MEF G9 complaints and only later, with the interest of the press and Senators, did Gayl focus on MRAP. Ironically, he was not involved with most of the MRAP development and had nothing to do with the establishment of the I MEF MRAP needs. His complaint was about other technologies, but he was used to establish a MRAP "whistleblowing".

The series of issues with I MEF G9 and Gayl prompted or at least fueled the subsequent MRAP issues.

9-I MEF REJECTED MRAPS

I MEF rejected MRAPs on several occasions after the submission of the 2005 Hejlik UUNS. I MEF email traffic by the I MEF G9 (quoting the I MEF Chief of Staff) stated that the deployed I MEF did not want more than 185 MRAPs. I MEF UUNS trackers listed the Hejlik UUNS as completed prior to the request for 185 MRAPs. I MEF UUNS trackers shows the Hejlik UUNS as reduced to an UNS. I MEF, immediately upon their return, chose to abandon the 1,169 request and started asking for lesser numbers at the Executive Safety Board. In each case, I MEF took affirmative action on their own to reject the MRAPs requested in the 2005 Hejlik UUNS.

One of the most poignant and often mentioned fallacies about the MRAP story is that Marines were fighting and dying while their constant requests for more MRAPS were being denied by those in the rear. It is a powerful story; those in safety denying those in harm's way the gear that would keep them alive. It is the story that Gayl uses to point the blame at Quantico. It is paraphrased by politicians seeking to portray themselves as the "savior" of the man in the fight. It is the story that makes the rest of any MRAP news article interesting. It is also a story that is patently false.

I MEF (Fwd) was the command element for deployed Marines in Iraq when the MRAP UUNS/JUONS were submitted in and after June 2006. They outright rejected MRAPs. They published their priorities and indicated MRAPs were not a pressing need, and at times not a need at all. They advertised to the rest of the Marine Corps that the 2005 MRAP request was completed.

Per Marine Corps Orders and Directives (see Ch 4-6), I MEF has the authority and responsibility to submit needs in the form of UUNS. They submit through the Service Component (MARFORPAC and/or MARCENT). The 2005 MRAP UUNS was submitted through MARFORPAC. I MEF and MARFORPAC are therefore the owners of the UUNS. One may view them as "the customer". If the customer states that they do not want MRAPs, then the supporting establishment does not deliver them. This is a very simple and basic concept easily understood in today's civilian society. Similarly, if MARFORPAC and/or I MEF state that they do not want MRAPs, then the supporting establishment does not force them into theater. This is especially true if the "customer" or MARFORPAC/I MEF were the ones asking for MRAPs in the first place (and changed their position).

The press and Gayl have published thousands of articles on the topic of Marines in the fight asking/begging for MRAPs and the guys in the rear (out of harm's way) saying no:

"The question for any future investigation of this issue would be whether the omission of the MRAP UUNS and any discussion of the I MEF (Fwd)'s known continued determination to acquire the capability in 06 was intended or deliberate." (Gayl, p 48) The "known continued determination" will be disproven below.

"Jim Hampton, now a retired colonel, questions why the Pentagon and Congress didn't do more to keep the troops safe. "I have colleagues who say people need to go to jail over this, and in my mind they do..." This well-researched USA TODAY article revealed a history of wider DoD awareness of and pushback on MRAP that was occurring concurrently with the Marine Corps' own MRAP experience." (Gayl, p 58)(Italics from 17 July 07 USA Today "PENTAGON BALKED AT PLEAS FOR SAFER VEHICLES") The awareness of MRAPs may have existed in some quarters, but the failure of MRAPs to make progress was due to the lack of an active request (as described below). Jim Hampton, through his own ignorance of the situation, probably thought that there was an active MRAP request that was being ignored. The below facts will assist in dispelling Jim Hampton's misperceptions.

"Also, although it appears late in the letter, at least CMC did mention this key JLTV program by name, arguably the main seed of all MRAP delays and the UUNS' eventual rejection." (Gayl, p 73) The main seed of MRAP delays was both the lack of demand signal (Chapter 10) as well as the clear indications from I MEF that MRAPs were not required or requested.

"The UUNS might have died invisibly in MCCDC and outside of normal MROC scrutiny as the SMEs had intended, were it not for tenacious efforts at MARCENT to resurrect MRAP consideration in the summer of 2006, as the IED emergency worsened in theater." (Gayl, p 73) The UUNS "died" because MARFORPAC and I MEF decided it would die. It was their decision to downgrade it to an UNS and determine that it was completed. The supporting establishment, to include MCCDC, was actually trying to resurrect MRAP considerations (see chapter 12). Contrary to Gayl's statement, the MROC "scrutinized" and processed the UUNS.

"Despite unambiguous and continuous feedback from the deployed Marines MCCDC at Quantico, the Marine Corps turned a blind eye to requests for urgently needed equipment whenever those requests conflicted with parochial concept or acquisition priorities in a competition for resources." (Gayl Testimony, p3) The feedback from deployed Marines was neither unambiguous nor continuous. The Marines at MCCDC did not turn a blind eye towards requests for urgently needed equipment.

"In general, it can be concluded that a combination of flawed actions and inactions by combat developers pertaining to MRAP generally and the MEF (Fwd) urgent needs for MRAPs created a significant adverse impact on the GCE's ability to accomplish its mission." (Gayl, p 119) The MEF (Fwd) urgent needs are determined by the MEF (Fwd). The MEF (Fwd) both rejected MRAPs, and when they did develop needs for MRAPs, the numbers were significantly different from the 2005 MRAP request. Attacking MCCDC for the adverse effects of these decisions is flawed thinking.

"Gayl and some former colleagues say that these charges were trumped up, the culmination of a three-year pattern of retaliation by the Corps' leadership for the embarrassment that he caused and his continued efforts to hold officials accountable for

ignoring an urgent request for help by soldiers under fire. His offense, Gayl says, is continuing to say "that Marines did not take care of Marines in harm's way," a sacrilege inside a service that prides itself on protecting individual soldiers." (Smith, p 1) Officials neither ignored the urgent request for MRAPs nor did they ignore any other urgent request (UUNS). Gayl's charge "that Marines did not take care of Marines in harm's way" is baseless.

"In the course of these events I repeatedly saw the USMC portion of the Pentagon Establishment use each of these bureaucratic tricks to attempt to block, inhibit or slow-down MRAPs and several other devices. Joint Program Office-MRAP's theme, "Ultimate Team Sport" buying MRAPs 2007-2010, was great to see. But it was made possible by the technology insurgency of 2006-2007." (Jankowski, p 1) The "bureaucracy", at the Pentagon or at MCCDC, was not using "bureaucratic tricks" to block or stall MRAPs. While there were (and still are) individuals who argue against MRAPs, there was no "bureaucracy" organized against the MRAP. Once the requests were made for MRAP in May 2006, they were immediately acted upon. The self-styled "technology insurgency" did not happen for MRAPs because the supporting establishment, at least within the Marine Corps, was a vocal advocate for MRAPs during 2006 and 2007.

"Hundreds of U.S. Marines have been killed or injured by roadside bombs in Iraq because Marine Corps bureaucrats refused an urgent request in 2005 from battlefield commanders for blast-resistant vehicles, an internal military study concludes. The study, written by a civilian Marine Corps official and obtained by The Associated Press, accuses the service of "gross mismanagement" that delayed deliveries of the trucks for more than two years." (NBC News) The study was not a Marine Corps internal military study. It was a Gayl internal military study and full of errors. The reason for delay was not gross mismanagement. There was no delay at the time the requirement was actually established for MRAPs. The handling of the UUNS will be addressed in Chapter 11.

I MEF rejected MRAP-type vehicles. The I MEF rejection of MRAPs is consistent in several venues. This author became the Director of Operations in 2006 so documentation about the rejection of MRAPs from prior times was not as easy to discover. Key information, as described below, was able to be obtained. The entire email is able (once approved) to be referenced in order to show previous content and the flow of the conversation.

Exhibit #1-The Chief of Staff and G9 Rejection

In the summer of 2006 MCCDC was advocating for additional MRAPs with MARCENT (contrary to Gayl's statements). MARCENT was in turn conferring with I MEF. Both organizations (MARCENT and I MEF) had concluded that more MRAP-type vehicles were required. MCCDC had organized to work with JIEDDO and designated MCWL as the lead for JIEDDO coordination within the Marine Corps. MCWL conversations with MARCENT were largely by phone, but the content was captured in several emails that were also referenced by Gayl. Several of these emails are provided in their entirety by this author.

In May 2006, I MEF submitted a JUONS for 185 MRAPs. This JUONS was acted upon by the Joint Community as well as the Marine Corps. **“It is noteworthy that the Commander, MCSC (MajGen Catto) was already working on procuring the 185 JERRVs for I MEF (Fwd) using JRAC (i.e. Joint/CIED) funding as a result of JRAC JERRV JUONS approval. MCCDC was hardly aware, if at all aware of MCSC actions which turned out to be beneficial for MARCENT and the MEF (Fwd). The workaround to avoid MCCDC involvement in fielding MRAP by employing the more responsive JUONS-JRAC connection had been successful.”** (Gayl, p 50) This statement is an outright fabrication in several ways (some discussed later). MCCDC was aware of the request and coordinated the Joint effort. If it had come through the J8 to JIEDDO, it would have fallen to MCWL to support within the JIEDDO. The JUONS path was poorly utilized by Marine forces (see JUONS/UUNS Chapter) and, as the JIEDDO lead, MCWL was looking forward to working the request. The JRAC, however, took a different path that involved MCSC.

Gayl continues: **“Later on 19 Jun 06, Maj John Moore of MCWL joined the discussion and clarified the relationship of the I MEF (Fwd) UUNS from 05 to the JERRV UUNS. He added: *“This is an older UUNS that was never funded due to supportability. There's currently an UUNS for 185 JERRVs but MEF is writing a supplement to this that will expand that number significantly. Once validated, the request will be taken to JIEDDO for funding consideration.”*** (Gayl, p 50). Of note is the absence of the term “MRAP”. The request is for JERRVs (JEERV is a typo for JERRV), not MRAPs. There is no mention of fulfilling the 2005 Hejlik UNS as it was resolved (see below).

Major John Moore worked for me at MCWL (MCCDC). Unknown to Gayl (Gayl was not yet involved), Maj Moore was involved in the discussion before 19 June. Upon assumption of duties as the Dir Ops MCWL, I directed each section of C-IED to develop and capture their current and future efforts in a simple short slide presentation. After several discussions, Maj Moore and LtCol Patterson submitted their initial effort for vehicle protection. An “interim vehicle” (not the HMMWV or JLTV) was required (Moore email dtd 6/2/2006). This occurred several weeks before the above email from Gayl. We had issues working with the I MEF G-9 so Maj Moore was directed to work through MARCENT (I MEF (Fwd)’s parent command) and minimize interaction with I MEF (Fwd). Maj Moore’s statement that MRAP was “not funded due to supportability” was based on speculation. Maj Moore was unable to locate any MRAP documentation. The DODIG later determined that there was no completion documentation.

The JERRV request ended up not being taken to JIEDDO. Gayl continues: **“I MEF (Fwd) remained a carbon copy recipient of these MCWL e-mails, to include MCWL’s impression that the JERRV JUONS would soon be supplemented with a much larger I MEF (Fwd) JUONS request for 1,000 additional MRAPs. However, on 20 Jun 06 I MEF (Fwd) staff wrote to MARCENT staff to correct that impression, in spite of MARCENT’s concerns for the smaller I MEF (Fwd) JERRV requirement: *“...Col Milburn [I MEF (Fwd) CoS]...will take this subject up on Friday with Col Supnick [MARCENT CoS] when he arrives here at Camp Fallujah. We are sticking with the requirement for 185 JEERV vehicles...”*** (Gayl, p 50). Not only was MCWL anticipating a larger request, but MCWL was advocating for a larger request. Major Moore was

in regular discussion with MARCENT. Gayl omitted the next sentence of the email. The full email reads as follows:

T.J.

I just checked with Col Milburn, he will take this subject up on Friday with Col Supnick when he arrives here at Camp Fallujah. We are sticking with the requirement for 185 JEERV vehicles. We don't want to confuse anyone about our requirement, lets put this discussion on hold until after I hear from Col Milburn on Friday.

Marty

(Lapierre email dtd 6/20/2006)

This email from I MEF G-9 shows I MEF rejecting the offer of expanding the number of MRAPs upward from 185. Col Milburn was the I MEF Chief of Staff. Col Supnick was the MARCENT Chief of Staff. Marty was the I MEF G9. The clear and unambiguous rejection of anything above 185 runs contrary to the many claims that MCCDC was denying MRAPs to Marines in harm's way. Furthermore, Gayl omitted the portion stating: ***We don't want to confuse anyone about our requirement, lets put this discussion on hold until after I hear from Col Milburn on Friday.*** There was no confusion about the requirement. It was 185, not 186, not 187 and certainly not 1,169. I MEF understood this. MARCENT understood this. The supporting establishment understood this. This omission alone refutes the legitimacy of the majority of Gayl's arguments. This author surmises that the second line was omitted because it destroys the majority of Gayl's arguments that there was a constant MRAP demand. There were, however, other documents that show the rejection of the 2005 UUNS.

Exhibit #2: The UUNS Trackers

The following table is a portion of the I MEF UUNS tracker. The MEFs were tasked to provide a monthly update per MARADMIN 045/06 (see Ch 4). I MEF established an UUNS tracker. The below MRAP entry is from the "completed UUNS" tab. The other tabs are "Active UUNS", "MCWL" and "ONS". Active UUNS are those UUNS that are in progress. MRAP is not under the Active UUNS tab. "MCWL" includes those UUNS that MCWL was working on...those UUNS needed further equipment development (S&T) in order to be fielded. "ONS" were for those needs submitted by Army units (I MEF was also the Headquarters for MNF-W which had Army Units).

	A	B	C	D	E	F	G	H
156	MCSOCOM ONE Deployable GCCS-J	04022UA						
157	MEGA (EQPT Enhancement)		I MEF [13th MEU]	N/A	Submitted to I MEF (rear); Forwarded by I MEF (rear). DCG directed 3 MEUs in the AO to evaluate and comment. 11th & 24th MEU comments received awaiting 31st MEU, Division Action. Col LaVine modified his list based on discussions with G-4 and CoS.			
158	MEU(SOC) .45 Caliber Pistol	03021UC					E12512M	PISTOL, MEU (SOC), C
159	Mine Plow Full Width	02274UQ					B01617B	SURFACE MINE PLOW
160	Mine Resistant Ambush Protected Vehicle (MRAP) (This is an UNS - not an Urgent UNS)	05053UB	MFP	1,169	Validated & forwarded by MFP. UUNS being developed by DWG with MCSC. Awaiting planning guidance from DC CD. DWG complete. Awaiting MROC review. Mission closed. MFP has dropped this from an Urgent to a Regular UNS.	Protect the crew from IED/mine threat through integrated V-shaped monocoque hull designed specifically to disperse explosive blast and fragmentary effects. Minimum protection should be 30 lbs TNT under any wheel and 15 lbs anywhere under the vehicle. 4th generation armored vehicle to counter mines, IEDs, VBIEDs and SVBIEDs.	N/A	Hardened Engineer Vehicle (MMRP) (Army TPE)
161	MLE Capability Set (Laser Range Finder, PRC-117, PRC-150)	03021UF						
162	Mobile Command and Control Capability Set III and Set IV	03043UC					A02547G; A02557G	COMBAT OPERATIONS CAPSET, SET III [AN/T] SET IV [AN/T] SQXX(V)4
163	Mobile Gamma Ray for EPCs		I MEF [3d MAW]	2	G-3 FP/AT determining total MNF-W requirement. MCSC notified us 6 additional were provided for in Congressional plus in signed defense bill, clarifying with MCCDC & MCSC what is required to mod original Backscatter UUNS for additional systems.	Vehicle bomber detection system for entry control points; a-ray/gamma ray technology to scan cars and trucks.	B00157B	Z-BACKSCATTER X-RAY

Mine Resistant Ambush Protected Vehicle (MRAP) (This is an UNS - not an Urgent UNS)	05053UB	MFP	1,169	Validated & forwarded by MFP. UUNS being developed by DWG with MCSC. Awaiting planning guidance from DC CD. DWG complete. Awaiting MROC review. Mission closed. MFP has dropped this from an Urgent to a Regular UNS.
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(Ouzts email dtd 5/2/2006)

The MRAP UUNS is reduced to an UNS, not an UUNS, in two locations (title and status columns). The "Submitted by" column reads MFP for MARFORPAC. The quantity (1169) remains as the original UUNS stated. The status column was updated regularly and previous steps were not deleted. The last step in the status was the last time-sequenced step. In this step, I MEF shows MFP dropping MRAP from an Urgent to a regular UNS.

The change reflects a change from the requester. This change means that I MEF and MARFORPAC no longer thought that the MRAP need was urgent. There is no authority by MCCDC to contradict this downgrade in status. It is clearly and unambiguously a change by I MEF and MARFORPAC (customers). The decision by MARFORPAC/I MEF to change the status of the UUNS to a regular UNS and the decision to place it in the completed section are clear and mutually supporting decisions. THE MRAP UUNS was no longer in effect due to the desires of I MEF/MARFORPAC. The initial recommendation by the Advocate (March 2005) to downgrade was realized and documented in this tracker.

The decision to regrade the MRAP UUNS to a regular UNS provides clear guidance to MCCDC, MARCENT, P&R (finances), PP&O (the GCE Advocate), I&L (Combat Service Support Advocate), II MEF, MARFORLANT, and any other Marine command involved with equipping the force. The major commands of the Marine Corps received these updates. The decision completes the urgent life threatening aspect of the original UUNS and indicates that I MEF/MARFORPAC no longer thought MRAPs necessary to accomplish the mission. The normal UNS process takes (estimated) between 2-5 years.

The decision (by I MEF) to move it to the “completed UUNS” section indicates that no further UUNS work was requested by I MEF/MARFORPAC. Those who cited the MRAP UUNS as active through the submission of the May JUONS for 185 JERRVs (and later) are incorrect. This downgrading and completion of the 2005 UUNS by I MEF is consistent with the rejection of more MRAPs (than 185) by the G-9 and Chief of Staff of I MEF. When combined with the absence of demand for MRAPs (Chapter 10) and the rejection of MRAPs by I MEF in Iraq, the deliberate cancelation of the UUNS paints a different picture.

There are two UUNS trackers from April 2006 and May 2006 that state the UUNS is no longer in effect (Ouzts email dtd 5/10/2006 and 5/2/2006). Both of these UUNS trackers occurred prior to the submission for 185 MRAP-type vehicles on May 21, 2006. These are the only UUNS trackers that this author possesses from prior to May 21, 2006. One may assume that the same MRAP entry was in place prior to these entries but this author does not have additional documentation. These trackers alone render the DODIG incorrect.

MCWL (a Quantico organization) advocated (through MARCENT) for more MRAPs and was initially rejected (by I MEF). Not reflected in the emails were MCWLs additional offers to actually write the requirement and Advocate for it through all of the steps needed to get the capability on the battlefield. The email rejecting this MRAP capability was sent to staff from MARCENT, I MEF, II MEF, MCCDC, and Installations and Logistics (I&L). There was a clear and widespread message being sent...”we do not want more MRAPs”. One of the reasons I MEF did not get MRAPs was because they clearly rejected MRAPs. Chapter 10 deals with a second reason: I MEF was not asking for MRAPs.

I MEF Changes Need Immediately After Deployment

It has been alleged that Marines were asking for MRAPs consistently after submitting the UUNS in Feb 2005. This was proven false in the previous section. The lack of follow through for 1,169 MRAP-type vehicles (the term MRAP-type vehicles provides the widest latitude to incorporate all of the potential V-hulled vehicles) is further proof.

The I MEF change in course started immediately after their return to the US and prior to the majority of the decision-making meetings and events for the original UUNS. In March of 2005, one month after the I MEF return, the Marine Corps safety board met and was briefed on MRAPs by Major McGriff. Gayl states:

“LtGen Mattis, then the CG of MCCDC, was present at the March 2005 conference, as were LtGen Amos and LtGen Gregson, the operational MARFOR Advocate for the MRAP combat development way-ahead. MajGen Hejlik, who had signed the UUNS authored by Majors McGriff and Dewet in collaboration with his GCE staff, was also present at the conference. It is noteworthy that neither Gen Magnus (current ACMC) nor Gen Conway (who still served as the Joint Staff J3) were present in the audience. The key slide excerpt from McGriff’s MRAP presentation was the Cost Slide:



PHASE II: ART OF THE POSSIBLE

- **PURPOSE:** INTRODUCE MRAP
- **METHOD:** AUGMENT GTVF EDL
 - FY05 SUPPLEMENTAL
 - EVALUATE, SPIRAL DEVELOP
- **ENDSTATE:** MROC DECISION
 - ENDURING SOLUTION



VEHICLE					
QTY	TYPE	EST COST RANGE		EST COST TOTAL	
414	4 Wheel Pax / Cargo	\$375,000	\$450,000	\$155,250,000	\$186,300,000
36	4 Wheel Ambulance	\$375,000	\$450,000	\$13,500,000	\$16,200,000
36	4 Wheel 5-ton Cargo	\$375,000	\$450,000	\$13,500,000	\$16,200,000
36	6 Wheel 7-ton Cargo	\$375,000	\$450,000	\$13,500,000	\$16,200,000
522				\$195,750,000	\$234,900,000

ESTIMATED COSTS INCLUDE WARRANTY, SETS/KITS, MAINTENANCE PKG, TRAINING

Figure 7. The cost slide associated the MRAP with a priced family of Cougar variants.
(Gayl, p 14-15)

One month after their return, I MEF had changed the number of MRAPs to 522. It is unclear whether 522 was a new proposal or a reduction to the original number of 1,169. A clear message was not being sent. In attendance at the conference was representation from across the Marine Corps. The post-event message included the attendees:

AS ESTABLISHED BY REF A, THE ESB HELD ITS
ELEVENTH SEMI-ANNUAL CONFERENCE AT MCAS MIRAMAR ON MAR 29-30, 2005.
THE ACMC HOSTED THE FOLLOWING ESB MEMBERS:

LTGEN GREGSON	COMMARFORPAC
LTGEN BERNDT	COMMARFORLANT
LTGEN BLACKMAN	CG, III MEF
LTGEN AMOS	CG, II MEF
LTGEN MATTIS	CG, MCCDC
MS. DEWITTE	DASN (S)
MAJGEN BICE	IGMC
MAJGEN JONES	CG, TECOM
RADM BROOKS	COMMANDER, NAVAL SAFETY CENTER
MAJGEN DONOVAN	CG, MCB CAMP PENDLETON
MAJGEN DICKERSON	CG, MCB CAMP LEJEUNE
BGEN GASKIN	CG, MCRC
BGEN WILLIAMS	REPRESENTING, DC, I&L
BGEN HEJLIK	REPRESENTING CG, I MEF
BGEN FLOCK	CG, MCB CAMP BUTLER, OKINAWA
BGEN JENSEN	COMCABWEST
BGEN PAYNE	CG, LOGCOM
BGEN PAPAK	REPRESENTING COMMARFORRES
COL ROTEN	REPRESENTING CG, MCB HAWAII
COL BULAND	REPRESENTING COMCABEAST
SGTMAJ ESTRADA	SMMC
MR. RIDEOUT	REPRESENTING CG, MARCORSYSCOM

(ALMAR 019/05)

Over twenty flag officers or their representatives (to include the Assistant Commandant and Sergeant Major of the Marine Corps) received the brief, with the number 522, immediately after I MEF returned from theater. The requested number at the brief was not 1169. This point is not designed to be critical of the need. This point is not designed to be critical of the I MEF brief. It is, however, designed to show that immediately after a need was identified, the solution was in flux. This new number was not provided by “bureaucrats in MCCDC”, but by I

MEF. It demonstrates that addressing combat needs is a fluid process (needs change) requiring interaction with many organizations over time.

As an aside, the above list of General Officers will be addressed in a later section dealing with the implausibility of MCCDC burying the UUNS. The majority of the above Generals list had responsibilities towards the need and/or the UUNS. Gayl's scapegoating of MCCDC starts to be disproven given the responsibilities of the assembled Generals (see ch 4-6).

10-MARINES DID NOT DESIRE/PURSUE MRAPS

Between the resolution of the Hejlik UUNS in mid 2005 and the submission of the 185 JERRV UUNS, there was no demand from the MEFs, MARFORs or Advocates for MRAP. Equipment demand documents reflect an absence of demand.

MARINES WERE FIRST

Before discussing the lack of demand signal from responsible Marine Corps organizations, it is worth noting that there was no demand signal from responsible parties in the whole of government. These whole of government organizations and individuals who did not identify the MRAP-type vehicle need (that Gayl complains about) prior to the Marine Corps includes:

- The Secretary of Defense and the entirety of his DOD Staff (Secretaries Rumsfeld and Gates) and all DOD Staff Organizations
- The Joint Staff
- Joint IED Defeat Organization (JIEDDO)
- The Combatant Commanders and their staffs (CENTCOM and other COCOMs)
- Multinational Forces Iraq
- Multinational Corps Iraq (The higher headquarters for Marines in Iraq)
- The Army
- The Navy
- The Air Force

The above list is not intended as a critique. It merely demonstrates that, at the time, the need was not established. The Marine Corps was in the lead for acquiring MRAP. Gayl's study points towards several individuals who rightly deserve credit for advancing an idea, but a few individuals positing an idea is vastly different from an organizational effort to establish a requirement.

The DODIG acknowledged the DOD-wide role in establishing a MRAP capability. This misplaced observation (located in a DODIG of the Marine MRAP UUNS process) shows the IG acknowledgement of a responsibility of the DOD for MRAP-type vehicle development. **"DoD was aware of the threat posed by mines and improvised explosive devices (IEDs) in low-intensity conflicts and of the availability of mine-resistant vehicles years before insurgent actions began in Iraq in 2003. Yet DoD did not develop requirements for, fund, or acquire MRAP-type vehicles for low-intensity conflicts that involved mines and IEDs. As a result, the Department entered into operations in Iraq without having taken available steps to acquire technology to mitigate the known mine and IED risk to soldiers and Marines. We are making recommendations only to the Marine Corps because the scope of our audit was limited to a review of Marine Corps actions to address the IED threat. We plan to address other Services' actions to counter the IED threat during future audits".** (DODIG, p i) The actions of the entire

DOD can be critiqued for not developing MRAP-type vehicles. The DODIG itself could be found to be at fault for this lack of development. Any number of DODIG efforts could have established the need for MRAP-type vehicles, but they did not. In addition, Congress could have been found to be at fault. There is a way to find fault with many organizations. This study, however, focuses on the Marine Corps responsibilities for establishing MRAP needs.

The need for MRAPs was clearly rejected by I MEF as described in Chapter 9. There is no fault being assigned, after all, no one in the entirety of the DOD had established a MRAP requirement similar to the one under discussion. In early June of 2006, the only “need” for a widespread buy of MRAPs was in the Marine Corps. The prior rejection of more MRAPs by I MEF was part of the process that eventually established the need for more MRAPs. It is, however, instructive to examine need for MRAPs from a Marine Corps perspective.

10A-“CONSTANT DEMAND” NOT SO CONSTANT

The “constant demand” for MRAPs was in no way constant. Huge gaps in discussion, let alone demand, are evident in the timeline after the 2005 Hejlik UUNS. Deployed forces simply were not asking for MRAP.

If Gayl is to be believed, and he is not, then there was a constant demand for MRAPs. The demand signal for this “constant demand” would have been overwhelming. This was, after all, over \$1 billion worth of equipment and would’ve changed tactics in organizations down to the squad level. This UUNS would impact every infantry unit as well as the rest of the GCE. Command elements would have had to reconfigure for movement. Logistics efforts would have had to change their security posture. Logistics would also have had to accommodate increased fuel needs and a totally new support chain (parts, spares, mechanics etc.). However, there was no impact as there was no “constant demand”. Not only was there no discussion of the numbers required, but there was no discussion of the support effort for a MRAP purchase of any kind.

Another large startup effort, GBOSS, had constant coordination and debate well before the UUNS/JUONS was approved. Training, equipment configuration, numbers and allocation, integration etc. were coordination points. GBOSS had disagreement, argument, preference advocacy, insults, decision criticism, incompetence and confusion filled emails and counter-emails (see GBOSS chapter). Yet, for MRAP, a larger program, there was silence.

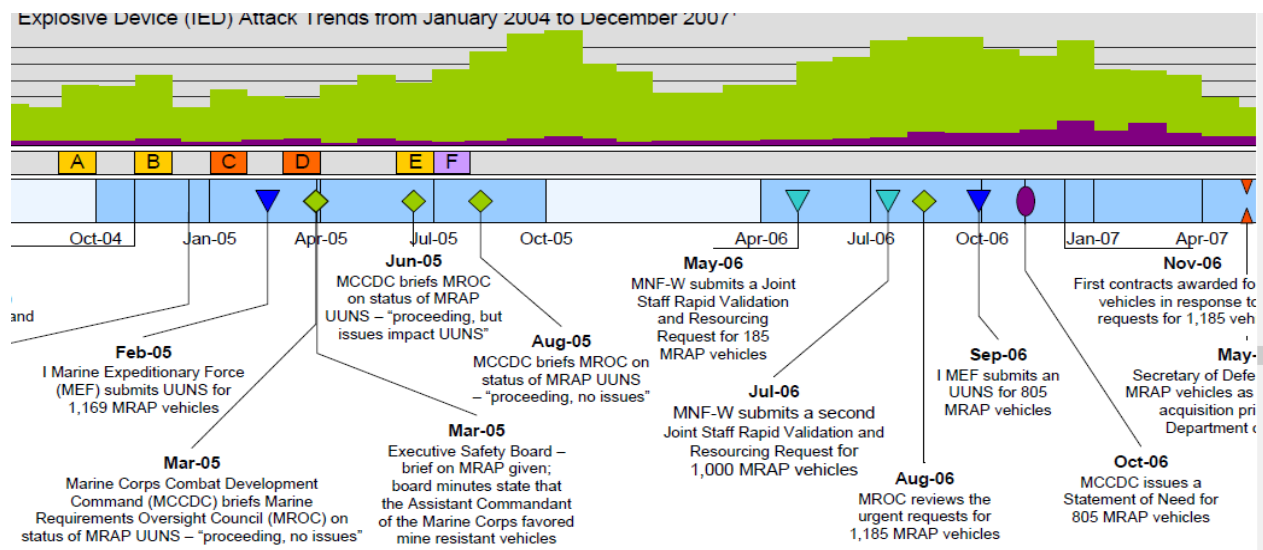
Often times the explanation for an occurrence is the simplest and most obvious explanation. This is the case for MRAP. There was a lack of demand signal for 1169 MRAPs because there was no demand for 1,169 (or any number close) MRAPs.

“Gayl has clashed with his superiors in the past and filed for whistle-blower protection last year. In his study, he recommended an inquiry be conducted to determine if any military or government employees are culpable for failing to rush critical gear to the troops. “If the mass procurement and fielding of MRAPs had begun in 2005 in response to the known and acknowledged threats at that time, as the (Marine Corps) is doing today, hundreds of deaths and injuries could have been prevented,” Gayl said. “While the possibility of individual corruption remains undetermined, the existence of corrupted MRAP processes is likely, and worthy of (inspector general) investigation.” (Lardner, p 1) Chapters 4-6 established the responsibilities for critical gear. This section will explore the lack of constant demand for MRAPs from those who, if a need existed, could have been asking for MRAP (per their responsibilities).

“This case study has shown that Commanders of MNF-W, MNC-I, MNF-I, MARCENT, ARCENT, NAVCENT, and CENTCOM have all approved large MRAP requirements. What lacked was the support of Service combat developers to fulfill those valid requirements. As a conscientious board of directors, SECDEF and Congress came to the assistance of underserved warfighters. Leading with “some members of congress” in his paper suggested that Congress

is initiating the MRAP requirement, when in fact Congress is merely advocating existing urgent warfighter needs for MRAP.” (Gayl, p 82) This Gayl statement is misleading in parts and incorrect in others. There was no large MRAP requirement from the list of Commanders above that was not supported by combat developers. The above list is the list of Commanders that would have had to sign off on a JUONS thereby approving it. The only large (over 150) MRAP-type requirement that these Commanders signed (by June 2006) was the Marine Corps JERRV JUONS that was prompted and supported by MCCDC. The timeline and emails show Marine Corps support from inception. SECDEF and Congress eventually joined the discussion well after the Marine Corps’ rapid movements to purchase large quantities.

In 2008 the DODIG released its MRAP results. The DODIG provided the most thorough review of the MRAP UUNS process. The DODIG timeline for MRAPs reflects activity before August 2005 and after May 2006. There is a ten month gap between events. This was ten months of high casualties with no action by the major entities responsible for UUNS. The ten months, however, is also misleading as the MROC event in August is a short MROC update and the May “MRAP” JUONS is really a JERRV JUONS for 185 JERRVs. There is no documented demand by the MEFs for the MRAPs they are supposedly “begging for” during this ten months. Neither is there demand by MARCENT. There is no additional action by the MROC. There is no action by the Safety Board, the other MARFORs or MCCDC, or MCSC. The DODIG finds no MRAP action over this ten month timeframe. The only event that the DODIG can find is a continued JERRV buy for the engineers from which the Marine Corps received 38 JERRVs, not 1,169 MRAPs.



(DODIG, p 49)

The responsibilities to ask for MRAPs is established in orders and directives (see Chapter 4-6). The absence of any MRAP-type vehicle request as depicted in the DODIG timeline is the responsibility of many Marine Corps organizations (to include Gayl). This will be discussed in a subsequent section.

This gap is also reflected in the Gayl study, except in his study the gap is larger. The last Hejlik MRAP event (in the Gayl study) is reflected as the April 2005 DOTMLPF working group. The next event Gayl presents is the May 2006 JERRV JUONS, a gap of 13 months. The other events Gayl presents are noteworthy for their lack of MRAP effort.

The MROC also observes a significant gap of 12 months. The last MROC consideration for the Hejlik UUNS was in August 2005. The next MROC consideration was in August 2006 (according to the DODIG and MROCDMs).

This author, in the position of DirOps MCWL, was unaware of any MRAP efforts until the May 2006 UUNS.

This body of evidence shows a clear absence of demand from Aug 2005 through May 2006. The absence of demand in this timeframe is also exemplified by the request in May of 2006. The request in May 2006 was not for MRAPs. It was for JERRV. The request in May was not for 1169, it was for 185. One may conclude that the 2006 JERRV JUONS was a new effort. That conclusion is supported in several ways, one of which was the exchange between Col Butter (MARCENT) and Maj Moore (MCWL).

From Butter:

Gentlemen,

MARCENT converted the MNF-W UUNS for 185 JERRVs to a JUONS, which was subsequently validated by MNF-I.

It is currently at CENTCOM for approval.

From Moore:

Thanks sir. Is the 185 requirement still in the process of being expanded?

S/F,

Maj Moore

From Butter:

MNF-W G9 is working on the expanded requirement now. I expect to see it in less than one week from today.

I'll try to get a *draft* copy today.

The MARCENT response in no way mentioned an existing requirement for 1169. MARCENT remained focused on the term JERRVs vs MRAP. There is no mention of the 185 JERRV need as an element of a larger need. The body of evidence reflects a clear lack of demand for MRAP-type vehicles through May 2006.

10B-RESPONSIBLE PARTIES FOR THE LACK OF DEMAND

There were specific commands tasked with determining needs of the operating forces. This section uses the tasks in Chapters 4-6 to analyze the commands/organizations that did not request MRAPs. They include most of the senior commands in the Marine Corps.

Accusations have been levied by Gayl and parroted by the media that MCCDC, Quantico did not develop requirements (needs) for MRAP-type vehicles despite the ample body of evidence about the IED threat. This section will discuss the other Marine Corps organizations that were responsible for developing requirements/needs for MRAP, yet did not do so. This section will refer to the generic need for MRAP-type vehicles, not the actual UUNS (Chapter 11). Once again, the Marine Corps was first when the requirement/need finally manifested itself.

“In 2004 I MEF (Fwd) determined that superior vehicle protection was immediately needed in order to counter the enemy’s strategy of harming our forces and hindering our mission. The harm was significant enough that U.S. political leaders might eventually become convinced to give up the fight in the MNF-W AOR. Vulnerable 1st, 2nd, and 3rd generation armor HMMWVs were failing the Marines in Al Anbar in this respect, and IED casualties rose dramatically. 4th generation COTS MRAPs were urgently required to improve tactical mobility and combat power by increasing confidence and effectiveness of deployed forces in MNF-W. (Gayl, p 10) Gayl points to the need for MRAPs as established in 2004.

Furthermore, the Marine Corps and others were aware of the threat posed by mines and IEDs in low-intensity conflicts and of the availability of mine-resistant vehicles years before insurgent actions began in Iraq in 2003. Yet, Marine combat developers at Quantico did not develop requirements for, fund, or acquire MRAP-type vehicles for low intensity conflicts. As a result, the Marines entered into operations in Iraq without having taken available steps to acquire technology to mitigate the known mine and IED risk. (Gayl Testimony, p 9) Gayl points at Quantico for failing to recognize a MRAP need.

“Realizing that I MEF (Fwd) was concerned that a large requirement like the 1,169 that had been requested in 2005 would doom the MRAP need to a 2nd rejection by MCCDC, the CoS of I MEF (Fwd) had understandably become “gun-shy” at asking for too much.” (Gayl, p 50) This section will assume that Marine Commanders are not “gun-shy” and perform their duties per order and directive. The above quote correctly reflects a termination of the 2005 Hejlik UUNS, although it incorrectly calls it a rejection. No matter what the status of the Hejlik UUNS, there was an understanding that there was no active request for MRAP-type vehicles. The timeframe after the Hejlik UUNS was available for the below Commands to initiate an MRAP-type effort.

The organizations that could have initiated demand but did not do so are often discussed as CGs or individuals. This reflects the understanding that Generals are responsible for everything that their organization does or fails to do. Generals have responsibilities as

individuals but also have staffs to carry out those responsibilities. These staffs are included if not mentioned.

GCE Advocate: PP&O and Gayl

Per order and directive and as discussed in Chapter 5, the GCE Advocate was the primary support organization within the Marine Corps responsible for identifying equipment needs for the GCE. As discussed in Chapter 5, the GCE Advocate, PP&O (not MCCDC) established needs for the GCE. The Advocate even had the authority to submit UNS. In addition, the Advocate had sole ownership of several steps in the UNS process. PP&O (as the advocate) was responsible for establishing GCE needs, not MCCDC. The ability to identify GCE needs and submit them rested squarely with PP&O and the Operating Forces.

The GCE Advocate never submitted any MRAP needs. Gayl posits that the Lieutenant Generals and their staffs in charge of Plans, Policy and Operations had no influence: **“MEPOP ended up being just another example of the inability of the GCE Advocate to influence combat developers on developmental initiatives that were thought up outside of MCCDC and MCWL, and the consequences of that GCE impotence.”** (Gayl, p 101) The MEPOP UUNS was submitted by PP&O (demonstrating the PP&O role in needs submission). The GCE Advocate, as discussed in Chapter 5, has directed authority to submit and review needs. The GCE Advocate sits on the MROC. He also represents the Commandant in DoD decision making forums. He often represents the Commandant in Congress. He has no shortage of influence or access. The GCE Advocate was not impotent as Gayl suggests. He simply did not develop any need for MRAPs.

It is particularly ironic that Gayl escapes censure while blaming others for his failures. He created an MRAP study under the authority of the GCE Advocate, but then fails to accept responsibility for his part in the GCE Advocate failure in determining the need for MRAPs. Gayl assumed his responsibilities as the GCE Advocate S&T Advisor (title taken from cover page of Gayl’s MRAP study) in 2002. Not once did Gayl submit any needs for MRAP. This includes the periods after the writing of the Articles he cites. This also includes the periods of time after the initial Hejlik UUNS was resolved. There was no needs submission nor was there any notable effort to start the conversation. The GCE Advocate S&T Adviser contributed nothing to any effort suggesting the Marine Corps should move towards MRAPs.

Installations and Logistics (I&L) and the Combat Service Support Element (CSSE) Advocate

The CSSE Advocate was not the Advocate for the GCE yet he accomplished equipment tasks that affected the GCE. For example, the CSSE Advocate had cognizance over many vehicle issues. As such, the CSSE Advocate was tasked to administer the Hejlik UUNS. The CSSE Advocate did not suggest any purchase of MRAPs prior to the submission of the 2005 Hejlik UUNS. After the Hejlik UUNS was resolved, the CSSE Advocate did not suggest any type of MRAP UUNS. Once again an Advocate (CSSE) with sizeable equities in vehicle armoring suggested no need close to the MRAP capability that was eventually needed.

Command Element (CE) Advocate

The CE Advocate was MCCDC. The CE Advocate also had crossover responsibilities for combat development. For example, communications systems are heavily influenced by the CE Advocate but impact across the force. While vehicle responsibilities for the GCE rest with the GCE Advocate, the CE Advocate also has the ability to influence vehicle purchases. The Commanding General of MCCDC could have initiated a MRAP need for the CE but did not do so. As the CE Advocate, MRAPs would play a role in movement and security of command elements across the Marine Corps.

Safety Conference

The Safety Conference of 2005 is often cited as the conference where the CG MCCDC “decided” to buy MRAPs. The CG MCCDC does not have the authority to decide to buy large quantities of MRAPs for the Marine Corps. That would have been illegal without MROC approval. The safety conference, however, is a forum where safety issues are discussed. The MRAP discussion of 2005 could have occurred in any number of earlier safety conferences. A need to transition to larger numbers of MRAPs could have been introduced as a safety issue in any of the earlier conferences. That did not occur.

I MEF

LtGen Sattler as the CG MNF-W and CG I MEF (Fwd) and BGen Hejlik as his Deputy did not request MRAP-type vehicles before their deployment or during their deployment until Feb 2005, their last month. They were tasked in MARADMIN 533/03 to identify their needs and submit UUNS prior to and during their deployment. The 2005 MRAP UUNS was the first need submitted that allowed for the possibility of a large MRAP-type vehicle buy.

II MEF

MajGen Johnson as the CG MNF-W and CG II MEF (Fwd) and BGen Paxton as his Deputy did not request MRAPs during their deployment. The 2005 UUNS occurred immediately prior to II MEF assuming command in MNF-W. The first time II MEF indicated a need for MRAPs was June 2006 (16 months later) in response to I MEF’s JUONS for 185 JERRVs. II MEF cited the 185 MRAP UUNS and established a new need by citing the old Hejlik UUNS. Prior to this time, II MEF had not established any need for larger numbers of MRAPs. It is noteworthy that II MEF was first (before I MEF) to establish a larger MRAP need (over 1000) in official traffic when they cited the expired 2005 UUNS. On 19 June II MEF established in message traffic the following:

“II MEF STRONGLY CONCURS WITH THE I MEF FWD JUONS OF 21 MAY 2006 FOR 185 MMRVS, AND THE I MEF FWD UUNS OF 17 FEB 2005 FOR 1169 MRAPS. THE ADDITION OF THESE VEHICLES TO THE FORWARD DEPLOYED MAGTF WILL SIGNIFICANTLY ENHANCE PROTECTION FROM IEDS.” (Murray email dtd 6/20/2006).


This message traffic, in accordance with orders and directives, established a II MEF position in favor of a larger number of MRAPs. II MEF’s lack of awareness about the resolution of the Hejlik UUNS is reflected in this message. I MEF was soon to follow with a larger MRAP-type vehicle UUNS.

I MEF again

“Following RIPTOA in early 2006 the new CG, I MEF (Fwd), MajGen Richard Zilmer and his DCG, BGen Robert Neller became immediately aware of the continuing urgent need for MRAP protection to counter the IED emergency.” (Gayl, p 46) This statement appears accurate. This statement also implies that MajGen Zilmer and BGen Neller were not aware of a MRAP need prior to deployment to Iraq. Chapters 4-6 details the responsibility of the deploying force to request additional needed equipment. Col Lacrosse, in fulfillment of a portion of I MEF equipment responsibilities published the following:

All,

Based on guidance received today from Generals Sattler (CG I MEF) and Zilmer (CG I MEF FWD), our technology priorities have been updated and are reflected below and in the attachment.



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I MEF Technology Priorities

OIF 05-07
19 Oct 05

1. Counter IED
 - jammers, identification, pre-detonation, EOD capabilities, EOD robotics
2. Force Protection
 - facility hardening/ballistic canopies, FOB security systems, ECP/VCP tools, vehicle & body armor, sniper detection, CRAM
3. C3 Systems
 - C2, Comm, collaborative planning systems, expeditionary distributed links, long range comms, UOC, C2PC, BFT, aerial re-trans
4. Surveillance/Fires
 - UAVs, sensors, tactical video transfer/link, lightning pod
5. Language Translation/Cultural Training
 - handheld devices, call centers, software, training

Note: subordinate categories of top 5 are provided as general examples for illustration, not in priority order

UNCLASSIFIED

(Litaker email dated 10/20/2006)

There is no mention of MRAP in this October 2005 prioritized list. One may argue that the generic heading of “vehicle & body armor” could easily encompass a MRAP effort. The specific mentions of equipment throughout the list (such as C-RAM in the number 2 priority) however, points towards a generic armor need vs a MRAP need. This list is consistent with the Generals becoming aware of the need once they got to Iraq. The Generals in charge of I MEF did not establish a need for MRAP prior to deployment, or during the first four months of their deployment.

MROC

The MROC is the senior deliberative body in the Marine Corps for resource decisions. Its members include The Assistant Commandant of the Marine Corps, the Advocates who are all Deputy Commandants (PP&O, I&L, AVN and CD or MCCDC), the Deputy Commandant for

Manpower and Reserve Affairs (M&RA) and the Deputy Commandant for Programs and Resources (P&R). The Advocates represent (or Advocate for) the remainder of the Marine Corps. There is no organization that is not represented in the MROC. The following MROCDM shows the attendance at the last MROC that addressed MRAP (August 8 2005):



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20360-3000

IN REPLY REFER TO:
5000
MROC
AUG 15 2005

MROC DECISION MEMORANDUM 55-2005

**SUBJ: 8 AUG 2005 MARINE REQUIREMENTS OVERSIGHT COUNCIL (MROC)
MEETING: URGENT UNIVERSAL NEED STATEMENT UPDATE**

Encl: (1) Urgent Universal Need Statement Update Executive Summary of
8 Aug 2005
(2) Urgent Universal Need Statement Update Brief of 8 Aug 2005

1. The MROC convened at 0900 on 8 August 2005. Attendees were:

Members	Organization
Gen Nyland	ACMC
LtGen Magnus	P&R
LtGen Hough	AVN
LtGen Osman	M&RA
LtGen Huly	PP&O
LtGen Mattis	CD
Mr. Luchino	T&L
Also in Attendance	
Mr. Hogue	CL
BGen Catto	MCSC
Mr. Polzin	MCSC

(Dasch email dtd 10/20/2005)

This decision memorandum reflects the recommendations of the MROC. LtGen Kelly I&L had a deputy attend. There were no recommendations for a large MRAP buy from any of the Advocates or other MROC members through the submission of the Hejlik UUNS. This includes the time before Feb 2005. After the Hejlik UUNS was completed, there were no recommendations in the MROC for a large MRAP buy through August of 2006, a year after the last MROC consideration in 2005. The MROC members had the wherewithal and opportunity to recommend or submit a MRAP UUNS, yet none of them did so.

MARCENT

MARCENT, the Service Component for CENTCOM and therefore representative of the forces in Iraq, had combat development responsibilities as well. MARCENT (after its designation as an independent service component) inherited MARFORPAC/MARFORLANT process responsibilities to identify needs and submit UUNS. MARCENT responsibility for developing needs and submitting them is established in orders and directives and is described in Chapter 4. MARCENT did not submit an UUNS for MRAP prior to September 2006 (when the Marine Corps was already vociferously supporting the MRAP need). MARCENT never established a need for MRAP prior to 2005 despite their tasking for combat development yet one of the well published members of the MARCENT staff published the following:

“This rather humorous story, in a nutshell, describes the Pentagon Establishment and MRAPs. They did not buy MRAPs in 2005 because they did not want them, plain and simple. If they wanted them quickly, they would have bought them quickly. They bought them slowly in 2005 and 2006 without contingency plan for rapidly increasing production, evidence that they wanted to buy them slowly. Their habit was to ignore suggestions from the operating forces, and their hubris in spiking MRAPs and attempting to spike other requirements in 2005 and 2006 was business as usual. They forced us to re-purchase the 30-year-old lessons of the South Africans with our own casualties.”
(Jankowski, p 1)

Jankowski’s squarely pins blame on “the Pentagon Establishment” for not learning a “30-year-old lesson” and buying MRAPs. The cost: American casualties. The failure, however, also extends to MARCENT. There was no MRAP need developed by MARCENT despite the tasking to identify these types of needs. Jankowski, in addition to Gayl, also focuses on one element (the Pentagon) of the combat development establishment while ignoring his command’s responsibility.

Of note is that LtGen Sattler became the MARCENT Commander after his deployment to Iraq. LtGen Sattler was the Commanding Officer of I MEF (Fwd) for the submission of the 2005 Hejlik UUNS. It may be better termed “the Sattler UUNS” as LtGen Sattler had ultimate responsibility for its submission from I MEF. LtGen Sattler assumed command of MARCENT in Aug 05 (the last month where the MROC considered the Hejlik UUNS). There were no submissions of a new MRAP need until May 2006. The Commander of the unit that submitted the original UUNS, LtGen Sattler, was in charge of the Service Component responsible for submitting Marine CENTCOM needs. As the Service Component Commander, he did not determine that MRAPs were needed until May 2006.

MARFORPAC/MARFORLANT

MARFORPAC and MARFORLANT are the parent commands of I MEF and II MEF respectively. MARFORPAC and MARFORLANT were (and are) tasked with submission of needs for their subordinate forces. These two Component Commanders have historically submitted the majority of UNS as they house the majority of Marine Corps operational forces within their commands. They are tasked with combat development and the submission of needs statements by order and directive. They have access to the Commandant (and any other deliberative body within the Marine Corps). Neither one of them established a need for MRAPs prior to 2005. Neither did they consider a new UUNS after the Hejlik UUNS was resolved.

“Affixing Blame”

Gayl starts assigning blame starting in 2002-2003: **“In the end, Maj McGriff’s and Maj Sinclair’s efforts to convince Quantico officials of the immediate need for MRAPs in 2002-03 failed.”** (Gayl, p 7)

The immediate need for MRAP-type vehicles was a need that was unrecognized by the DOD. This includes every command element in the Marine Corps. It also includes PP&O (the GCE Advocate), Franz Gayl (the GCE Advocate S&T Adviser) and MCCDC. It includes the other Services and the Joint Commands. The DODIG deliberately expanded its investigative finding in this area to include the entirety of the Department of Defense:

“DoD was aware of the threat posed by mines and improvised explosive devices (IEDs) in low-intensity conflicts and of the availability of mine-resistant vehicles years before insurgent actions began in Iraq in 2003. Yet DoD did not develop requirements for, fund, or acquire MRAP-type vehicles for low-intensity conflicts that involved mines and IEDs. As a result, the Department entered into operations in Iraq without having taken available steps to acquire technology to mitigate the known mine and IED risk to soldiers and Marines. We are making recommendations only to the Marine Corps because the scope of our audit was limited to a review of Marine Corps actions to address the IED threat. We plan to address other Services’ actions to counter the IED threat during future audits.” (DODIG, p i) While the failure to anticipate IEDs and a MRAP solution clearly rests with commands across the DOD, some continued to focus on just Quantico or the Pentagon. This, in and of itself, demonstrates ignorance of combat development and command responsibilities.

10C-PRIORITIZED LISTS SHOW LACK OF MRAP NEEDS

The prioritized lists required by order and directive did not reflect a need for MRAPs until the 185 JERRV JUONS was submitted. The following lists prove Gayl, the press, and the DODIG wrong.

The tasking of Operational Forces to submit prioritized lists of needs and UUNS yet to be fulfilled offer the clearest demonstrations that MRAPs were not desired until the submissions of May/July of 2006. This author does not have all of the lists by the operating forces prior to May 21 of 2006, however, this author does have ten...enough to prove Gayl wrong. According to Gayl et al, 1169 MRAPs were requested and not provided for 19 months (from Feb 2005 to Sept 2006). Any prioritized list within this timeframe should have had 1,169 MRAPs, or some close number. An absence of MRAPs on the prioritized lists indicates an absence of demand for MRAPs.

I MEF Technical Priorities Per MARADMIN

As discussed in the previous section, I MEF provided their technology priorities in October of 2005:



I MEF Technology Priorities

UNCLASSIFIED

OIF 05-07

19 Oct 05

1. Counter IED
 - jammers, identification, pre-detonation, EOD capabilities, EOD robotics
2. Force Protection
 - facility hardening/ballistic canopies, FOB security systems, ECP/VCP tools, vehicle & body armor, sniper detection, CRAM
3. C3 Systems
 - C2, Comm, collaborative planning systems, expeditionary distributed links, long range comms, UOC, C2PC, BFT, aerial re-trans
4. Surveillance/Fires
 - UAVs, sensors, tactical video transfer/link, lightning pod
5. Language Translation/Cultural Training
 - handheld devices, call centers, software, training

Note: subordinate categories of top 5 are provided as general examples for illustration, not in priority order

UNCLASSIFIED

(Litaker email dtd 10/20/2005)

There is no mention of MRAP. Vehicle armor is the closest thing to a MRAP requirement but it also applies to vehicle hardening for HMMWVs and armoring the entire vehicle fleet. This submission demonstrates that I MEF was not demanding MRAP prior to their deployment and eight months after the Hejlik UUNS. This prioritization was widely distributed.

I MEF UUNS Trackers

The UUNS update provided by I MEF for April 30 2006 reflects the following:

ACTIVE URGENT UNIVERSAL NEEDS STATEMENTS (UUNS)												
YR	UNS #	ITEM	REQ QTY	UUNS SIGN	ORIG UNIT	MARCENT	MCCDC CDTs	MROC DM	AUTH QTY	EST DEL DATE	ACTUAL DEL DATE	DESCRIPTION
7-May	062	HAZMAT-ID SYSTEM	24	I MEF FWD	G-8							Hazmat-ID system allows forces to identify a wide variety of chemicals including WMD explosive materials, narcotics, and common chemicals
05-07	061	TACTICAL AUTOMATIC LANDING SYSTEM	6	I MEF FWD	VMU-1							Request a tactical automatic system to replace the unimanned common automatic recovery currently in service with the Pioneer UAV system
05-07	060	RQ-2B DUEL MODE ANTI-COLLISION STROBE	30	I MEF FWD	VMU-1							Request a dual visible/infrared (day/night) anti-collision strobe for the RQ-2B Pioneer UAV in AOR.
05-07	059	RQ-2B NOISE SUPPRESSION	20	I MEF FWD	VMU-1							A noise suppression system for RQ-2B Pioneer UAV in order to decrease the engine's acoustic signature.

(Ouzts email dtd 5/2/2006)

This UUNS tracker reflects four tabs in the bottom left. This page is a screenshot of the top of the Active UUNS section. There are no MRAPs. Nor are there any MRAPs or MRAP-type vehicles in the remainder of the Tab. The MCWL and ONS Tabs have no requests for MRAPs. The only place where MRAPs exists on this spreadsheet is in the "Completed UUNS" section.

	A	B	C	D	E	F	G	H
156	MCSOCOM ONE Deployable GCCS-J	04022UA						
157	MEGA (EQPT Enhancement)		I MEF [13th MEU]	N/A	Submitted to I MEF (rear); Forwarded by I MEF (rear). DCG directed 3 MEUs in the AO to evaluate and comment. 11th & 24th MEU comments received awaiting 31st MEU, Division Action. Col LaVine modified his list based on discussions with G-4 and CoS.			
158	MEU(SOC) .45 Caliber Pistol	03021UC					E12512M	PISTOL, MEU (SOC), C
159	Mine Plow Full Width	02274UQ					B01617B	SURFACE MINE PLOW
160	Mine Resistant Ambush Protected Vehicle (MRAP) (This is an UNS - not an Urgent UNS)	05053UB	MFP	1,169	Validated & forwarded by MFP. UUNS being developed by DWG with MCSC. Awaiting planning guidance from DC CD. DWG complete. Awaiting MROC review. Mission closed. MFP has dropped this from an Urgent to a Regular UNS.	Protect the crew from IED/mine threat through integrated V-shaped monocoque hull designed specifically to disperse explosive blast and fragmentary effects. Minimum protection should be 30 lbs TNT under any wheel and 15 lbs anywhere under the vehicle. 4th generation armored vehicle to counter mines, IEDs, VBIEDs and SVBIEDs.	N/A	Hardened Engineer Vehicle (MMRP (Army TPE))
161	MLE Capability Set (Laser Range Finder, PRC-117, PRC-150)	03021UF						
162	Mobile Command and Control Capability Set III and Set IV	03043UC					A02547G; A02557G	COMBAT OPERATIONS CAPSET, SET III [AN/TSC SET IV [AN/TSCXX(V)4
163	Mobile Gamma Ray for EPCs		I MEF [3d MAW]	2	G-3 FP/AT determining total MNF-W requirement. MCSC notified us 6 additional were provided for in Congressional plus in signed defense bill, clarifying with MCCDC & MCSC what is required to mod original Backscatter UUNS for additional systems.	Vehicle bomber detection system for entry control points; a-ray/gamma ray technology to scan cars and trucks.	B00157B	Z-BACKSCATTER X-RAY

(Ouzts email dtd 5/2/2006)

This entry reflects that MRAP was no longer an Urgent UNS. The MRAP UUNS had been withdrawn from the group of urgent needs. Urgent UNS, as opposed to UNS, placed **“THE ACCOMPLISHMENT OF THE UNIT'S MISSION IN JEOPARDY OR UNDULY INCREASES THE RISK OF CASUALTIES.”** (MARADMIN 045/06). A discussion about why I MEF decided to downgrade it may cause debate, but the fact that it was downgraded by I MEF is inarguable as shown in the above spreadsheet. The UUNS/UNS reflects the downgrade by MARFORPAC. UNS are estimated to require between 2-5 years to fulfill. This entry also reflects a completion of the Hejlik UUNS. This spreadsheet is consistent with the lack of demand reflected in other emails and message traffic.

The spreadsheet for 7 May 2006 reflected the same placement for MRAP

	A	B	C	D	E	F	G	H
156	MCSOCOM ONE Deployable GCCS-J	04022UA						
	MEGA (EQPT Enhancement)		I MEF [13th MEU]	N/A	Submitted to I MEF (rear); Forwarded by I MEF (rear). DCG directed 3 MEUs in the AO to evaluate and comment. 11th & 24th MEU comments received awaiting 31st MEU. Division Action: Col LaVine modified his list based on discussions with G-4 and CoS.			
157	MEU(SOC) .45 Caliber Pistol	03021UC					E12512M	PISTOL, MEU (SOC), C
159	Mine Plow Full Width	02274UQ					B01617B	SURFACE MINE PLOW
	Mine Resistant Ambush Protected Vehicle (MRAP) (This is an UNS - not an Urgent UNS)	05053UB	MFP	1,169	Validated & forwarded by MFP. UUNS being developed by DWG with MCSC. Awaiting planning guidance from DC CD. DWG complete. Awaiting MROC review. Mission closed. MFP has dropped this from an Urgent to a Regular UNS.	Protect the crew from IED/mine threat through integrated V-shaped monocoque hull designed specifically to disperse explosive blast and fragmentary effects. Minimum protection should be 30 lbs TNT under any wheel and 15 lbs anywhere under the vehicle. 4th generation armored vehicle to counter mines, IEDs, VBIEDs and SVBIEDs.	N/A	Hardened Engineer Vehicle MMRP (Army TPE)
160	MLE Capability Set (Laser Range Finder, PRC-117, PRC-150)	03021UF						
161	Mobile Command and Control Capability Set III and Set IV	03043UC					A02547G; A02557G	COMBAT OPERATIONS CAPSET, SET III [AN/TS SET IV [AN/TSQXXX(V4
162	Mobile Gamma Ray for EPCs		I MEF [3d MAW]	2	G-3 FP/AT determining total MNF-V requirement. MCSC notified us 6 additional were provided for in Congressional plus in signed defense bill, clarifying with MCCDC & MCSC what is required to mod original Backscatter UUNS for additional systems.	Vehicle bomber detection system for entry control points; a-ray/gamma ray technology to scan cars and trucks.	B00157B	Z-BACKSCATTER X-RAY
163	Mobile Secure Cell Phone System	OIF 05-07-017	I MEF [3d MAW]	1	Validated & forwarded to MFP.	3dMAW requires a secure (Type 1), reliable mobile cell phone system.		
164						Automates technical mortar fire direction Replaces		MORTAR BALLISTIC CO
<div> <div>ACTIVE UUNS</div> <div>MCWL</div> <div>ONS</div> <div>COMPLETED UUNS (A-Z)</div> </div>								

(Garcia email dtd 5/10/2006)

The two above spreadsheets confirm the absence of demand for MRAP or MRAP-type vehicles. This author possesses no spreadsheets prior to these so it is unclear when the UUNS was downgraded. One might assume that it would have been during the later months of 2005 as the I MEF priorities during that timeframe included no mention of MRAP.

In addition to the aforementioned spreadsheets, there were multiple spreadsheets developed after the JUONS for 185 JERRVs was submitted. These spreadsheets show the request for 185 JERRV. They do not show the request for 1,169 MRAPs. They do not show a request for 1,185 MRAPs. The only number requested is 185. Once again, these spreadsheets are consistent with other events demonstrating the absence of need for MRAPs above the 185 level. These submissions demonstrate that I MEF was not demanding MRAP.

MARCENT Spreadsheets

The MARCENT prioritized list has Medium Mine Protective Vehicle (MMPV) (aka JERRV aka MRAP-type vehicles) as priority number 1.

	B	C	F	G	H	I	J	K	L	M
	URGENT ITEM	DESCRIPTION	I MEF Priority Ranking	II MEF Priority Ranking	III MEF Priority Ranking	IV MEF Priority Ranking	MARCENT Priority Ranking	MARCENT Priority Ranking	QTY RQD	MARCENT RATIONALE
1	Medium Mine Protective Vehicle	Mine-resistant wheeled vehicle. Protects from IEDs/AT mines. 10 Pax.	JUN 1	1	JUN 1	1	JUN 1	1	185	Same MEF rankings
2	Robotic Explosives Detector	A small, ground, remote-controlled vehicle that can visually and electronically search for explosives.	JUN 1	2	JUN 1	2	JUN 1	2	30	Same MEF rankings
3	Detention Collection System	Large-capacity, hardened, Regional Detention Facility in which all detention cells contain voice collection capability.	JUN 1	3	JUN 1	4	JUN 1	3	1	Deployed MEF ranking per BR #1
4	Robotic Vehicle to counter Roadside- and Vehicle borne- IED (RSIED/VBIED)	Leverages DARPA Challenge robotic vehicle technology; equipped with cameras, magnetic detectors and spectrum analyzers to (1) detect changes in the road since last transit. (2) conduct unmanned convoy escort. (3) unmanned cargo transport.	JUN 1	4	JUN 1	3	JUN 1	4	TBD	Deployed MEF ranking per BR #1
5	Pressure-plate IED roller	Pressureplate rollers attached to the front of vehicles to trip/activate pressure-plates (Victim-Operated IEDs).	1	1	1	1	1	1	23	Same MEF rankings
6	PENDING									

(Johnston email dtd 7/31/2006)

The prioritization for MARCENT, I MEF and II MEF is the same at number one for 185 vehicles. There is no request or entry for 1,169 vehicles or any additional vehicles beyond 185. The demand signal is constant across the MEFs and MARCENT: 185. The absence of a larger demand across these Commands reflects a consistency in the sole requirement of 185 vehicles.

The demand signal from these commands continued to grow almost immediately after the request for 185. There is no dispute that the requirement soon hovered around 1,000 (dependent on the inclusion of other Services). By Jan 2007 the prioritized list reflected the need for 1,185. This list was published six months after the additional 1,000 MRAPs were requested. Of note is the total number of 1,185, not 1,169. Of note as well is the term MRAP being used to describe these types of vehicles (due to the discovery of the old Hejlik UUNS).

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JAN 2007 II MEF UUNS/JUONS Prioritization												
key #	URGENT ITEM	QTY RQD	DESCRIPTION	I MEF Priority	I MEF Ranking	II MEF DEC Priority	II MEF DEC Ranking	MARCENT Priority	MARCENT Ranking	II MEF JAN PRIORITY	II MEF JAN RANKING	MARCENT RATIONALE
97	MRAP JUONS	1185	Mine-resistant wheeled vehicle. Protects from IEDs/AT mines.	JUON	1	JUONS	1	JUON	1	JUON	1	Deployed MEF ranking per BR #1
139	MRAP Additional Capability JUON	N/A	Description on SIPR	JUON		JUONS		JUON		JUON	2	
101	MTVR VOID Mine Roller	176	MTVR Mine Rollers.	JUON	2	JUONS	3	JUON	2	JUON	3	Deployed MEF ranking per BR #1
103	CJTF Troy Mine Rollers	150 med 250 light	MNF-W requirement of 84 light, (HMMWV) and 116 medium (LAV) mine rollers included in CJTF Troy quantities.	JUON	2	JUONS	4	JUON	3	JUON	4	Deployed MEF ranking per BR #1
104	Panther II Mine Rollers	3	Remotely operated tank chassis with mine roller attached. Required for Army unit assigned to MNF-W	JUON	3	JUONS	5	JUON	4	JUON	5	Deployed MEF ranking per BR #1
140	Ground Based Operational Surveillance System (G-BOSS) JUON	120	Wireless surveillance video network of high-performance cameras, mounted on remote towers. Cellular/satellite video transmitted to master station video collection site. NOTE: Quantity	JUON		JUONS		JUON		JUON	6	

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Dec 2006

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READY

(King email dtd 1/24/2007)

These submissions demonstrate that I MEF was not demanding MRAP prior to the 2006 JUONSs (there is no permutation of the number 1,169 and the only requests creating the 1,185 number were submitted in mid-2006). In addition to the above lists that were generated per order/directive, there were prioritized lists submitted for other equipping efforts.

MARCENT Input to USMC Consolidated C-IED Needs List

In June of 2006 CG MCCDC initiated an effort to provide a full listing of C-IED shortfalls to the Director of JIEDDO. Several iterations occurred as MCCDC attempted to solicit input from the major USMC Commands. Col Butter (MARCENT) submitted the following MARCENT prioritization:

In response to CG, MCWL request for training and material shortfalls for C-IED operations, the table below lists, **in priority order**, equipment requirements for Marine Corps operating forces in the CENTCOM AOR.

Description	Reference	Comment	Qty	\$'s
Armored Vehicles	I MEF (Fwd) UUNS 05-07-064	180 x 6x6 JERRV (TAMCN D00277K, NSN 2355-01-529-2246). ** Quantity should be modified to account for 2xRCT operations ... between 600 and 1100.**	180	
Persistent Surveillance	I MEF (Fwd) G-BOSS UUNS	Comprehensive system ISO COIN operations in urban and rural areas.	1 system	
Route	30 x Robotic	Submitted as a	30	

2 273 WORDS (Butter email dtd 6/26/2006)

The established quantity was 180 (changed to 185 later), however, Col Butter noted the need for additional vehicles. These vehicles were not yet requested in an UUNS. There was no request for 1,169 vehicles. There was no request for more vehicles than the original 185 request. Col Butter's expansion came to pass the very next month as I MEF added 1,000 to their request in a second JUONS. At this point in time, however, the request remained at 185. Once again, the numbers reflect an absence of the need for 1,169.

As the full list matured, the MARCENT number was debated and LtGen Mattis directed that it be established high on the priority list. JIEDDO indicated that funding may be available for training items (see UUNS/JUONS section) so the training items were moved to the top of the list. The end result allowed JIEDDO to fund training items only and the prioritized training items received funding. The first non-training item was JERRVs at number nine:

A	E	F	H	I	J	K	M	U	P	Q
Priority	Description	Concept of Employment	Qty	Unit Cost (Thousands)	FY 06 Cost (Thousands)	FY 07 Costs (Thousands)	Training			
6	Spectrum Analyzer Suites for Training	Equipment for Training Prior to Deployment from Home Station	50	20.00	1,000		T			
7	PACKBOT Robot for Training	Equipment for Training Prior to Deployment from Home Station	2	153.00	306		T			
8	TALON-MK 2 MOD 0 for Training	Equipment for Training Prior to Deployment from Home Station	99	153.00		15,147	T			
9	Armored Vehicles	JERRV 6X6	185	569.00	105,265					
10	Buffalo Mine Protected Clearance Vehicle	Sustainment for MNF-W	Sustainment for 4 Vehicles			2,143				
11	Joint EOD Rapid Response Vehicle	Sustainment for MNF-W	Sustainment for 69 vehicles			10,445				
12	Z Backscatter Van - Sustainment	Sustainment for MNF-W	Sustainment for 67			16,076				

Combined list READY (Doyle email dtd 6/29/2006)

This list was staffed across the Marine Corps and reflected MARCENT desires as far as the number of MRAP-type vehicles needed. Once again, the number was not 1,169 or 1,185. It remained 185.

In addition to the above documents are three I MEF (Fwd) liaison updates that show the presence of the joint MRAP requests but also show the lack of any pending Marine Corps requests (including the Hejlik UUNS). These updates are provided in the following emails:

- Tomczak dtd 14 August 2006
- Murray dtd 11 Sept 2006
- Murray dtd 25 Sept 2006

The number of prioritized lists was obviously greater than the sampling provided above. The above lists comprise ALL of this author's lists from the operating forces. None were omitted. It is clear from the above lists that there was no demand for MRAP-type vehicles prior to the Hejlik UUNS or after the resolution of the Hejlik UUNS (until the 185 request). It is also clear that the number of MRAP-type vehicles required was 185 between May 2006 and July 2006. It was not 1,169 or any number close to it. The urgent need for MRAP-type vehicles was clearly nonexistent after the Hejlik UUNS was resolved and before the JUONS for 185 was submitted. The need was then 185 until the second JUONS for 1000 was added. These points only make sense if one understands what happened to the Hejlik UUNS. Chapter 11 answers that question.

11- WHAT HAPPENED TO THE HEJLIK UUNS/UNS

The Hejlik UUNS was reduced to an UNS. The below facts prove Gayl, the press and the DODIG incorrect. The DODIG should be specially noted for censure as they doubted the account of Marine Officers in the official DODIG report.

The document used to submit needs statements in the Marine Corps is the UNS. If it is urgent, then it is submitted as an UNS that is urgent, or UUNS. The only documents cited as the request for MRAPS and the genesis of the MRAP controversy is the Hejlik UUNS of February, 2005. The next need statement for MRAP type vehicles (in quantity over 150) was in May 2006 for 185. The accusation is that MCCDC delayed, denied, lost, did-not-act-on, etc. the Hejlik UUNS and therefore Marines died. Gayl stated in his case study:

“This case study will examine in detail how and why the EFDS elected not to fulfill the I Marine Expeditionary Force (MEF) Forward (Fwd) MRAP Urgent Universal Need Statement (UUNS) of 17 Feb 2005, thereby creating a significant adverse impact on the MEF (Fwd) GCE’s ability to accomplish its mission.” (Gayl, p vi)

Gayl’s case study did not examine the actions of the EFDS in any depth. Instead he focused accusations on MCCDC. The responsibility for UNS and UUNS rest with the entirety of the EFDS, not just MCCDC. This chapter will examine in detail the responsibilities and actions associated with the 2005 Hejlik UUNS. This chapter will examine the EFDS and not simply MCCDC which only has a partial responsibility for UUNS development.

If Gayl is to be believed, and he is not, then the bureaucrats at Quantico were responsible for burying the UUNS. In order to do so, the bureaucrats at Quantico would have had to cause negligence and disobedience of orders across the Marine Corps from the Assistant Commandant to the Combatant Commanders’ Operational Commanders. This idea will be disproven.

“Yet, evidence shows that combat developers knowingly delayed responding to an urgent request for 1,169 MRAPs from Marines in Iraq for a period of what effectively amounts to 19 months. As a consequence, hundreds of Marines died and thousands of Marines were permanently maimed in combat, unnecessarily”. (Gayl Testimony, p 3) Nineteen months is often cited as the amount of time Marines went without MRAPs and will be used for this chapter. This chapter will examine combat developer action and inaction for this timeframe.

“The UUNS might have died invisibly in MCCDC and outside of normal MROC scrutiny as the SMEs had intended, were it not for tenacious efforts at MARCENT to resurrect MRAP consideration in the summer of 2006, as the IED emergency worsened in theater.” (Gayl, p 73) The 2005 Hejlik UUNS was completed with the fielding of the m1114. This satisfied the

MROC, the Advocates, MARFORPAC, MARCENT, I MEF and II MEF as well as the rest of the combat development community. There was no “tenacious resurrection” at MARCENT.

11A-GUIDANCE UNDER WHICH THE HEJLIK UUNS WAS SUBMITTED

The guidance for submitting and processing the Hejlik UUNS allowed for several material solutions, to include the m1114.

On February 17 2005 Brigadier General Hejlik signed the MRAP UUNS. He did so under the authority of the Commanding General LtGen Sattler who was the Commanding General of I MEF. BGen Hejlik was the Deputy Commander and, as such, had no authority outside the authorities granted to him by LtGen Sattler. The 2005 UUNS was therefore submitted by BGen Hejlik under the authority of LtGen Sattler. Both Generals continued to be in a position to affect the progress of the UUNS.

BGen Hejlik signed the UUNS in Feb 2005 and his unit immediately rotated back to the US after a year-long deployment. He was in an ideal position to oversee the UUNS' progress and he has commented on the MRAP UUNS solution several times to include the following: **"The term mine-resistant, ambush-protected vehicle "was very generic" and intended to guide a broader discussion of what type of truck would be needed to defend against the changing threats troops in the field faced, Hejlik told reporters in May 2007. "I don't think there was any intent by anybody to do anything but the right thing."** (Lardner, p 1) Hejlik's position was that the solution for the threat was not the same thing as purchasing what would eventually be called MRAPs. His position was that MRAP was a generic term and could be satisfied with several solutions.

This position is reinforced by the directive in MARADMIN 533/03 which provided UUNS guidance specifically to I MEF and BGen Hejlik:

(2) INCLUDE THE FOLLOWING INFORMATION:

(A) DESCRIPTION OF NEED ALONG WITH A STATEMENT THAT A GENERAL OFFICER HAS SIGNED THE UNS AND THAT IT HAS BEEN VETTED THROUGH THE CHAIN OF COMMAND TO INCLUDE THE MARFOR. DESCRIBE THE NATURE OF THE NEED AND HOW IT WAS IDENTIFIED. NOTE THAT THE DESCRIPTION SHOULD NOT IDENTIFY SPECIFIC MATERIEL SOLUTIONS, BUT RATHER THE CAPABILITY REQUIRED. (MARADMIN 533/03)

BGen Hejlik was given specific guidance not to identify a material solution. The MRAP vehicle became a specific material solution (an armored vehicle) but, at the time of the UUNS submission, was a generic capability. BGen Hejlik stated as much and his orders and directives reinforce his statement. The m1114 solution was therefore viable for the MRAP capability. In hindsight, however, the m1114 solution was not the best material solution for this UUNS (not being debated in this study).

There are other aspects of the UUNS that are not satisfied by MRAP or HMMWV. There are aspects of the UUNS that are satisfied by both. The provision of a material solution does not

always satisfy all of the criteria in the UUNS. For example, MRAPs did not all have firing ports on all four sides. In addition, the majority of MRAPs did not have remotely controlled weapons systems. Both of these characteristics are specifically required in the Hejlik UUNS. There are other Hejlik MRAP requirements that were not satisfied by the eventual MRAP solution. MRAP, however, was portrayed as the obvious and only correct solution. It was not.

Oftentimes a summary sheet is attached to the UUNS format. This was the case for the MRAP UUNS:

□

) MEF MRAP REQUIREMENT						
MAGTF Component	Multi-Mission	Troop Transport	Flatbed/Cargo	Ambulance	EOD/Eng	Total
MHG	10	10	10	1	0	31
CAG	12	2	2	0	0	16
Comm Bn	4	10	2	1	0	17
Rad Bn	26	10	0	0	0	36
Intel Bn	20	0	0	0	0	20
Force Recon	20	0	0	0	0	20
ANGLICO	10	2	0	0	0	12
FP	5	2	2	0	0	9
MHG Roll-up	107	36	16	2	0	161
Div	461	132	0	30	29	652
MAW	76	6	27	4	0	113
FSSG	90	45	0	22	36	193
MEG	25	10	15	0	0	50
MEF TOTAL	759	229	58	58	65	1169

Multi-Mission HMMWV-like capability
Troop Transport 16 or more PAX
Flatbed/Cargo 7 ton-like capability
Ambulance modified multi-mission platform
EOD/Eng Buffalo-like 50ft arm for investigating

(Murray email dtd 6/16/2006)

In addition to the breakdown of the number required (1,169) there was a summary description of the capability being requested. Line 1 of the summary (immediately below the table) states “Multi-Mission HMMWV-like capability”. This is a clear link to a HMMWV solution. It does not mandate a HMMWV solution, but it provides guidance on the thinking for the submission. HMMWVs are very “HMMWV-like”. This term is also used in the main body of the Hejlik UUNS.

The process that the UUNS went through will provide additional proof that the HMMWV solution satisfied the immediate need articulated by the I MEF Commander in the UUNS. This is not to say that, in hindsight, the HMMWV was the right decision. This author is merely saying that, with an understanding of the orders/directives and actions of the MEF leadership, the UUNS was satisfied.

11B-THE MEANING OF “MRAP” IN THE HEJLIK UUNS

The Hejlik UUNS was processed using orders and directives requiring “MRAP” to be interpreted as a capability, not a product by a specific company.

As discussed in Chapter 4, Marine Corps Order and Directive provided guidance not to request specific named equipment from a specific company. The concept was to request capability and the specific piece of equipment would be determined through the combat development process. BGen Hejlik’s request was for MRAP as a capability, not MRAP as a vehicle name. The analysis of the MRAP capability included several vehicle types to include the m1114: **“That study determined that 4 and 6 wheeled COTS Cougar, RG- 31, RG-32, Mamba, Casspir, Dingo, Cobra, ASV, Eagle, and Lion COTS MRAP variants were all superior to the M1114 in fulfilling the baseline survivability requirements of the I MEF (Fwd) MRAP UUNS.”** (Gayl, p 16). The relative capabilities of the different vehicles were analyzed but it is interesting that the term MRAP included all-of-the-above vehicles where the term MRAP in 2006 did not. Of note is that the m1114 was included in the comparison.

The term “MRAP” was originally used for needs description in the 2005 Hejlik UUNS. Upon resolution of the Hejlik UUNS, the term was no longer in use until the summer of 2006. The term “MRAP” was a confusion point in later MRAP discussions:

**“From: Milstead BGEN Robert E
Sent: Thursday, May 24, 2007 6:12
To: Hejlik MajGen Dennis J
Cc: Conway Gen James T; Magnus Gen Robert; Fazekas LtCol Scott J; Delarosa Capt Manuel J; Kelly BGen John F
Subject: Fw: Corps Refused 2005 Plea For MRAP Vehicle (USA Today)
Importance: High**

I'd recommend we launch your letter today explaining the UUNS and the use of the term MRAP. Capt Delarosa in our office will assist getting it where it needs to go. We might want to shotgun it to everyone who writes an article today - I anticipate AP as well as this article. No doubt there'll be others as well. They are hung up on the use of MRAP in the UUNS and are viewing it as apples to apples. We made it clear yesterday that the decision to go with the M1114 was the best (and fastest) COA to get our folks in protected vehicles. The recent shift to the MRAP we know today resulted from a change in the threat. Again, our challenge is that the verbage describing MRAP in the Feb 05 UUNS is very similar to what we use today. V/r Boomer” (Alles email dtd 5/24/2007) The above email is commentary on an article charging the Marine Corps refused the operating force MRAPs. In fact, the 2005 MRAP request was resolved with m1114s. The use of the same term (MRAP), as seen above, created a linkage between the old 2005 UUNS and the new 2006 requests.

Immediately following the 2005 Hejlik UUNS, MCCDC was provided information about the various options for Hejlik UUNS resolution. Gayl states: **“Concurrently, the EFDC requested that MCSC survey the military wheeled vehicle industry. The study determined that 4 and 6 wheeled COTS Cougars, RG-31, RG-32, Mamba, Casspir, Dingo, Cobra, ASV, Eagle, and Lion COTS MRAP variants were all superior to the M1114 in fulfilling the baseline survivability requirements of the UUNS.”** (Gayl, p ix) The study also reflected that the term MRAP was a generic term under which all of these vehicles fit. The slides used in the presentation manifest this point:

MRAP Survey

Model	7.62 x 38 AP	7.62 x 64 AP	166 mm Blast	16 lb Mine Center	30 lb Mine at Wheels	Fully NBC Protected	360° Rollover Protection	Ballistic Glass	Seating Capacity	C130 Capable	GVW (lb)	Max Payload (lb)
M1114	Yes	No Yes	No	No	No	No	No	Yes	4	Yes	12,100	2,300
Casspir	No	No	No	Yes	Yes	No	Yes	Yes	14	No	25,220	1,320
Mamba MK III	No	No	No	Yes	No	No	Yes	Yes	11	Yes	14,550	2,425
RG-31 M2	Yes	No	Yes	Yes	Yes	No	Yes	Yes	11	Yes	27,550	5,500
RG-31 Mk3	No	No	Yes	Yes	Yes	No	Yes	Yes		Yes	20,940	3,300
RG-32M	No	No	No	No	No	No	Yes	Yes	5	Yes	13,450	2,900

Survey indicates UUNS met Yes or No indicates confirmation

Figure 9. Casspir, Mamba, RG-31, and RG-32 were all superior to the M1114.

MRAP Survey

Model	7.62 x 38 AP	7.62 x 64 AP	166 mm Blast	16 lb Mine Center	30 lb Mine at Wheels	Fully NBC Protected	360° Rollover Protection	Ballistic Glass	Seating Capacity	C130 Capable	GVW (lb)	Max Payload (lb)
Cougar 4x4	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	8 - 10	Yes	34,000	5,000
Cougar 6x6	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	10 - 16	Yes	51,000	8,000
Dingo 2	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	8	Yes	27,000	6,600
Cobra	Yes	No	Yes	No	No	No	Yes	Yes	7 - 9	Yes	16,900	2,650
AML 60, 90						No			3		10,680 - 13,000	900
Saxon	No	No							12		23,500	
Eagle IV	No	No	Yes	No	No	No	Yes	No	4	Yes	16,755	5,300
VBL	No	No				Yes				Yes	8,400	2,204
XM1117 ASV	Yes	No Yes	Yes	No	No	Yes - Masks provided	Yes	Yes	4	Yes	29,560	3,360
Lion	Yes	No	Yes	Yes	No	No	Yes	Yes	6	Yes	20,660	5,000

Survey indicates UUNS met Yes or No indicates confirmation

Figure 10. Cougar, Dingo, Cobra, Eagle, ASV, and Lion were all superior to the M1114. (Gayl, p 17)

These charts indicate several things. As Gayl states, there were options to satisfy equipment elements of the 2005 UUNS. This chart does not analyze availability or many other aspects of an equipment purchase. Neither does this chart analyze the majority of the types of attacks against Marine vehicles (i.e. non-7.62 SAF or 7.62 attacks at further ranges or side blasts of varying sizes or varying ranges). These charts present notional threats. The most important aspect of these charts (for this section) is that the M1114 was one of the potential solutions listed for the Hejlik UUNS. The M1114 was a Hejlik UUNS solution and was analyzed as such. Stating that the M1114 satisfied the old Hejlik UUNS seems to be a contradiction in terms, but only if the 2006 MRAP term is accepted. By 2005 terminology, the M1114 was a Hejlik UUNS solution.

Gayl's analysis confirms that MRAP was not a specific vehicle, it was a description of vehicles. **"It is again noteworthy that the Casspir, as well as the even newer COTS U.S. 4th generation Cougar and Buffalo MRAPs were specifically mentioned as material solution candidates in the I MEF (Fwd) MRAP UUNS that was signed by BGen Hejlik on 17 Feb 05."** (Gayl, p4-5) Casspir, Buffalo and Cougar were acceptable per the UUNS, but Gayl does not include the UUNS addendum specifically mentioning HMMWVs.

In addition to the addendum, both the author of the UUNS and the General Officer signing the UUNS thought that the term MRAP was a broader description. They both described the m1114 as a first generation MRAP. Major McGriff, the author, provided a synopsis of the MRAP types and stated, **"At the risk of repeating things you already know: At the EOS, Gen Gregson provided a brief discussion on Mine Resistant Ambush Protected (MRAP) Vehicles. These are vehicles that are designed from the ground up to provide survivability in sophisticated mine infested environments. The UAH is a first generation MRAP. It provides armor."** (Malone email dtd 12/27/2004). This was less than two months before the official Hejlik UUNS was submitted. General Hejlik has also emphasized the descriptive nature of the term MRAP. The m1114 was an answer to the Hejlik UUNS.

The 2005 Hejlik UUNS was submitted as a capability per MARADMIN and also by statements of BGen Hejlik. Subsequent processing of the Hejlik UUNS were in conjunction with MARADMIN guidance.

11C-PROCESS IGNORANCE CONTRIBUTED TO “HEJLIK UUNS CONCLUSIONS”

Several of Gayl’s conclusions with regard to the Hejlik UUNS were based on a misinterpretation of the UUNS process.

The process used for the Hejlik UUNS was described in orders and directives. Parts of the process were truncated as this UNS was identified as an Urgent UNS. The process for the MRAP UUNS was described in Chapter 4. Gayl makes several errors in his assessment of the process. Gayl’s failure to understand the process is reflected in his MRAP study.

“In order to mitigate the IED threat I MEF (Fwd) submitted a solution-specific need for a Commercial-Off-The-Shelf (COTS) 4th generation armor MRAP capability. The requested solution set included an urgent request for protection against Explosively Formed Penetrators (EFP) (References r.2.).” (Gayl, p vii) EFP defeat is one of the main arguments Gayl makes in favor of MRAPs. EFP defeat is largely dependent on the EFP type. Additional armor packages were often added to MRAP in order to defeat EFP. The process foul is in asking for a capability that defeats EFP, then asking for a material solution that does not do so. The process foul also occurred when the threat of EFP did not materialize in MNF-W. The material solution required to defeat EFP was not the same as the material solution to defeat underbody IEDs. The pursuit of a defeat mechanism for EFP was largely an Army/Joint effort that the Marine Corps was closely involved with, but not leading. If EFP had materialized as a regular threat in MNF-W, then MRAP would not have defeated it but MCCDC would have been able to procure material solutions that would.

“In Iraq I witnessed the tangible costs in lives lost and serious injuries incurred due to the apparent gross mismanagement of requirements at the Marine Corps Combat Development Command (MCCDC) at Quantico.” (Gayl Testimony, p 2) The MRAP process in Quantico was and is a very open process. The presence and authority of the Advocates (Gayl’s Command) in the process ensures requirements are managed appropriately and with advocacy for the submitter. MRAP was no different. The needs/requirements of Marines in combat were the first priority for MCCDC. Gayl states that mismanagement was in part responsible for the “19 month delay” in MRAPs. This is a categorically false assertion. The 2005 MRAP decisions by CMC and the MROC were deliberate and resolved the 2005 Hejlik UUNS. The failure to debunk Gayl’s accusations may be called mismanagement. The material response to the 2005 MRAP UUNS, however, was not decided through mismanagement. It was the result of a deliberative process.

“Since the optimal capabilities needed for effective COIN were being routinely denied to the MEFs, operating force vulnerabilities to IEDs and other threats grew, along with CF casualties.” (Gayl, p 86) Optimal capabilities were not routinely denied to the MEFs. The G-BOSS section and the Laser Dazzler section will provide a more detailed discussion of two sub-optimal material solutions demanded by Gayl and I MEF G-9. Both of these chapters, however, will show that there was pushback and debate by I MEF on the proposed material solution. CG

MCCDC stated that the delay in fielding the Laser Dazzler was due to I MEF desire for another system, and the DODIG agreed. In contrast, there was no pushback of any kind to the fielding of m1114s as the MRAP solution. This included LtGen Sattler at MARCENT/MARFORPAC and BGen Hejlik at MARFORPAC (the former CG and DCG for I MEF for the MRAP UUNS). Both were in increased positions of authority at the component commands and remained responsible for deployed units. Neither complained of a “denied” capability for the MRAP solution. Neither did MajGen Zilmer or BGen Neller, the CG and DCG of the 2006/2007 I MEF deployment.

“In the end, neither the I MEF (Fwd) HQ, the II MEF (Fwd) HQ, nor any of the tactical commanders losing increasing numbers of Marines to IEDs in MNFW had a vote on the MRAP UUNS.” (Gayl, p 28) The Advocates were intimately involved in the MRAP UUNS. The shortened sequence associated with an Urgent UNS affected the staffing process, but the Advocates had multiple inputs. More importantly, the Advocates have a vote and a seat at the MROC and the ear of the Commandant. The term “vote” does not address the capability and responsibility of the Advocates for the MRAP UUNS. The MEFs had plenty of “voting power” on the Hejlik UUNS. If the MEFs did not like how a “vote” went, then they had the opportunity to raise objection through their chain of command or through the Advocate. Once again, if the MEFs wanted additional capability, they could have resubmitted (which they eventually did).

“Effectively circumventing MCCDC staff, CMC was directly given a compelling briefing in July 2006 that analyzed casualty rates by-vehicle. An update of that brief was widely circulated in DOD in Jan 2007. CMC immediately authorized a large procurement of MRAPs. Thus empowered, I MEF (Fwd) immediately submitted a 2nd MRAP JUONS request for the entire warfighter need at that time for all forces operating under MNF-W command—Soldiers, Sailors, and Marines. The total requirement at that time was 1,185 vehicles, remarkably similar to the 1,169 vehicle count from 2005 (References r.8. and r.11.).” (Gayl, p 47) Military people understand that staffs exist to support their Commander. They have no authority outside of their commander. The MCCDC staff was never circumvented. As stated in the above paragraphs, the CG MARCENT always has the authority to brief the Commandant. Many in Quantico were advocating for a larger MRAP-type vehicle requirement. There was keen interest in the progress of the MRAP need. MCSC was already briefing Congress on the request for 185 JERRV in June, the month before LtGen Sattler briefed CMC. I MEF could have requested MRAPs in any number at any time. They did not need to be “empowered”. The “power” to submit needs was already spelled out in orders and directives. They simply needed to act.

The process is also designed to reach some sort of consensus when there are competing demands and positions. For example, the two pieces of correspondence below were received on the same day:

Email from I MEF (Fwd) G9 to LtCol Jankowski (MARCENT).

“I just checked with Col Milburn, he will take this subject up on Friday with Col Supnick when he arrives here at Camp Fallujah. We are sticking with the requirement for 185 JEERV

vehicles. We don't want to confuse anyone about our requirement, let's put this discussion on hold until after I hear from Col Milburn on Friday.” (Lapierre email dtd 6/20/2006)

Message from II MEF

3. OPERATIONAL NEEDS:

3.A. II MEF STRONGLY CONCURS WITH THE I MEF FWD JUONS OF 21 MAY 2006 FOR 185 MMRVS, AND THE I MEF FWD UUNS OF 17 FEB 2005 FOR 1169 MRAPS. THE ADDITION OF THESE VEHICLES TO THE FORWARD DEPLOYED MAGTF WILL SIGNIFICANTLY ENHANCE PROTECTION FROM IEDS. (Murray email dtd 6/20/2006)

It was incumbent on MCCDC and the process to deconflict the different positions. On one hand, the deployed force is rejecting more MRAPs than the 185 already requested (email), and on the other hand the MEF in the rear preparing to deploy desires additional MRAPs and was citing a resolved UUNS (message). The number of MRAPs continued to change on a regular basis and in this case, both MEFs sent vastly different requirements.

Critics of the Marine Corps often fabricated blanket statements without understanding the process: **“Despite unambiguous and continuous feedback from the deployed Marines MCCDC at Quantico, the Marine Corps turned a blind eye to requests for urgently needed equipment whenever those requests conflicted with parochial concept or acquisition priorities in a competition for resources.”** (Gayl Testimony, p3) In the case of MRAP, there was little in the way of continuous or unambiguous feedback. The demand became nonexistent, then charges of negligence occurred when the MEF changed their mind.

The previous examples of process ignorance fueled charges of MCCDC wrongdoing. That process ignorance was unfortunately parroted by press and politicians.

11D-MONTHLY UPDATES INDICATE THE REAL MRAP TIMELINE

The I MEF need timeline can be established using their own monthly updates.

The monthly updates provided by I MEF and MARCENT tell part of the story of the Hejlik UUNS timeline. This timeline indicates the demand as well as the number requested by the deployed MEF. The monthly updates provide uncontested data. There is no opinion associated with them. This author did not have the monthly updates for each month, however, conclusions may be drawn from the updates presented herein.

The last event associated with the 2005 Hejlik UUNS occurred in Aug, 2005 at the MROC where an update was provided. The update was included in the MROC DM which is the MROC minutes. The MROCDM is published throughout the Marine Corps and is also published to the MROC members. The August 2005 MRAP entry was an unremarkable entry and occurred shortly after the Marine Corps decision to answer the UUNS with m1114s (June 2006). This author has no additional update documentation until April 2006.

In April 2006 I MEF published their UUNS tracker. The MRAP entry was already placed by I MEF in the "Completed UUNS" tab and read as follows (split into two images for readability):

59	Mine Plow Full Width	022/40Q			
60	Mine Resistant Ambush Protected Vehicle (MRAP) (This is an UNS - not an Urgent UNS)	05053UB	MFP	1,169	Validated & forwarded by MFP. UUNS being developed by DWG with MCSC. Awaiting planning guidance from DC CD. DWG complete. Awaiting MROC review. Mission closed. MFP has dropped this from an Urgent to a Regular UNS.

Protect the crew from IED/mine threat through integrated V-shaped monocoque hull designed specifically to disperse explosive blast and fragmentary effects. Minimum protection should be 30 lbs TNT under any wheel and 15 lbs anywhere under the vehicle. 4th generation armored vehicle to counter mines, IEDs, VBIEDs and SVBIEDs.	N/A	Hardened Engineer Vehicle RC-31 MMRP (Army TPE)	TBD
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(Ouzts email dtd 5/2/2006)

The title of the UUNS indicates that the UUNS had changed status from an UUNS to an UNS (lost the Urgent). The number in this completed item is 1,169. It is nowhere close to the JERRV request for 185. There is no reason that it should be close as the two documents were different requests at different times. The next box reflects the need as no longer urgent as well.

This clear placement of the Hejlik UUNS in the completed section of the published UUNS tracker is captured in April of 2006 but it is unclear when the entry was made. This author has no previous UUNS trackers. One may assume that the 2005 Hejlik MRAP UUNS was changed to an UNS prior to April as there is no identified action with the UUNS after August 2005.

The presence of the MRAP UUNS in this section is inarguable proof that the Hejlik UUNS was downgraded and completed. It is clear that in April 2006, the MRAP UUNS was no longer active. The next UUNS tracker submitted was for May 2006. That tracker maintained MRAP in the same location with the same wording. (Ouzts email dtd 5/10/2006)

Both trackers indicate zero active requests for MRAP. The significance is that MRAP was not being requested by I MEF. There was no constant demand for MRAPs for 19 months. There was no negligence by MCCDC personnel. A request for MRAPs (UUNS) would have been needed for MCCDC to be negligent in its processing. The UUNS was not "lost". Neither was it ignored or buried. If there was an active UUNS then accusations of incompetence/negligence/wrongdoing/criminal neglect (etc.) may have been legitimate. All of those accusations are therefore not factual. They are made from a position of ignorance or malice.

In April of 2006, I MEF did not recognize the Hejlik UUNS. In early May I MEF did not recognize the Hejlik UUNS.

In late May I MEF (through MARCENT) submitted a joint request for 185 MRAPs. Through June and into July the number of MRAPs requested by I MEF was 185. The MARCENT UUNS tracker did not recognize the Hejlik UUNS.

URGENT ITEM	DESCRIPTION	IMEF Priority	IMEF Ranking	IMEF Priority	IMEF Ranking	MARCENT Priority	MARCENT Ranking	QTY RQD	MARCENT RATIONALE	
Medium Mine Protective Vehicle	Mine-resistant wheeled vehicle. Protects from IEDs/AT mines. 10 Pax.	JUN 1	1	JUN 1	1	JUN 1	1	185	Same MEF rankings	
Robotic Explosives Detector	A small, ground, remote-controlled vehicle that can visually and electronically search for explosives.	JUN 1	2	JUN 1	2	JUN 1	2	30	Same MEF rankings	
Detention Collection System	Large-capacity, hardened, Regional Detention Facility in which all detention cells contain voice collection capability.	JUN 1	3	JUN 1	4	JUN 1	3	1	Deployed MEF ranking per BR #1	
Robotic Vehicle to counter Roadside- and Vehicle borne- IED (RSIED/VBIED)	Leverages DARPA Challenge robotic vehicle technology, equipped with cameras, magnetic detectors and spectrum analyzers to (1) detect changes in the road since last transit. (2) conduct unmanned convoy escort. (3) unmanned cargo transport.	JUN 1	4	JUN 1	3	JUN 1	4	TBD	Deployed MEF ranking per BR #1	
Pressure-plate IED roller	Pressureplate rollers attached to the front of vehicles to trip/activate pressure-plates (Victim-Operated IEDs).	1	1	1	1	1	1	23	Same MEF rankings	

(Johnston email dtd 7/31/2006)

Shortly thereafter I MEF added a second request for an additional 1,000. This July request brought the total number of MRAPs requested to 1,185. The July request did not recognize the Hejlik UUNS.

By January 2007 the MARCENT prioritized list read as follows:

JAN 2007 II MEF UUNS/JUONS Prioritization											
Key #	URGENT ITEM	QTY RQD	DESCRIPTION	I MEF Priority	I MEF Ranking	II MEF DEC Priority	II MEF DEC Ranking	MARCENT Priority	MARCENT Ranking	II MEF JAN PRIORITY	MARCENT RATIONALE
97	MRAP JUONS	1185	Mine-resistant wheeled vehicle. Protects from IEDs/AT mines.	JUON	1	JUONS	1	JUON	1	JUON	Deployed MEF ranking per BR #1
139	MRAP Additional Capability JUON	N/A	Description on SIPR	JUON		JUONS		JUON		JUON	
101	MTVR VOID Mine Roller	176	MTVR Mine Rollers.	JUON	2	JUONS	3	JUON	2	JUON	Deployed MEF ranking per BR #1
103	CJTF Troy Mine Rollers	150 med 250 light	MNF-W requirement of 84 light, (HMMWV) and 116 medium (LAV) mine rollers included in CJTF Troy quantities.	JUON	2	JUONS	4	JUON	3	JUON	Deployed MEF ranking per BR #1
104	Panther II Mine Rollers	3	Remotely operated tank chassis with mine roller attached. Required for Army unit assigned to MNF-W	JUON	3	JUONS	5	JUON	4	JUON	Deployed MEF ranking per BR #1
140	Ground Based Operational Surveillance System (G-BOSS) JUON	120	Wireless surveillance video network of high-performance cameras, mounted on remote towers. Cellular/satellite video transmitted to master station video collection site. NOTE: Quantity	JUON		JUONS		JUON		JUON	

(King email dtd 1/24/2007)

The total number of MRAPs requested had reached 1,185. This number was a combination of the May 2006 joint request for 185 added to the July request for 1000. Once again the 2005 Hejlik UUNS requested 1,169, a number that continued to be absent from all other requests. The January 2007 list did not recognize the Hejlik UUNS.

The clear conclusion from the UUNS updates is that I MEF had no expectation of receiving MRAP-type vehicles associated with the 2005 Hejlik UUNS.

11E-KEY TIMELINE ISSUES

An analysis of issues based on their timing presents a clear picture of the wide consideration of the Hejlik UUNS, its reduction to an UNS, and the absence of demand until the submission of the 185 JERRV JUONS.

This section will establish several timelines and associated conclusions relevant to MRAP. It is in chronological order and presents mistaken perceptions as well as correct facts.

Feb 2005-Sept 2006

“Unfortunately, the apparent decision to not to seek MROC approval of the UUNS delayed the ramp-up initiation by approximately 19 months, with measurable consequences in MNF-W.” (Gayl, p 52) The 19 month “delay” as cited by Gayl and often quoted in the press is a misnomer. This period encompasses the time from the 2005 Hejlik submission to the request for funding of the new Marine requirement of 805 MRAPs (Marine portion of the 1,185 MRAP request). As seen in previous sections, the MROC was well aware of the MRAP request and the decision was made to support with m1114s. There was no MROC ignorance.

June 10, 2005

“This 10 June 05 EFDC info paper above is the last known (i.e. known to this case study author) formal communication that the MRAP UUNS had been delayed or cancelled at MCCDC. This has also been confirmed by the MROC Secretariat. The MRAP UUNS was allegedly handled and decided upon outside of the standard process, in that it was never properly brought before the MROC for a formal decision for subsequent recording in an MROC Decision Memorandum.” (Gayl, p 38) As seen in the previous sections, MCCDC did not cancel the UUNS. As seen in the DODIG as well as the MROCDM, the MRAP capability was briefed to the MROC on several occasions. The DODIG parses words and states that MRAP was not “formally briefed”. That will be addressed in the DODIG section along with several other DODIG failings. The MROCDM, however, is a formal document and was signed by the ACMC and distributed to the Marine Corps. It included MRAP decisions. The MROCDM was a formal document sent to the MROC members which constitutes a formal “brief”. The disparity (in the DODIG conclusions) between the MROC not being “formally briefed” and issuing its own formal findings in a MROCDM is not a consistent conclusion and reflects poorly on the DODIG.

The MROC members were briefed in several forums. Members were briefed at the Executive Safety Conference in 2005. Members were briefed at the Executive offsite. Members were diligently analyzing the vehicle types needed for Iraq. Members were aware of the recommendation of the Deputy Commandant for Installations and Logistics to select the m1114 as the replacement vehicle for up-armored HMMWVs. The Commandant reinforced that recommendation by selecting the m1114 as the replacement vehicle in the face of the Hejlik UUNS. Finally, not all MROC decisions required a briefer with power-point slides and it was regular practice for the MROC to correspond electronically to make decisions.

The assertion that the MROC did not know about MRAPs is false. The assertion that the MROC members were not briefed on MRAPs is false. The assertion that the MROC did not make decisions on MRAPs is false. The assertion that the MROC did not receive a “formal brief” is only true if a “formal brief” mandates a briefer with slides standing in front of the MROC talking them through the issue (no formal documents or electronic briefs or briefs in other venues suffice).

Feb/Mar 2006

“Following RIPTOA in early 2006 the new CG, I MEF (Fwd), MajGen Richard Zilmer and his DCG, BGen Robert Neller became immediately aware of the continuing urgent need for MRAP protection to counter the IED emergency. During the intervening year all action on responding to I MEF (Fwd)’s original UUNS for MRAP had come to an apparent standstill at MCCDC. Realizing the need for higher level advocacy, MARCENT quickly became the I MEF (Fwd)’s operational champion and took the cause of MRAP again. Much of the history of the Feb 05 MRAP UUNS was unknown at that time, as the UUNS had apparently not been presented to the MROC by MCCDC and DC, CDI for a formal decision.” (Gayl, p 46) Gayl asserts that following RIP/TOA MajGen Zilmer and BGen Neller became aware of a need for MRAPs. Zilmer and Neller were the two Generals in charge of I MEF, the same unit that submitted the Hejlik UUNS. One may ask how it occurred that the two Generals in charge of the deploying MEF were unaware of the supposedly active Hejlik UUNS that was initiated by their unit. They did not recognize it in their priorities before deployment. Gayl states they became aware of a need for MRAPs once deployed. This is a correct statement. They were unaware of any existing MRAP need because there was none. I MEF had no continuing MRAP need and once deployed, established a need.

Gayl is also correct when he states MCCDC was not working the 2005 Hejlik UUNS. They were not doing so because it was not an active UUNS.

Gayl states that MARCENT became the I MEF “operational champion” and “took the cause of MRAP again”. MARCENT was always the “operational champion” of the deployed MEF. That is their mission. MARCENT had to “take the cause of MRAP again” because they were not working it continuously.

In sum, after I MEF deployed, they opened a new effort that involved MARCENT and MCCDC. MARCENT, I MEF and MCCDC were not working the billion dollar 2005 Hejlik UUNS prior to this point because it had been resolved. Gayl states that “the history of the Feb 2005 MRAP UUNS was unknown” as it had not been presented to the MROC. The history was unknown because it was no longer an active UUNS.

May 2006

“First, the 2006 report again proposed that the HMMWV was right choice for protection in MNF-W, and there was no mention that the MRAP was wanted by operators to replace the more vulnerable HMMWVs. This is curious since the I MEF (Fwd) MRAP UUNS was still unfulfilled.” (Gayl, p 48) The referenced report was the 2006 IG report on equipment

readiness. The Inspector General of the Marine Corps did not find any desire for MRAP-type vehicles in their May 2006 inspection. The first joint request for 185 JERRVs had not yet been submitted. Gayl describes this lack of desire for MRAPs as curious. The IG results, however, are consistent with the monthly updates, the lack of any MRAP actions in the entirety of the Marine Corps, and the rejection of more MRAPs after the request for 185. The only reason that it may seem curious is that Gayl incorrectly assumes the original UUNS was still active. The absence from the IG report is yet another indication that the Hejlik UUNS was no longer active.

“In 2006 I MEF (Fwd) requested an MRAP capability again in response to the IED threat.” (Gayl, p vii) This statement is correct. In May 2006 (after the IG) and again in July 2006 I MEF requested a total of 1,185 MRAPs. They requested a MRAP capability again because there was no active request for them to utilize. If the 2005 Hejlik UUNS remained active, I MEF would have simply been able to point to that request for MRAPs. Instead, they started anew with a request for 185 vehicles.

June 16, 2006

“Furthermore, CDTs documentation on the UUNS was not well known, and some combat developer staff members appeared unaware that an UUNS for MRAP had been submitted in 2005.” (Gayl, p 46) Gayl is correct that some combat developer staff members were unaware that a MRAP UUNS was submitted in 2005. Most of MCCDC was unaware of this submission as concluded UUNS were not a priority. MCCDC was supporting current UUNS from the warfighters as designated by I MEF through MARCENT. While MCCDC was unaware of the old UUNS, MARCENT also had to ask other units for a copy of the old UUNS. Unawareness of the UUNS was commonplace (to include I MEF Generals).

The Chief of Staff II MEF (Col Carriker) sent the following email to his fellow Chiefs of Staff and several of his own staff: **“Gents, I will send you a brief on Sivr that call for CIED vehicles and some requested help from us by Marcent. They are asking for us to see if we can find an old UUNS signed by Gen Hejlik some time ago referencing Mine Resistant Ambush Protection Vehicle (MRAP).”** (Murray email dtd 6/16/2006) On June 16 the II MEF Chief of Staff was searching for the Hejlik UUNS because the Chief of Staff of MARCENT did not have it. A logical assumption is that the COS MARCENT had already asked other commands for it. The simple conclusion is that MARCENT did not have the 2005 Hejlik UUNS and MARCENT was not working the 2005 Hejlik UUNS.

“Independent of the reasons for the shelving of the UUNS, MRAP was still urgently needed, and MARCENT encouraged I MEF (Fwd) to resubmit an urgent need.” (Gayl, p 46) The reason MARCENT encouraged a submission of another UUNS was that they had no active UUNS with which to request more MRAPs. MARCENT prompted I MEF to request more MRAPs based on their own analysis, but there was also a prompting by MCCDC to do so.

“On 16 Jun 06 the MCSC LNO to II MEF, LtCol Stephen Eckberg, wrote to I MEF (Fwd) regarding the original OIF-III - Mine Resistant Ambush Protected (MRAP) Vehicle - 05053UB UUNS noted in Col Carriker’s e-mail: “I just talked to Sally Amberger (the Advocate) at HQMC

I&L, and she said that the subject UUNS (attached below) has not been to the MROC yet, because there is no solution. She thought that it was passed to MCWL for a solution---can you shed any light on the MROC status? I believe this effort is tied in with the talks we had yesterday about all the Purple money available for CIED." (Gayl, p 49) Between Amberger and Eckberg there was a certain amount of guesswork. Amberger stated that the UUNS had not been to the MROC, however, the MROC had already reviewed the UUNS. Amberger was more than likely noting the absence of a final UUNS decision as the reduction to an UNS was not widely published or known. She may have been unaware of the MROC MRAP events that occurred almost a year earlier. The discussion about the purple money was prompted by MCWL and the availability of support through JIEDDO. Of note is that the downgraded UUNS, aka the MRAP UNS, was in the purview of I&L (Advocate).

June 20, 2006

As discussed in an earlier chapter I MEF, while deployed, had rejected offers for additional MRAPs: ***"I just checked with Col Milburn, he will take this subject up on Friday with Col Supnick when he arrives here at Camp Fallujah. We are sticking with the requirement for 185 JEERV vehicles. We don't want to confuse anyone about our requirement, let's put this discussion on hold until after I hear from Col Milburn on Friday."*** (Lapierre email dtd 6/20/2006) This email was from the G-9 of I MEF to the MARCENT staff and CC'd Marine Corps support commands and his own Chief of Staff. The 2005 Hejlik UUNS was for 1,169 vehicles. There is no reconciling a rejection for more than 185 vehicles while simultaneously asking for 1,169 vehicles. The simple conclusion is that I MEF was not asking for 1,169 vehicles. They were not working the 2005 Hejlik UUNS and had no expectation of any number of vehicles close to 1,169 (until they changed their mind and asked for more than 185). The 2005 Hejlik UUNS was, in fact, a completed UUNS.

Mar 2007

"Since 21 May 2006, when MNF-W issued its first urgent request for MRAP, over 150 servicemen and women have been killed and over 1,500 seriously injured in vehicle IED incidents." (Gayl, p 52) The number of casualties calculated in the previous sentence is based on the time between the I MEF submission for 185 JERRVs and 1 Mar 2007. It is provided by the Commandant of the Marine Corps. The entirety of this time period consisted of unwavering support by Quantico and the Marine Corps for MRAP.

11F-THE 1-BILLION-DOLLAR UUNS

The Hejlik UUNS was estimated to cost one Billion Dollars. MRAP was the most expensive GCE program in the history of the Marine Corps. Assertions that the Hejlik UUNS was lost or misplaced defy common sense.

The MRAP request from 2005 (also known as the Hejlik UUNS) is sometimes referred to as lost or buried. This UUNS was for 1169 MRAP-type vehicles. The cost of an UUNS for 1169 MRAPs was accurately estimated at approximately one billion dollars. The below estimate is from the initial DOTMLPF assessment (referred to as the CDIB assessment in Gayl's paper):



POM Issues

- **Is this issue on your Advocates Requirement List (ARL)?**
 - **This is a new issue and would have to be added.**
 - Which advocate? I&L or PP&O?
 - What does it replace? What does it cut is a better question.
 - Potential \$1B program.
- **What year do you expect this issue to compete in the POM process?**
 - **UNS states “urgent” and is targeted at 05 supplemental.**
 - **Reality...POM 06...Concept of employment...**

13

(Gayl, p 29)

This slide alerts both I&L and PP&O (Advocates) that this UUNS could cost a billion dollars. This would have immediately become the largest new purchase for either of the Advocates and one of the largest in the Marine Corps (comparable with aviation programs). Both I&L and PP&O were represented at the DOTMLPF working groups. Gayl asserts: **“This POM**

slide is the first sign that MCCDC staff would intentionally slow-roll MRAP at the middle management level, and a handful of bureaucrats were able to allow an UUNS to go unfulfilled while maintaining the real tactical, operational and even strategic implications below the leadership radar.” (Gayl, p 29)

Gayl is stating that the bureaucrats at Quantico were intentionally slow-rolling a billion dollar UUNS. Part of the “slow-roll” was apparently to advertise in a brief to all of the Advocates and all of the MCCDC staff that the Hejlik UUNS would cost a billion dollars. P&R (the Marine Corps’ financial staff) also was provided these briefs. The organizations represented in the DOTMLPF WG included:

- a. Commanding General, Marine Corps Combat Development Command (CG, MCCDC)
- b. Deputy Commandant for Aviation
- c. Deputy Commandant for Plans, Policies and Operations
- d. Deputy Commandant for Installations and Logistics – Dual hats as CSSE and Supporting Establishment reps
- e. Commanding General, Training and Education Command
- f. Director, Intelligence
- g. Director, C4
- h. Director, Marine Corps Warfighting Laboratory
- i. Director, Marine Corps Systems Command
- j. Director, Doctrine Division
- k. Director, Total Force Structure Division
- l. Director, Studies and Analysis Division
- m. Director, Materiel Requirements Division
- n. Director, C2 Division
- o. Director, Futures Warfighting Division
- p. UNS originator, if required

(Watson email dtd 11/30/2004)

The above commands also received electronic copies of the brief. The ability of several bureaucrats to “slow-roll” a billion dollar project that has been briefed across this many commands is non-existent. The Marine Corps, a penny-wise organization, has several financial organizations that would not have taken their eyes off of this requirement if it had remained in consideration. The rest of the representatives would have immediately briefed their superiors that a billion dollar UUNS was in the works. This size request would have had ramifications across the Marine Corps. Once the leadership of these organizations were briefed on this billion dollar proposal, the decisions would have been out of the hands of the “bureaucrats”. The above financial awareness discussion is independent of the warfighting discussion that is discussed in a subsequent section. Gayl’s assertions, on a simple fiscal level, are not credible.

11G-RESPONSIBILITY LIST FOR THE UUNS

If Gayl is to be believed, and he is not, then there was negligence across the entire Marine Corps with regard to the processing of the document known as the Hejlik UUNS. This negligence would have included I MEF (2 rotations), II MEF, MARCENT, MARFORPAC, MARFORLANT, PP&O (Advocate)(includes Gayl), I&L (Advocate), MCCDC, MROC (including remaining advocates) and their staffs. In addition, several organizations with UUNS support responsibilities would have also been negligent to include MCSC, P&R, MCWL and the 11th ESB.

The ignorant may think that the only responsibility for UUNS rests with bureaucrats at Quantico. This is a falsehood that has been perpetuated by the press. Responsibility for UUNSs rest with many organizations. Some responsibilities are unique, others are shared. The following section will discuss the organizational responsibilities (many outlined in Chapter 4-6) and actions as they apply to the 2005 Hejlik UUNS.

I and/or II MEF

The deployed MEFs were not only tasked with submitting UUNS, but also with tracking those UUNS and identifying unfulfilled UUNS.

“In the end, neither the I MEF (Fwd) HQ, the II MEF (Fwd) HQ, nor any of the tactical commanders losing increasing numbers of Marines to IEDs in MNFW had a vote on the MRAP UUNS.” (Gayl, p 28) I MEF and II MEF had a directed responsibility to submit lists of unfulfilled UUNS. They did not identify the 2005 Hejlik UUNS as unfulfilled. No matter what the “vote” or where it occurred, I and II MEF had the opportunity to identify the Hejlik UUNS as unfulfilled. They did not do so. In addition, I and II MEF had the opportunity to submit another UUNS or JUONS. They did not do so until May 2006. Conclusion: The MEFs regarded the Hejlik UUNS as complete and started a new effort (which included resurrecting the old UUNS).

“One month after RIPTOA, no MEF (Fwd) is in a position to provide a comprehensive and historically integrated picture of operational needs in the MNF-W AOR as well as the MEF (Fwd) it relieved.” (Gayl, p 36) One month after RIPTOA any MEF is able to present a simple picture of pending needs. MEFs present a picture of their needs prior to actually deploying. RIPTOA is replete with briefs and turnover discussions. This includes needs. I MEF knew its priorities as well as the priorities of II MEF and the Hejlik UUNS was not one of them. Any suggestion that I MEF was unaware of a billion dollar need that would change the main combat vehicle is incorrect. Once again, the Hejlik UUNS was complete or there was catastrophic ignorance on the part of both MEFs (and others).

“Realizing that I MEF (Fwd) was concerned that a large requirement like the 1,169 that had been requested in 2005 would doom the MRAP need to a 2nd rejection by MCCDC, the CoS of I MEF (Fwd) had understandably become “gun-shy” at asking for too much. This precisely reflected the operator sense of futility in asking for capabilities from combat

developers that Majors McGriff, Allena, and Sinclair had observed in 2002-2003.” (Gayl, p 50)
The above point is confusing as the argument has been that MCCDC “slow-rolled” the 2005 Hejlik UUNS. If the Hejlik UUNS was still active, why would I MEF need to consider a new UUNS? An UUNS cannot be “slow rolled” and “rejected” simultaneously. If there was a “rejection” of the Hejlik UUNS as implied above, then the majority of Gayl’s paper criticizing MCCDC for delay is incorrect. The poor logic aside, it is the MEF’s responsibility not to be “gun-shy”. Their duty was to identify unfulfilled needs or identify new needs. The characterization by Gayl implies a lack of resolve on the part of I MEF and should be dismissed as fanciful writing. Once again, the obvious conclusion that the UUNS was completed is consistent with the submission of a “second request”.

“A MARCENT staffer later wrote: “...[we] felt like we had to “fight” I MEF (Fwd) to get a bigger requirement. So we ended up going to the 3-star (LtGen Sattler), and going to CMC to give the I MEF (Fwd) “top cover” from CMC, so that you [I MEF (Fwd)] would approve the larger MRAP requirement...Our feeling was: MARCENT is an operational command. Our job is to support the warfighter...You tell us what you need, and “demand” that we support you with what you need, not with what you think we can do for you given your knowledge of political realities in Washington...” Again, it took MARCENT advocacy efforts to convince the I MEF (Fwd) CoS and staff that the MEF no longer should feel constrained to ask for less than what it truly operationally needed, whether it be the MRAP vehicles or any other capability.” (Gayl, p 51) This was obviously a flawed analysis of the system by I MEF as the 2006 MRAP requests were championed by every major command in the Marine Corps. MARCENT advocacy was supported by MCCDC advocacy. MARCENT actions as stated above were expected actions. The MARCENT CG answers to the Commandant and should coordinate directly on major issues. Of note is that CG MARCENT did not ask the Commandant where the vehicles from the 2005 Hejlik UUNS were. MARCENT actions are further discussed below.

MARCENT/MARFORPAC

While MCCDC orchestrates much of the UUNS process, MCCDC is not the “owner” of any of the UUNSS. The MEFs are the originators of UUNS and own them within the Component. Once the Component Commander signs off on the UUNS, the UUNS belong to the Marine Component Commander:

B. UUNS PRESENTED TO THE MROC WILL BE REPRESENTED AS MARINE COMPONENT COMMANDER WARFIGHTING REQUIREMENTS, VICE MEF OR MSC REQUIREMENTS.
(MARADMIN 045/06)

This MARADMIN preceded I MEF’s 2006 deployment meaning that clear direction was established for UUNS ownership at the time of the MARADMIN. In reality, this practice was understood and UUNS were previously considered from the originating MARFOR or its subordinates. This paragraph is intended to reinforce the idea that MARFORs owned the UUNS vs their subordinate MEF or MSC. MARFOR UUNS were not represented as MCCDC UUNS because MCCDC did not own them.

The owning MARFOR for the original Hejlik UUNS was MARFORPAC (LtGen Gregson). At the time MARCENT was subordinate to MARFORPAC. In August 2005 MARCENT became a full Marine Component independent of MARFORPAC. The Commanding General in charge of MARCENT became LtGen Sattler. LtGen Sattler was the CG of I MEF when BGen Hejlik signed the 2005 UUNS. BGen Hejlik was acting under the authority of LtGen Sattler. LtGen Sattler was therefore the “owner” of the MRAP UUNS that he had BGen Hejlik sign the previous February. From his assumption of command until the 2006 JERRV joint request, there is no record of any action taken by LtGen Sattler on the Hejlik UUNS. This is another indication that the Hejlik UUNS was resolved.

In fact, LtGen Sattler’s staff at MARCENT did not have a copy of the UUNS: **“On 16 Jun 06 Col Thomas Cariker wrote: “Gents, I will send you a brief on Sivr that call for CIED vehicles and some requested help from us by Marcent. The are asking for us to see if we can find an old UUNS signed by Gen Hejlik some time ago referencing Mine Resistant Ambush Protection Vehicle (MRAP). Chiefs/Staff, They are also asking if we can assign a CIED ground wheeled vehicle Advocate for current threat vehicle advocacy (not next generation Hummer replacement).”** (Gayl, p 49) It is clear that MARCENT, and the original General who authorized the Hejlik UUNS, were no longer pursuing it. They couldn’t find a copy of it in their own files. The reason was not that it was lost or that MARCENT was incompetent, it was that the UUNS was no longer active.

The draft UUNS for the new JERRV request (185) in 2006 was staffed to MCCDC and MARCENT. Mr Blasiol (MCCDC) forwarded the UUNS and recommended to MARCENT that it be submitted as a JUONS: **“Attachments are the two UUNS that have DC CDI visibility. We need to expedite. Advise feasibility of briefing CDIB 25 May. Also, Jeff, please ask BGen Neller to pursue JUONS, as previously discussed. MCWL POC is Mr. Chandler Hirsch XXX-XXXX.”** (Hirsch email dtd 5/18/2006) Mr Hirsch worked for this author. This email reflected MCCDC desire to expedite and also recommended the Joint path with a JUONS. The attachment on this email was for a JERRV (JERRV) UUNS indicating the desire of I MEF to submit through the Service chain (not the Joint chain with a JUONS).

After Mr Blasiol’s recommendation, Col Butter and MARCENT changed the UUNS to a JUONS and submitted through MNF-I. Butter wrote **“Gentlemen, MARCENT converted the MNF-W UUNS for 185 JERRVs to a JUONS, which was subsequently validated by MNF-I. It is currently at CENTCOM for approval.”** (Butter email dtd 6/27/2006) This was the proper role for MARCENT. The above sequence and emails are contrary to Gayl’s assertion that I MEF deliberately chose the JUONS path in order to avoid MCCDC.

MARCENT assumed its proper role as Service component in assisting I MEF to develop its MRAP-type vehicle request: **“On 22 Jun 06 Maj Allena followed up with: “I [think] the COS is versed in this enough to be able to discuss with the MEF on his visit. He seemed to really embrace this in the brief last week. Also, Col Kanewske, our G-3, is back and was briefed by me on this, and said he was going to mention it with Col Marletto (MEF FWD G-3). Also, I**

talked with Col Butter on this as well. He seemed to think that the MEF- generated UUNS was not a big obstacle. Not going to speak for him, but I got the impression he was willing to "write it for them." (Gayl p 51) Col Butter had offered to write the UUNS for I MEF in order to relieve them of the workload. This was a common offering as Marines in support roles also had deployments to Iraq and understood how busy the staffs were.

"MARCENT capability war planners studied MCCDC's 2005 handling of the MRAP UUNS and realized that MRAP would most likely not be favorably received at MCCDC if it were again submitted as a USMC UUNS." (Gayl. p 47) This is a falsehood. MARCENT did not have a copy of the old UUNS and did not know it existed until June 2006 (Murray email dtd 6/16/2006). According to Gayl, MARCENT was studying the MCCDC handling of the 2005 UUNS without a copy of the UUNS. As established above, MARCENT started looking for a copy of the 2005 Hejlik UUNS in June 2006. It is doubtful that their "study" occurred or, at best, it occurred with a very shallow analysis.

Most Marines understand the career path Marines take. Marines rotate around the Marine Corps and into and out of billets generally in three year increments. If this study occurred, then MARCENT would have made the simple and logical conclusion that, on average, half of the DWG/CDIB membership would have changed since the 2005 submission. Any submission would therefore be viewed by different personnel with different perspectives. Gayl's "studied" decision, if a study was conducted at all, was made absent the original UUNS and absent an understanding of basic Marine career paths and composition of the CDIB.

As described earlier, I MEF submitted the JERRV need as an UUNS. Then, with MCCDC guidance, MARCENT changed it to a joint request. Both UUNS and JUONS had MCCDC involvement and MCCDC responded favorably to the joint request. Gayl continued: **"Coordination between war planners and MCSC was also minimized, given known institutional opposition to a large urgent MRAP purchase."** (Gayl, p 47) This flawed statement makes little sense as MCSC and MCCDC were provided a copy of the draft UUNS. Coordination was established throughout MCCDC before MARCENT got the joint request written, let alone submitted. The Hirsch email dtd 5/18/2006 reflects MCCDC coordination. Simultaneously, MCCDC was working the Congressional angle with BGen Kelly while ensuring the joint request made it through the system. Col Blasiol wrote to LtGen Mattis and BGen Alles: **"We're working the mine roller and JERRV issues (per BGen Kelly's recent e-mail) right now, to ensure that they come through Joint channels so that we can get our hands on that money."** (Alles email dtd 5/20/2006) This email was also before the JERRV request was submitted on the next day. There is almost nothing correct about Gayl's position in these statements. This deeply flawed information, however, did not originate from Gayl as he was not involved with MRAP at all at this time. Gayl's source may have been the cause of Gayl's critically flawed analysis.

ADVOCATE

The Advocate is tasked with supervising the combat development process and making sure it occurs correctly for issues concerning the Advocate's constituency. The term Advocate, in this sense, can be likened to the civilian role of a lawyer. Oftentimes lawyers are called

Advocates. They not only ensure the process is carried out, but they also represent their constituencies in the process.

ADVOCATE (I&L)

Installations and Logistics was the assigned lead Advocate for the 2005 Hejlik UUNS. It was their responsibility to perform all of the primary duties associated with UUNS advocacy. These responsibilities included solution approval as well as process control in different phases of the UUNS development. I&L had a seat on the MROC and the lesser DOTMLPF working group. The Deputy Commandant I&L could address any issues with any UUNS directly with the MROC and the Commandant. As Gayl correctly states: **“A key observation is that Installations and Logistics (DC, I&L) was assigned as the "Lead Advocate" for the GCE-initiated MRAP UUNS. The Lead Advocate often leads to the solution way-ahead recommendations.”** (Gayl, p 18) In the case of the 2005 Hejlik UUNS, I&L did in fact establish the recommendation for the UUNS and owned much of the process control.

Gayl’s analysis of the I&L efforts relating to the Hejlik UUNS were critical: **“The I&L comments reflect a lack of GCE-related insight of the reviewer: The I&L Lead Advocate’s comments about skill sets and a set of questions that focused on logistical convenience for this urgent requirement to lower casualties were perplexing. In that analysis, the I&L reviewer demonstrated a clear lack of understanding of the I MEF (Fwd) request. As noted above, the lead Advocate also did not issue RFIs back to I MEF (Fwd) via MARCENT in order to clarify those areas in which she lacked understanding. Furthermore, the reviewer made no mention of mine resistance or ambush protection. There was no comparative analysis of the design of armor vehicles and no evident awareness that the operators were asking for a combat proven COTS truck that an average military truck driver could figure out how to operate with minimal instruction. At best one could say that the I&L representative, whose lead Advocate analysis MCCDC eventually deferred to, was technologically and operationally deficient. As a result, a technologically and operationally less qualified civilian provided the dominant MRAP UUNS analysis input to the CDTs.”** (Gayl, p 19) There is some measure of understanding of the process in this critique that is absent from much of the remainder of Gayl’s analysis. The Advocate is in fact responsible for selecting the recommended course of action. Given the recognition of Advocate responsibility in this excerpt it is remarkable that the remainder of the Gayl study does not recognize the rest of the Advocate responsibilities. Gayl’s critique of the action officer, however, is unwarranted. This UUNS continued to be worked and developed beyond the initial action officer assessment as per order and directive. In addition, there was no restriction preventing the GCE Advocate from contributing during the entirety of the process with access to CMC if their input was not addressed.

ADVOCATE (PP&O)

The GCE Advocate was and is PP&O which includes Gayl as the S&T Adviser. The GCE Advocate was also a member of the MROC and had direct access to the Commandant. The GCE Advocate was also the Plans Policies & Operations Deputy Commandant and often substituted for the Commandant in joint forums. No deputy Commandant had more contact with the

Commandant. If Gayl's story is to be believed, and it is not, then the failures of the GCE Advocate were the most significant in the entire process.

If Gayl's premise, that the action officers conducted a determinative assessment, was correct, which it is not, then the following would also be correct:

- Gayl's characterization of the handling of the Hejlik UUNS focusses blame on other organizations while excusing PP&O and himself. One of the first steps in the UUNS process is to conduct an initial assessment. Gayl states: **"PP&O, i.e. the GCE Advocate, recognized that an MRAP POR was essential in order to fulfill the requirement."** (Gayl, p 21) The establishment of a POR for a billion dollar UUNS, Gayl states, was recognized by the GCE Advocate. In response they assigned a Captain (03) to craft their response. The response was not signed by the Advocate or the Advocate chain of command. The response was not elevated to the Brigadier General level as this was a potential billion dollar effort. Nor was it elevated to the DC PP&O, a Lieutenant General. This potential billion dollar UUNS assessment was signed by a Captain. Had the DC PP&O desired to, he could have stopped this entire action officer sequence and elevated it with flag officer participation (or even mid-grade officer participation). Instead, PP&O offered a Captain level analysis of the UUNS. Gayl continued his critique of the I&L action officer: **"So, assigning a HQMC civilian logistician, having limited ground combat insight and committed to the health of stateside PORs, as the lead Advocate in the analysis of a GCE UUNS assured the process outcome."** (Gayl, p 21) Gayl suggests that the process outcome was assured by this action officer sequence. Likewise, assigning a Captain to speak for the GCE assured the process outcome would not be seriously impacted by PP&O.

The Gayl criticism is, however, incorrect. The initial assessment by any of the action officers is a very basic first step that would eventually end up at the Senior Executive level. Attributing the fate of the Hejlik UUNS to a civilian logistician and a junior grade Captain simply demonstrates a failure to understand the process responsibilities of both the main and supporting Advocates. Gayl's failure to acknowledge GCE Advocate responsibility continued despite the following slide cited in the DOTMLPF WG (CDIB):



Cross Advocacy Issues

- **Is an advocate partnership necessary to achieve this capability/eliminate this deficiency?**
 - This is a MAGFT issue and impacts all of the advocates
It will require all advocates to be involved.
- **Can another advocate's initiative dramatically increase the benefits of pursuing the capability described in this UNS?**
 - TBD, what is the potential for other solutions from MCWL, ONR or the Joint community to provide solutions?
- **Are there any impacts on Maritime Pre-positioning Forces (MPF)?**
 - Only if they are added to MPF.

11

(Gayl, p 27)

The obvious conclusion is that there was a clear and widespread recognition that GCE Advocate participation was required and necessary. The remainder of this section will discuss GCE Advocate performance.

The performance of the GCE Advocate can be viewed through several prisms. One of them is that Gayl is fundamentally correct (which he is not). If he was correct, then PP&O, the GCE Advocate was negligent in the performance of their duties. This negligence includes Gayl as he was the S&T Adviser in PP&O.

Gayl states: **"MRAP was COTS with no combat developer Advocate, only GCE and operator Advocates outside of process control."** (Gayl, p 25) The process control is clearly depicted on the cover of each UUNS. The Advocates are clearly participants throughout the process. The input and critique of Advocates is clearly cited by Gayl. The position that there was no "combat developer Advocate" while citing input from the combat developer Advocate is a contradiction. There was advocacy and there was GCE Advocate input and it occurred in several echelons. There was Advocate process control in the proper places as demonstrated in the initial assessment.

“Returning to the chronology, the I MEF (Fwd) MRAP UUNS was briefed before the CDIB in the spring of 2005 (Reference p.3.). There is no written documentation available to the author that indicates a solution was voted upon at the DWG/CDIB, that a MCCDC GO was briefed on the outcome of the meeting(s), that the recommendation was forwarded to the MROC for consideration, or that the MROC formally approved or disapproved the MCCDC recommendation.” (Gayl, p 22) Most of these issues are documented in the DODIG or in this study. The main issue, however, is that the GCE Advocate S&T Adviser did not have documentation available to him. It is the Advocate’s responsibility to ensure that the correct process occurs and one may ask why the Advocate did not demand the documentation at the time the UUNS was under consideration. The GCE (Gayl) Advocate was a member of the DWG/CDIB. That documentation could have been sourced “in house” at PP&O. PP&O could have caused every step mentioned above to occur. Retrieving documentation is a different issue than the event occurring or not occurring. The sourcing of documentation well after the fact is one of the key issues that prompted the whole MRAP discussion and will be discussed in a subsequent chapter. Gayl’s lack of documentation is reflected in many of his writings.

“The MRAP was neither invented nor Advocated at MCCDC, and as with many relevant UNSs before (especially tactical ISR) and UUNSs that would follow, without a MEF (Fwd) vote on CDIB processes new ideas were indefinitely assigned the status of ‘deferred for study.’ (Gayl, p 28) The GCE Advocate was (and is) responsible for advocacy within the combat development process and at MCCDC. Failure to do so is the responsibility of the GCE Advocate and runs contrary to explicit orders and directives. The S&T Advisor, specifically, should have been advocating at MCCDC for GCE issues. Once again, the Advocate votes in the DWG/CDIB.

“Finally, there was no mention of reviewing the MRAP requirement with the Army acquisition requirement counterparts, and no attempt by the Lead Advocate to get her questions answered.” (Gayl, p 31) The GCE Advocate could have reviewed the requirement with the Army acquisition counterparts. Gayl himself could have done so and still be well within his duties and responsibilities. If the GCE Advocate had questions that were unanswered, then the GCE Advocate should have found the answers.

“This precisely reflected the operator sense of futility in asking for capabilities from combat developers that Majors McGriff, Allena, and Sinclair had observed in 2002-2003. The operating units feel obligated to politically “game” the USMC combat developers and their priorities if they are to expect anything today, as the operators understand they are at the mercy of a process they do not control.”(Gayl, p 50-51) The entirety of the Marine Corps is built upon capability development. Every procurement has been asked for. The only capabilities that are provided absent a stated need are those that are experimental. The above statement by Gayl is demonstrably false. One simply has to understand that every bullet, rifle, MRE or fixed wing aircraft started as a need by the operating units. The lists of UUNS submissions previously cited contain hundreds of additional requests by the operating forces (see Ouzts email dtd 5/2/2006 for examples). Combat developers do not develop capabilities in a vacuum. Capabilities are needs based which is precisely why MCCDC and MARCENT were encouraging a reluctant I MEF to submit a request for larger numbers of MRAPs in June of 2006. Once again,

process control is executed by the Advocates as well as MCCDC. Advocates can also submit needs as seen by UUNS submitted by PP&O.

“On 22 Nov 04, then DC, PP&O LtGen Jan Huly as the GCE Advocate signed an UNS requesting immediate investment or partnering by the Marine Corps in promising untethered tactical high altitude airships initiatives at DARPA, DDR&E, and the Missile Defense Agency (MDA).” (Gayl, p 97) The demonstrated ability of the GCE Advocate to submit UNS was manifested by the MEPOP UNS. There was no similar UNS or series of UNS for MRAP. MEPOP was for an undeveloped capability that had not shown the degree of maturity needed to be fielded. PP&O, however, could have submitted other UNS for ISR capabilities. Instead, Gayl makes the following fanciful claim: **“It can be argued that if combat developers had commenced to develop the untethered 15,000(+) foot ISR equipped MEPOP capability in cooperation with others when the UNS was submitted in 2004 the IED emergency would not have been permitted to develop to the extent that it has.”** (Gayl. p 100) As the Advocate, PP&O could have pushed this capability at the MROC and at the senior levels of the DOD. They did not do so. The MEPOP capability was never in high demand and eventually I MEF submitted a much more reasoned UNS for GBOSS ISR capabilities.

The critique of the I&L action officer is unwarranted given the responsibilities of the GCE Advocate and Gayl. If there was a failure to act on the Hejlik UUNS in 2005/2006, it was the primary fault of PP&O, the GCE Advocate. Fortunately, the Marine Corps did act on the UUNS.

MCCDC (aka Quantico)

Several commands exist at Marine Corps Base Quantico and the term “MCCDC” is often used synonymously with the term “Quantico”.

MCCDC responsibility for the 2005 Hejlik UUNS was both administrative and developmental. Developmental in that MCCDC participated in the development of the material solution and administrative in ensuring the proper process was followed. The development of the MRAP capability is discussed elsewhere. The list at the end of this chapter provides the names and billets of those who were briefed on or aware of the 2005 Hejlik MRAP UUNS. That combined with the accepted solution established by the Advocate (I&L), combined with MROC decisions, combined with the MARFORPAC designation of the UUNS as complete all show a legitimate consideration and solution by the authorities in the Marine Corps (to include CMC). MCCDC’s failing was in the documentation of these decisions and the terrible response to the Gayl accusations.

“It is clear that the MCCDC staff was successful at keeping the real reasons for shelving the MRAP urgent need concealed from the view of Gen Hagee in 05, and now General Conway in 07 and 08.” (Gayl, p 73) There are several falsehoods contained in this sentence, some facially obvious but others by implication. The MCCDC staff did not shelve the MRAP urgent need. If one were to use this terminology, MARFORPAC shelved the UUNS when it was downgraded to a regular UNS. The Advocates shelved the UUNS when they did not pursue MRAP after the m1114 decision. MARCENT shelved the UUNS as they actually owned it starting

in Aug 2005 (stand-up of MARCENT independent of MARFORPAC). MCCDC did not have the authority to shelve the UUNS and the list of senior officers briefed on the capability shows that MCCDC could not bury the UUNS. DC, PP&O (Gayl's boss) could have elevated any issues with the UUNS to the CMC at will. The list of Generals and staffs aware of the UUNS ensured that it could not be shelved. General Hagee does not abide by the decisions of MCCDC staff (neither does any other General). If the CMC wanted an action on the UUNS, then he would simply order it. Both the ACMC and DC, CDI could also direct action on any UUNS.

"The UUNS might have died invisibly in MCCDC and outside of normal MROC scrutiny as the SMEs had intended, were it not for tenacious efforts at MARCENT to resurrect MRAP consideration in the summer of 2006, as the IED emergency worsened in theater." (Gayl, p 73) Once again, UUNS responsibility for the 2005 Hejlik UUNS existed at I and II MEF, MARFORPAC, MARCENT, DC PP&O, DC I&L, DC P&R, DC CDI, and DC AVN. The UUNS was scrutinized by all of the MROC members. This statement wrongly portrays MCCDC as the sole decision-maker for UUNS. That was not correct by order or in practice for this specific UUNS.

"In the spring of 2005 the Doctrine, Organization, Training, Materiel, Leadership & Education, Personnel, and Facilities (DOTMLPF) Working Group (DWG) (today known as the Combat Development Integration Board [CDIB]) met to decide the fulfillment fate of the MRAP UUNS." (Gayl, p ix) The DWG does not decide the fate of UUNS. The DWG consists of MCCDC personnel and Advocates such as PP&O who all have a "vote". The 2005 Hejlik UUNS fate was decided by the I&L Advocate and the Executives of the Marine Corps at the EOS. The above statement falsely implies that the DWG had authority that it did not have.

"By taking Service-specific MCCDC requirements officials out of the funding approval chain, the MRAP fielding effort moved quickly, and continues to so today." (Gayl, p 51) MCCDC requirements officials are not in the funding approval chain.

"This POM slide is the first sign that MCCDC staff would intentionally slow-roll MRAP at the middle management level, and a handful of bureaucrats were able to allow an UUNS to go unfulfilled while maintaining the real tactical, operational and even strategic implications below the leadership radar." (Gayl, p 29) Mid-level management did not have the ability to slow-roll MRAP. Any number of officials within the combat development process could elevate any attempt at "slow-rolling" to their respective Generals. The "below the leadership radar" statement is noteworthy as it is proven false by Gayl's own study. He correctly states that the ESB and MARFORPAC and MARCENT were all participants in reviews or even signature-officials for the Hejlik UUNS. His list is incomplete. The full list of aware personnel consists of the majority of the leadership of the Marine Corps. It is available at the end of this chapter.

"Interestingly, none of these points were discussed at the CDIB in 2005. More likely, this rationale was added afterward, when MCCDC staff were at risk of being embarrassed by the rejuvenation of the MRAP program in 2006 and 2007." (Gayl, p 32) Prior to this statement Gayl points out concerns, voiced by MCCDC, with a major MRAP buy. Gayl was not present at the 2005 CDIB and had to rely on slides. The CDIB, however, is never restricted to the issues

presented on the slides. As a former CDIB briefer, this author did not put all relevant points on the slides. As a CDIB voter, the slides never captured all of the discussion points. CDIB members rarely helped create the slides. As with most briefing techniques, the brief (created by action officers) prompts discussion from those being briefed (the CDIB).

The second sentence implies that CDIB members may have been embarrassed when the MRAP effort got underway in 2006/2007. This was not the case. In 2006/2007 this author was a member of the CDIB and most members were relieved that I MEF had decided to submit a large MRAP need. There was an occasion where a JLTV advocate attempted to raise MRAP impact on the JLTV program as an issue. Several CDIB members responded immediately and Mr Blasiol immediately terminated the MCSC representative's point. MRAP, as seen in emails and as this author saw in the CDIB, was enthusiastically supported.

MROC

The MROC was well aware of the 2005 Hejlik UUNS. The MROC had several venues through which they received briefs. The majority of briefs were presented at the MROC in a standard form. A decision would then be rendered. An alternative was that the MROC would be briefed electronically (an electronic MROC) after which decisions would be made. Finally, as was the case with MRAP, briefs were given in another forum where MROC members were present. Formal briefs in person were not always required for the MROC to make decisions.

In the case of MRAP, no full formal-in-person MROC brief was presented. Members of the MROC, however, were briefed on the options to replace HMMWVs at the Executive Offsite in June of 2005. The decision established at the EOS was to replace HMMWVs with m1114s. LtGen Amos briefed General Conway (CMC) in May 2007 **"I wasn't here in Feb 05 and neither were most of my guys...but I can tell you that the decision to buy 1114's by the CMC was well thought out and discussed thoroughly at an EOS in mid 05. This UNNS was sent in in Feb 05...later that spring/summer Gen Hagee agreed at an EOS that he would replace 100% of all theater MAK'd HMMWVs with what he called "the Gold Standard,"...the M1114."** (Tomczak email dtd 5/23/2007) This decision was implemented with the full knowledge and participation of every member of the MROC.


Gayl states: **"MCCDC also apparently did not forward the UUNS to the Marine Requirements Oversight Council (MROC) for review and decision."** (Gayl, p x) Gayl continued, **"In researching MROC staff documents at the MROC Secretariat staff, the author could not locate any MROC Secretariat records of an MRAP UUNS presentation or any MROC Decision Memorandum (DM) pertaining to the 17 Feb 2005 MRAP UUNS."** (Gayl, p X). The Hejlik UUNS was in the MROC update brief dated 8 Aug 2005 and captured in MROCDM 55-2005 (Dasch email dtd 10/20/2005). In sum, the MROC was briefed at the EOS and updated regularly until Aug 2005. Gayl's erroneous statement reflects the lack of depth in his research.

Gayl is wrong again when he states: **"It is of special concern from an accountability standpoint that it appears that determined efforts of MCCDC personnel managed to keep the I MEF UUNS out of the normal, formal MROC process. The perception is that advice was given**

(including the IGMCM visit results) and decisions ultimately made “behind closed doors.” There is no known MROC Decision Memorandum on this UUNS (we have checked with the MROC Secretariat), in spite of the fact that it had a near-term resource implication that equaled or even exceeded USMC’s other top tier programs such as EFV and even Osprey. In the end no historical trail other than a few presentations, process documents, and a MCCDC info paper are known to exist.” (Gayl, p 38-39) “Known to exist to Gayl” and “known to exist” are demonstrably different phrases. The documentation throughout this study is testament to the existence of sufficient documentation to draw correct conclusions about the 2005 MRAP UUNS.


11th Semi Annual Executive Safety Board (ESB)

On March 29-30 the Eleventh Semiannual Executive Safety Board met. In attendance was the ACMC, five LtGens, four MajGens and an assortment of BGen and Col. The list of attendees is presented at the end of this chapter. As Gayl states: **“Upon returning to the US following I MEF (Fwd)’s Relief in Place and Transfer of Authority to II MEF (Fwd) (RIPTOA), Maj McGriff was directed by LtGen Gregson to brief the UUNS-articulated MRAP requirement before the March 2005 USMC Safety Conference.”** (Gayl, p 14) RIPTOA had occurred in Feb 2005, the Hejlik UUNS was submitted in Feb 2005 and the next month McGriff was briefing the ESB. The following slide was presented at the ESB by McGriff:



PHASE II: ART OF THE POSSIBLE

- **PURPOSE:** INTRODUCE MRAP
- **METHOD:** AUGMENT GTVF EDL
 - FY05 SUPPLEMENTAL
 - EVALUATE, SPIRAL DEVELOP
- **ENDSTATE:** MROC DECISION
 - ENDURING SOLUTION



VEHICLE					
QTY	TYPE	EST COST RANGE		EST COST TOTAL	
414	4 Wheel Pax / Cargo	\$375,000	\$450,000	\$155,250,000	\$186,300,000
36	4 Wheel Ambulance	\$375,000	\$450,000	\$13,500,000	\$16,200,000
36	4 Wheel 5-ton Cargo	\$375,000	\$450,000	\$13,500,000	\$16,200,000
36	6 Wheel 7-ton Cargo	\$375,000	\$450,000	\$13,500,000	\$16,200,000
522				\$195,750,000	\$234,900,000

ESTIMATED COSTS INCLUDE WARRANTY, SETS/KITS, MAINTENANCE PKG, TRAINING

(Gayl, p 15)

One month after the submission of the Hejlik UUNS, the author was requesting 522 vehicles, not 1169 vehicles. One explanation is that the number 522 is a separate request for these particular types of vehicles. The Hejlik UUNS was already in staffing and a cut in the requirement by 50% only one month later would reflect a very loosely conceived requirement in the first place. A second explanation is that the requirement shifted from 1169 to 522. This is the more likely explanation as LtGen Gregson, according to Gayl, asked for a MRAP brief based on the Hejlik UUNS. In this case the change in numbers reflects a still-developing requirement.

Despite the confusion that may have resulted from the shifting numbers, the Hejlik UUNS was discussed and briefed at the ESB. Two members of the MROC were present, the senior of which was the ACMC. A third MROC member (DC I&L) had flag officer representation at the conference. The ACMC directed CG MCCDC to:

(3) LOOK INTO THE FEASIBILITY OF DEVELOPING OR BUYING A NEW MINE-RESISTANT TACTICAL VEHICLE IN ORDER TO REPLACE THE HMMWV. INCORPORATE INTO TACTICAL WHEELED VEHICLE STUDY. (ALMAR 019/05)

Despite reported statements that CG MCCDC unilaterally decided at the ESB to purchase MRAPs (Gayl, p 15), CG MCCDC did not have the authority to make such a decision. He did have the ability to state his opinion which can easily be misinterpreted by those who do not understand combat development authorities.

Maj McGriff presented his ESB brief to a significant portion of Marine Corps Commands. His DCG and the signer of the UUNS, BGen Hejlik, was also present. Many of the commands represented at the ESB had UUNS and combat development responsibilities. After the ESB brief, those present can be counted in the numbers of those aware of the Hejlik UUNS. The possibility that MCCDC bureaucrats had the ability to bury this widely briefed UUNS shrinks with these types of mass briefings.

Inspector General of the Marine Corps (IGMC)

In May 2006 the IGMC assessed the deployed I MEF readiness. This assessment included an assessment of UNS and UUNS. Gayl states **“First, the 2006 report again proposed that the HMMWV was right choice for protection in MNF-W, and there was no mention that the MRAP was wanted by operators to replace the more vulnerable HMMWVs. This is curious since the I MEF (Fwd) MRAP UUNS was still unfulfilled.”** (Gayl, p 47) Gayl offers no explanation of why the IG did not mention the billion dollar Hejlik UUNS that would impact every Marine ground unit in Iraq. He simply notes it is curious. This inspection was previously discussed but this assessment by the IGMC once again shows that in May 2006 the Hejlik UUNS was no longer active.

Marine Corps Warfighting Lab (MCWL)

“On 16 Jun 06 Mr. Brad Stillabower of MCWL wrote to the MCWL CoS, Col Jeff Tomczak. Col Tomczak, who was just then discovering the existence of an urgent MEF need

for MRAPs at MCCDC. Mr. Stillabower explained that the MCWL had not worked on the MRAP and was just then being familiarized with the existence of the original MRAP UUNS (OIF-III– MRAP-05053UB). *“...we haven't worked this in Tech Div, as far as I know. According to CDTs, this MRAP UUNS was entered into CDTs in Feb 05, was briefed to DWG (now called CDIB), but the record shows no recommendation coming out of the DWG. It was not passed to MCWL, as far as I can tell from the CDTs record...MRAP sounds a lot like MMPV, a JUONS which MGen Catto included in his HASC testimony this week on USMC FP efforts: MGen Catto's testimony: 'In the interim, we're moving forward with approvals for the Medium Mine Protected Vehicle (MMPV), which has been requested as a Joint Urgent Operational Need. Various types of IEDs, rocket propelled grenades, and small arms fire intheater make it necessary for the Marine Corps to field a vehicle capable of surviving these types of attacks, and be able to counter attack. The MMPV provides that increased survivability and mobility. The Marine Corps plans to procure and field 185 MMPVs, which will provide our forces with a modular and scalable system capable of increasing the level of protection in accordance with the type of weapons available to the enemy.'”* This e-mail provided more evidence that the I MEF (Fwd) MRAP UUNS of 17 Feb 2005 was intentionally kept from the attention of the MROC by MCCDC.” (Gayl, p 50) Col Tomczak, like I MEF, MARCENT, II MEF, the Advocates and the rest of the Marine Corps, was also discovering the I MEF new need for MRAP-type vehicles. In conjunction with the new need for MRAPs, MCWL and the Marine Corps were discovering the existence of the 2005 Hejlik UUNS. MCWL was clearly unaware of the Hejlik UUNS. This author, as previously explained, tasked Maj Moore to scour the MCCDC databases and talk with MCCDC personnel to determine if there was any requirement under which MCWL could provide more MRAP-type vehicles (with JIEDDO support). There was not. Once again, this email showed positive and aggressive MCSC action with MajGen Catto briefing Congress (HASC) in support of the MMPV and the I MEF joint request for 185.

The next sentence by Gayl defies common sense. He states **“This e-mail provided more evidence that the I MEF (Fwd) MRAP UUNS of 17 Feb 2005 was intentionally kept from the attention of the MROC by MCCDC.”** (Gayl, p 50) Stillabower's email simply reflects a lack of knowledge about the completed Hejlik UUNS. MCWL has a lesser role in UUNS processing and would normally not be aware of all completed UUNS.

Gayl states: **“Later on 19 Jun 06, Maj John Moore of MCWL joined the discussion and clarified the relationship of the I MEF (Fwd) UUNS from 05 to the JERRV UUNS. He added: “This is an older UUNS that was never funded due to supportability. There's currently an UUNS for 185 JERRVs but MEF is writing a supplement to this that will expand that number significantly. Once validated, the request will be taken to JIEDDO for funding consideration.”** (Gayl, p 50) Maj Moore was not linking the two UUNS into a single requirement. The old Hejlik UUNS had been identified elsewhere and Maj Moore was providing a perception for an UUNS that MCWL never worked.

Marine Corps Systems Command (MCSC)

MCSC was working hand in hand with MCCDC in support of the MRAP capability. **“It is noteworthy that the Commander, MCSC (MajGen Catto) was already working on procuring the 185 JERRVs for I MEF (Fwd) using JRAC (i.e. Joint/CIED) funding as a result of JRAC JERRV JUONS approval. MCCDC was hardly aware, if at all aware of MCSC actions which turned out to be beneficial for MARCENT and the MEF (Fwd). The workaround to avoid MCCDC involvement in fielding MRAP by employing the more responsive JUONS-JRAC connection had been successful.”** (Gayl, p 50) MCCDC was the initial organization to recommend a JUONS (Hirsch email dtd 5/18/2006). Only after MCCDC prompting did MARCENT deliver a joint request. MCSC and MCCDC are required to work hand in hand for many reasons (captured in the acronym DOTMLPF). MARCENT shifted the UUNS to a JUONS with MCCDC prompting and this created the successful request Gayl mentions. MCSC actioned on this successful request and MCSC actions were coordinated with MCCDC.

Gayl makes additional comments about MCSC: **“Coordination between war planners and MCSC was also minimized, given known institutional opposition to a large urgent MRAP purchase.”** (Gayl, p 47) Gayl cites the positive actions of MCSC in the previous paragraph. It is difficult to understand if Gayl was being critical or complimentary of MCSC actions. It is clear that Gayl presents the actions of commands (positive or negative) based on the point Gayl is making.

After the submission of the first joint request for 185 vehicles and its initial success, I MEF generated another joint request for an additional thousand vehicles. **“Consequently, MARCENT war planners supported the I MEF (Fwd) decision to submit the full MRAP capability through the Joint chain in the form of an MNF-W-generated Joint Urgent Operational Needs Statement (JUONS).”** (Gayl, p 47) The full MRAP capability would continue to increase as a more thorough analysis of needs was completed.

If Gayl is to be believed, and he is not, then there was negligence across the entire Marine Corps with regard to the processing of the document known as the Hejlik UUNS. This negligence included I MEF (2 rotations), II MEF, MARCENT, MARFORPAC, MARFORLANT, PP&O (Advocate)(includes Gayl), I&L (Advocate), MCCDCD, MROC (including remaining advocates) and their staffs. In addition, several organizations with UUNS support responsibilities would have also been negligent to include MCSC, P&R, MCWL and the 11th ESB.

11H- THE FAILURE OF THE DODIG

The DODIG failed in its investigation in that they failed to classify the Hejlik UUNS as downgraded to an UNS despite the evidence showing the downgrade.

The DODIG failed in several elements of the MRAP investigation. The majority of those flaws will be addressed in the DODIG Chapter. The UUNS process portion of their investigation, however, is a critical element as it impacts the rest of the DODIG. The flawed finding of the DODIG in the processing of the Hejlik UUNS colors the rest of their investigation and created the inaccurate criticisms of the Marine Corps. This single flaw cascaded into multiple flawed conclusions within the DODIG. It will be addressed in this section to maintain UUNS understanding continuity.

The DODIG stated that they could not find any documentation stating that the Hejlik UUNS was changed to an UNS and therefore the Hejlik UUNS remained active: **“More than 2 years later, on July 16, 2007, the former Deputy Commanding General issued a memorandum to the Director, Marine Corps Public Affairs, stating that the 2005 decision to field M1114 up-armored HMMWVs was the correct Marine Corps decision in response to the threat in 2005. The former Deputy Commanding General told the audit team that he issued the memorandum to clarify that his intent in signing the UUNS was for the Marine Corps to acquire and field the MRAP within 2 to 5 years, as stated earlier. However, as shown in Appendix C, the UUNS clearly indicated that the requirement for MRAP-type vehicles was priority 1 and urgently needed—not a capability desired in 2 to 5 years.”** (DODIG, p 11)

THE DCG, BGen Hejlik, stated that the decision to answer the UUNS with m1114s was an acceptable decision for his UUNS. The DODIG disputes this assertion and the statement of the DCG. The intent to field a capability in 2 to 5 years is consistent with an UNS, not a UUNS. Once the UUNS was answered with the M1114, it was changed into an UNS by MARFORPAC. This change is evidenced in the I MEF prioritized UUNS lists where the MRAP UUNS is specifically changed to an UNS. Subsequent decisions reflecting the reduction are evidenced elsewhere. There was an abundance of provable fact supporting the reduction to an UNS.

The DODIG further stated: **“Representatives from MCCDC stated that they believed that Marine Corps Forces Pacific downgraded the MRAP UUNS to a universal need statement. We contacted representatives from Marine Corps Forces Pacific, including the universal need statement coordinator assigned to the MRAP UUNS, who did not have any documentation regarding changing the MRAP UUNS to a universal need statement. In addition, the representatives stated that they did not believe Marine Corps Forces Pacific had the authority to downgrade an UUNS that they had sent to the MCCDC.”** (DODIG, p 13)

	A	B	C	D	E	F	G	H
156	MCSOCOM ONE Deployable GCCS-J	04022UA						
157	MEGA (EQPT Enhancement)		I MEF [13th MEU]	N/A	Submitted to I MEF (rear); Forwarded by I MEF (rear). DCG directed 3 MEUs in the AO to evaluate and comment. 11th & 24th MEU comments received awaiting 31st MEU, Division Action. Col LaVine modified his list based on discussions with G-4 and CoS.			
158	MEU(SOC) .45 Caliber Pistol	03021UC					E12512M	PISTOL, MEU (SOC), C
159	Mine Plow Full Width	02274UQ					B01617B	SURFACE MINE PLOW
160	Mine Resistant Ambush Protected Vehicle (MRAP) (This is an UNS - not an Urgent UNS)	05053UB	MFP	1,169	Validated & forwarded by MFP. UUNS being developed by DWG with MCSC. Awaiting planning guidance from DC CD. DWG complete. Awaiting MROC review. Mission closed. MFP has dropped this from an Urgent to a Regular UNS.	Protect the crew from IED/mine threat through integrated V-shaped monocoque hull designed specifically to disperse explosive blast and fragmentary effects. Minimum protection should be 30 lbs TNT under any wheel and 15 lbs anywhere under the vehicle. 4th generation armored vehicle to counter mines, IEDs, VBIEDs and SVBIEDs.	N/A	Hardened Engineer Vehicle (MMRP) (Army TPE)
161	MLE Capability Set (Laser Range Finder, PRC-117, PRC-150)	03021UF						
162	Mobile Command and Control Capability Set III and Set IV	03043UC					A02547G; A02557G	COMBAT OPERATIONS CAPSET, SET III [AN/T] SET IV [AN/T]SQXX(V)4
163	Mobile Gamma Ray for EPCs		I MEF [3d MAW]	2	G-3 FP/AT determining total MNF-W requirement. MCSC notified us 6 additional were provided for in Congressional plus in signed defense bill, clarifying with MCCDC & MCSC what is required to mod original Backscatter UUNS for additional systems.	Vehicle bomber detection system for entry control points; a-ray/gamma ray technology to scan cars and trucks.	B00157B	Z-BACKSCATTER X-RAY

The MCCDC representatives were correct and the MARFORPAC representatives were incorrect in their “belief”. MARFORPAC did downgrade the UUNS to an UNS (2-5 year window). The DODIG did not find any evidence of this downgrade. They failed to check with the originator of the UUNS, I MEF. The DODIG makes a second flaw in placing credence on the opinion of the MARFORPAC representative vs finding the facts. MARADMIN 045/06 states:

UUNS PRESENTED TO THE MROC WILL BE REPRESENTED AS MARINE COMPONENT COMMANDER WARFIGHTING REQUIREMENTS, VICE MEF OR MSC REQUIREMENTS. (MARADMIN 045/06)

MARADMIN 045/06 was issued in Jan of 2006, the period of time for which the Marine Corps supposedly was ignoring the UUNS. The MARADMIN merely captures the owner of the UUNS as the component commander and not a subordinate organization. The ownership of the UUNS was never stated as MCCDC, an Advocate, or any other supporting organization. In Jan 2006 MARFORPAC was, by MARADMIN, responsible. They were actually responsible before then as well, despite the confusion of the MARFORPAC action officer(s).

In sum, MARFORPAC downgraded the UUNS to an UNS and it was their authority to do so. They did so because the m1114 response was deemed satisfactory at the time. The downgrade was consistent with BGen Hejlik’s statements and a 2-5 year plan. The DODIG had to reach several erroneous conclusions about the Hejlik UUNS in order to arrive at their conclusions. They also had to view the statements of BGen Hejlik as false. These DODIG errors, if corrected at the time, would have presented a totally different set of conclusions that would have exonerated the Marine Corps of many of the scurrilous MRAP charges.

11I-THE REASON HEJLIK UUNS PROCESSING STOPPED

Processing of the Hejlik UUNS was ceased because a solution was delivered.

One of the unheard positions on the Hejlik UUNS was that it was fulfilled. As previously described, the UUNS was no longer active well before the JERRV submission in May 2006. One of the reasons it was no longer active was that there was a solution that was accepted by the leadership of the Marine Corps, the submitting unit (I MEF), and MARFORPAC. This author is not presenting the position that the decisions made were correct or incorrect. The fact is that, right or wrong, a decision was made.

Gayl states: **“The MAK armor kits and the M1114 should never have been considered as potential material solutions.”** (Gayl, p 66) Gayl stated again: **“Therefore, neither the MAK armor kits nor the M1114 should have been considered as potential material solutions, for the Feb 2005 MRAP UUNS, by MCCDC or the Marine Corps leadership.”** (Gayl, p 67) Right or wrong, Gayl acknowledges that the m1114 was considered as a solution for the 2005 Hejlik UUNS. This acknowledgement allows for the criticism of the arrived at solution. It also acknowledges that the derived solution was the m1114. If there was a solution, no matter the quality of it, then the process of submitting an UUNS providing a material solution was fulfilled. The entire argument that the UUNS was buried, slow-rolled, mishandled (etc.) falls flat in the face of this very simple argument: A solution was provided.

“CMC’s “additional information” on MRAP continued: “The decision to pursue the M1114 was made by the Marine Corps leadership because of its proven capability to protect, its tactical utility, the demand by the Marines in theater, and its availability.” (Gayl, p 70) CMC further describes and justifies the m1114 solution. Once again, this author is not trying to justify the m1114 decision. This author is simply pointing out that a decision was made.

“I MEF (Fwd) had already experienced superior support from the JRAC with the JERRV JUONS, in light of MCCDC’s shelving of the MRAP UUNS in 05.” (Gayl, p 94) Gayl’s point, often quoted and certainly wrong, was that the MRAP UUNS was shelved. CMC and Gayl both state that the m1114 was the delivered solution. The UUNS cannot be simultaneously shelved and fulfilled.

“The GCE Advocate, who had been assigned to a Supporting Advocate role, formally recommended that an MRAP Program of Record (POR) be established, and the UUNS fulfilled (Reference p.8.).” (Gayl, p ix) The provision of the m1114 solution also explains the total absence of any action by the Advocates. A response from the Advocate Command (PP&O) may have offered a different solution. The Advocates, however, didn’t advocate for any different solution after the m1114 solution. The next MRAP action was after I MEF deployed in 2006. If the UUNS remained active, the Advocates would have been negligent in not supporting/advocating for the Hejlik UUNS. The UUNS, however, was resolved.

11J-ALWAYS SOMEONE SAYING NO

Gayl used select quotes and slides to portray an inaccurate picture of MCCDC MRAP positions. There were legitimate reasons to question a large MRAP buy, and they were debated. The debate was not the decision.

One of the techniques Gayl uses is to point out a slide where an opinion is offered by an action officer and then to present it as a final decision. The majority of briefs in Gayl's study are opinion briefs. MCCDC personnel are tasked with wargaming an UUNS and stating potential downsides. An action officer may be a strong supporter of an UUNS and yet speak critically of it in their assigned slides. This allows for consideration of problem areas but does not reflect the position of the briefer. Gayl states: **"CDTS entries point to mid level process managers questioning MRAP because it would compete against favored programs and futuristic expeditionary warfighting concepts for funding."** (Gayl, p 18) Some mid-level process managers were against MRAP. Others were not. The slides tell very little about the position of the mid-level managers.

For example, Gayl states: **"CMC's comment that MRAP and JLTV are not linked represented a decisive departure from the perspective of MCCDC in the spring of 2005. The CDIB briefing of the MRAP UUNS showed a direct link between the two in that MCCDC staffers were concerned that developmental programs like JLTV might have to help pay for COTS MRAPs."** (Gayl, p 53) This author was in the CDIB briefing and fondly remembers the occurrence when a MCCDC staffer brought up JLTV in the context of MRAP. The MCCDC staffer was barely finished before several other MCCDC staffers clamored to respond. Mr Blasiol cut the JLTV Advocate off and said his point was not appropriate. The CDIB continued on without any other JLTV consideration. Unfortunately, the JLTV Advocate did speak and he did question the effect of MRAP on JLTV. This gave Gayl the ammunition needed to smear the entire board.

The opinions of those who did not favor a MRAP buy were not only focused on the impact of programmatics, there was also a legitimate debate about the worthiness of MRAPs. This author was a proponent for the increased use of MRAP-type vehicles in Iraq, however, there were many legitimate arguments against MRAP. This does not mean that the arguments against held more sway. It simply means that there were considerations that had to be portrayed because they mattered. Oftentimes those who did their duty to present all sides of the decision were portrayed as anti-MRAP. Gayl inaccurately presents different individuals and organizations as anti-MRAP based on individual slides or briefs that were only partial representations.

There were individuals, however, who were anti-MRAP for various legitimate reasons. Some of the identified problems with MRAP were:

- Vulnerability to EFP
- Vulnerability to RPG
- Reliability

- Higher fuel requirements
- Cost
- Lag in availability
- No quick exits
- Less Maneuverable especially in built up areas
- Less visibility
- Required tactical unit reconfiguration at the small unit level
- Theater specific
- COIN specific

All of the above issues are legitimate debate issues and conscientious officers should have raised them and did so. Some disagreed with a transition to MRAP based on one or a combination of the above. In the Marine Corps there is often opportunity for robust debate. Practitioners of the Marine Corps Planning Process (MCP) understand this. Every MCP step requires robust input and several steps actually require debate. Once the debate is complete, then the leadership makes the decision and all hands come to the table ready to execute the decision. Quoting components of the debate instead of the final decision is a misleading technique.

11K-WHO KNEW AND WHO WAS “RESPONSIBLE”

The following list of over thirty Senior General Officers and Staffs shows responsibility for the disposition of the Hejlik UUNS.

In order for the accusations of MCCDC delaying or burying the 2005 Hejlik UUNS to be true there would have had to be a conspiracy across the Marine Corps. This conspiracy would have had to include those who were tasked with UUNS responsibilities as well as those who had a vested interest in the UUNS. Those who had specific Hejlik UUNS responsibilities and who would have been a part of this supposed conspiracy includes:

- CMC General Hagee (decided on m1114 COA and briefed at the EOS with full knowledge of MRAP)
- ACMC General Nyland and General Magnus (Attended EOS and presided over the MROC. General Nyland was briefed in the MROC and signed the MROCDM updating MRAP.)
- Attendees of the 2005 EOS (All Lieutenant Generals of the Marine Corps were briefed on vehicle solutions at the EOS)
- The MROC (Received the final Hejlik UUNS update in Aug 2005 and took no further actions through mid-2006 (listed below))

Members	Organization
Gen Nyland	ACMC
LtGen Magnus	P&R
LtGen Hough	AVN
LtGen Osman	M&RA
LtGen Huly	PP&O
LtGen Mattis	CD
Ms. Lucchino	T&L
Also in Attendance	
Mr. Hogue	CL
BGen Catto	MCSC
Mr. Polzin	MCSC

(Dasch email dtd 10/20/2005)

- MROC Review Board (MRB) (The review board for all MROC activities consisting of general officers or their representatives for each MROC member)
- DC, P&R (LtGen Magnus then LtGen Gardner) and staff (Received all UUNS from MARFORs, MROC Review Board Chairman, EOS attendee, MROC attendee, DWG/CDIB attendee) (Potential Billion Dollar UUNS)
- DC, PP&O (LtGen Huly) and staff to include Gayl (Advocate for the GCE, MROC attendee, MRB member, EOS attendee, DWG/CDIB member, supporting Advocate for Hejlik UUNS)

- DC I&L (LtGen Kelly then LtGen Kramlich) and staff (Advocate for the CSSE, Hejlik UUNS primary Advocate, EOS attendee, MROC Attendee, MRB member, DWG/CDIB member, creator of m1114 solution)
- DC MCCDC (LtGen Mattis) and staff (CE Advocate, Hejlik UUNS administrator, EOS attendee, MROC Attendee, MRB member, DWG/CDIB host)
- CG MARFORPAC (LtGen Gregson then LtGen Sattler) and staff (UUNS submitter and owner)
- CG MARCENT (LtGen Sattler) and staff (UUNS owner after split with MARFORPAC, LtGen Sattler was the Commander of I MEF (Fwd) and authorized the original Hejlik UUNS then was promoted to the component commander supervising the UUNS)
- CG I MEF (LtGen Sattler) and staff (Command element for I MEF (Fwd))
- CG II MEF (LtGen Amos) and staff (Command element for II MEF (Fwd))
- CG I MEF (Fwd)(LtGen Sattler) and staff 2005 (Marine Command organization in Iraq submitting the Hejlik UUNS)
- CG II MEF (Fwd)(MajGen Johnson) and staff 2005-2006 (Marine Command organization in Iraq)
- CG I MEF (Fwd)(MajGen Zilmer) and staff 2006-2007 (Marine Command organization in Iraq that submitted the 185 JERRV joint request in May 2006, Gayl eventually joined this unit)
- MCSC (BGen Catto) and staff (MROC Attendee, Received Hejlik UUNS, DWG/CDIB member, solution performer for m1114)

Of particular interest is that the original signer of the UUNS (BGen Hejlik) and the CG of I MEF (LtGen Sattler) were both promoted to more senior billets within the UUNS submission chain of command. In these billets they did nothing with the 2005 Hejlik UUNS after Aug 2005. LtGen Sattler was the CG MARCENT when the next JERRV UUNS was submitted. He advocated for the JERRV UUNS but not the Hejlik UUNS. Once again, the reason was that the Hejlik UUNS was concluded.

If Gayl were to be believed, and he is not, the above commands were negligent in their administration of the 2005 Hejlik UUNS. Each command and individual had a specific role by Marine Corps order and directive. If Gayl were to be believed, the Commandant, Assistant

Commandant, MROC members, Advocates, Marine Components and both Iraq MEFs all failed in their UUNS responsibilities in the face of the desires of mid-level bureaucrats at Quantico...

In addition to the responsible organizations per Marine Corps Orders and Directives, the Executive Safety Board attendees had a vested interest in the Marine Corps Vehicle fleet. They would have also been negligent if Gayl was correct. The attendees at the ESB were captured in ALMAR 019/05. They included:

THE ACMC	
LTGEN GREGSON	COMMARFORPAC
LTGEN BERNDT	COMMARFORLANT
LTGEN BLACKMAN	CG, III MEF
LTGEN AMOS	CG, II MEF
LTGEN MATTIS	CG, MCCDC
MS. DEWITTE	DASN (S)
MAJGEN BICE	IGMC
MAJGEN JONES	CG, TECOM
RADM BROOKS	COMMANDER, NAVAL SAFETY CENTER
MAJGEN DONOVAN	CG, MCB CAMP PENDLETON
MAJGEN DICKERSON	CG, MCB CAMP LEJEUNE
BGEN GASKIN	CG, MCRC
BGEN WILLIAMS	REPRESENTING, DC, I&L
BGEN HEJLIK	REPRESENTING CG, I MEF
BGEN FLOCK	CG, MCB CAMP BUTLER, OKINAWA
BGEN JENSEN	COMCABWEST
BGEN PAYNE	CG, LOGCOM
BGEN PAPAK	REPRESENTING COMMARFORRES
COL ROTEN	REPRESENTING CG, MCB HAWAII
COL BULAND	REPRESENTING COMCABEAST
SGTMAJ ESTRADA	SMMC
MR. RIDEOUT	REPRESENTING CG, MARCORSYSCOM

According to Gayl, the responsible organizations (per order and directive) listed on the previous two pages and the ESB were all cowed by the mid-level bureaucrats at Quantico because they did not, as individuals or as an organization, follow up on the status of the UUNS. The power and authority of the MCCDC bureaucrats over the above list is, in truth, none. These individuals/organizations were not cowed by the bureaucrats at Quantico.

There is another conclusion that makes more sense than the assertion that the mid-level bureaucrats at Quantico held sway over the above list. The UUNS was satisfied with the m1114 and converted to a long term requirement (UNS) which are developed over years.

12-GAYL STUDY FLAWS

As shown in this study, Gayl only started to participate in MRAP once the Marine Corps was well on its way to procurement. Gayl's main complaints from his DDR&E brief lay elsewhere. The DDR&E presentation only had two of thirty one slides focusing on MRAP and armor. The other 29 focused on a variety of equipment, the greatest number were ISR related. Gayl states of the eventual successes in Anbar: **"This is due to a combination of inner provincial Iraqi re-alliances and the dramatic benefits of persistent tactical ISR, and later, cemented with MRAPs and additional troops. Had ISR and other tools of CIN been fielded promptly in past years by combat developers the IED emergency and urgent need for MRAPs may never have materialized."** (Gayl, p 54) Gayl did not start out as a "MRAP whistleblower". He was a general purpose whistleblower who, after coordination with press and politicians, determined that MRAP had higher visibility. His study reflects the absence of real MRAP knowledge. This chapter will discuss the flaws in the writing of Gayl's study and the substance of Gayl's study.

12A-FLAWED WRITING TECHNIQUES

Gayl's techniques for writing his study were flawed and led to critical errors in his conclusions.

12A1-WRONG ORDERS ARE THE BASIS FOR GAYL'S STUDY

Gayl uses several orders as the basis for his study. They are the wrong orders if one is studying MRAP events. The flawed base documents (orders) cause Gayl's study to be fundamentally flawed.

Many of the flaws in Gayl's case study can be attributed to the failure to use relevant orders and directives. Compounding the problem of the absence of correct orders/directives is Gayl's use of marginally relevant orders/directives. Line one of Gayl's Purpose in the Executive Summary reads: **"a. Purpose. The study uses a recent example of a Ground Combat Element (GCE) - requested capability that encountered combat development challenges in order to illuminate some of the systemic problems inherent and endemic to the Expeditionary Force Development System (EFDS) at Marine Corps Combat Development Command (MCCDC)."** (Gayl, p vi)

Gayl's focus is the EFDS at MCCDC, yet he does not use the orders and directives relevant to the example of the MRAP. The most relevant orders/directives are outlined in Chapters 4-6 in this study. The orders/directives in this study are also referenced in the MRAP DODIG. The DODIG did not use Gayl's orders/directives in the commission of their investigation. Without a correct understanding of the relevant orders and directives, any portrayal of the events surrounding the MRAP UNS/UUNS would be fundamentally flawed.

Gayl, in a rare example of accurate writing, decided to make only minimal use of his referenced orders. His orders/directives are used in the introduction and the conclusion. The rest of his study remained uncluttered by these orders. Nevertheless, his referenced orders remain the baseline for his conclusions, so they must be addressed. Gayl points to these orders in his Executive Summary Conclusions section (quoted in its entirety): **"4. Conclusions. The MRAP cases study has demonstrated that Marine Corps combat development organizations are not optimized to provide responsive, flexible, and relevant solutions to commanders in the field. Also, several Marine Corps Orders may be relevant for any future analysis or investigation of USMC combat developer actions related to MRAP. Those orders are References o.1., o.2., o.3., o.4., o.5., and o.6. Other specific conclusions are listed at the end of the study body."** (Gayl, p xv)

The use of these orders provides minimal or no capability to provide relevant analysis or investigation. Nor do they support relevant MRAP study conclusions. Gayl's orders that form the basis for his study are as follows (Gayl, p 3):

- **o.1. Order - MCO 3500.27B Operational Risk Management (ORM)**

- o.2. Order - MCO 5100.8 Occupational Safety and Health (OSH) Policy
- o.3. Order - MCO 5100.29A Safety Program
- o.4. Order - MCO 7510.5A FWA Oversight, Awareness, Prevention and Remedies
- o.5. Order - MCO 5800.13A Investigations of Allegations Against Senior Officials
- o.6. Order - MCWP 5-1 Marine Corps Planning Process (MCP)

MCWP 5-1 is not an order or directive. It is mislabeled and mischaracterized. MCWP 5-1 is Marine Corps doctrine, not Marine Corps order.

Gayl uses his orders to level the charge of mismanagement: **“Gross mismanagement of the MRAP may have created a significant adverse impact on the GCE’s ability to accomplish its mission, with measurable operational consequences, and several Marine Corps Orders (MCOs) may be applicable.”** (Gayl, p 123) One would think that such a weighty charge would be supported with orders that **are** applicable vs those that **“may be”** applicable.

Gayl uses Operational Risk Management as his first Order: **“(29) MCCDC and MCSC officials may have acted in violation of MCO 3500.27B, Operational Risk Management (ORM).** This MCO states in part: **“ORM is an integral part of the decision making process for both Marine Corps military and civilian personnel in all operational and non-operational activities,”** and **“The primary objective of ORM is to avoid unnecessary risk. Successful implementation of the ORM process will increase mission effectiveness while minimizing unnecessary loss of assets, both personnel and materiel.”** (Gayl, p 123) ORM is applicable to risk and risk appreciation is a key tenet of tactical and operational planning. ORM, however, applies on an even broader scale. ORM applies to such things as proper speed limits, water cleanliness, sleep requirements for pilots, and shelter from indirect fire etc. It is a broad catch-all type term.

Had Gayl read further in the ORM order he would have a better understanding of the Marine Corps approach to tactical and operational risk: **“Risk is inherent in war and is involved in every mission. Risk is also related to gain; normally greater potential gain requires greater risk.”** Our Marine Corps tradition is built upon principles of seizing the initiative and taking decisive action. The goal of ORM is not to eliminate risk, but to manage the risk so the mission can be accomplished with the minimum amount of loss.” (MCO 3500.27b, p 4) Commanders assess risk and make decisions for their commands. ORM for the deployed MEFs was the primary responsibility of the MEF Commanders, not MCCDC or MCSC personnel. MCCDC and MCSC, however, do consider ORM but rely on the deployed Commander for his unit assessment of MRAP ORM-type decisions.

Gayl’s second order is focused on Occupational Safety and Health: **“MCCDC and MCSC officials may have acted in violation of MCO 5100.8, Marine Corps Occupational Safety and Health (OSH) Policy.** This MCO states in part: **“Commanders/commanding officers shall implement this Order...This Order promulgates Marine Corps Occupational Safety and Health (OSH) policy to eliminate or minimize the probability of mishaps occurring in training,**

industrial, U.S. Government and tactical vehicle, other operational, and off-duty environments..." (Gayl, p 123) MCO 5100.8 references the federal OSH Act and encompasses many of the same topics such as workplace stress, repetitive motion injuries, furniture ergonomics, and many other workplace standards. For example, MCO 5100.8 specifically tasks Installation Commanders to: **"Provide inspections of the MCCS operated children, youth and teen programs and facilities as required by references (i) and (j). This inspection report shall include review of the monthly inspections conducted by safety trained MCCS personnel. The inspections conducted by the installation safety office of spaces for childcare shall include all Occupational Safety and Health Administration safety requirements as well as the requirements of references (i) and (j)."** (MCO 5100.8, p 4-5) This order also has little application when addressing MRAP efforts in Anbar, Iraq.

Gayl's third order deals with the Marine Corps Safety Program: **"MCCDC and MCSC officials may have acted in violation of MCO 5100.29A, Marine Corps Safety Program. This MCO states in part: "Commanders at all levels are responsible for ensuring that the Marine Corps Total Force is maintained at the highest level of readiness possible by incorporating operational risk management (ORM) in all operations assuring controls are in place for any hazard that cannot be eliminated and providing appropriate safe and healthful facilities for all their personnel," and "This order is applicable to all Marine Corps personnel, to include...military personnel and civilian Marines," and "This order applies to all Marine Corps facilities, equipment, training facilities and materiel; and is in effect ashore, on or off Marine Corps installations, or while embarked in aircraft of vessels."** (Gayl, p 123) This order deals with safety in a similar way to MCO 3500.27B. Both of these orders cover broad concepts and are ill-suited for MRAP UUNS analysis. MCO 5100.29A also deals with the inherent safety associated with any individual piece of equipment. For example, a laser dazzler that does not meet safety standards is prohibited from being used by this order. This is relevant in the discussion of the Laser Dazzler. It is not as relevant in the MRAP discussion as MRAP-type vehicles, m1114s and all HMMWVs were safety certified.

Gayl's order number 4 also applies to the Laser Dazzler, but has little application to MRAP. **"MCCDC and MCSC officials may have acted in violation of MCO 7510.5A, Marine Corps Fraud, Waste, and Abuse (FWA) Oversight, Awareness, Prevention and Remedies. This MCO states in part: "The Marine Corps is committed to an aggressive program of oversight, awareness, prevention, and remedies of FWA. Our goal is to preclude even the slightest impression of impropriety in the handling of our manpower, material, and money," and Commanding Generals are responsible for "Requiring economy within their commands and strict compliance with regulations governing the receipt, accounting and expenditure of manpower, money and materials."** (Gayl, p 123) Waste, fraud and abuse usually requires some sort of action. Gayl's arguments center around MCCDC's supposed "failure to act". This order therefore has limited applicability. The areas where Gayl asserts that there was waste, fraud and/or abuse are explained in this study. The DODIG for MRAP did not find waste, fraud or abuse.

Gayl's final Order once again assumes some sort of guilt by senior officials. **"MCCDC and MCSC officials may have acted in violation of MCO 5800.13A Investigations of Allegations Against Senior Officials. The fact that these acts occurred at least in part due to priorities connected to programmatic agendas and rigid process conformance for its own sake, and the fact that General Officer decision makers were impacted, may also make MCO 5800.13A applicable here."** (Gayl, p 123) Once again Gayl assumes corruption where none occurred. Senior Officials involved with programmatic decisions are very limited. A specific allegation against a specific individual would be easier to address than the specious accusations Gayl employs. In addition, this reference does not add to the understanding of events surrounding the MRAP UNS/UUNS. It simply demands accountability.

In sum, Gayl's referenced Orders encompass:

- One piece of Doctrine that is not an Order.
- Two Orders dealing with the prosecution of wrongdoing while doing nothing to establish facts surrounding the MRAP UNS/UUNS/JUONS.
- Three Orders that are too broad for MRAP understanding as they apply to the entirety of the Marine Corps and often apply to civilians and family members as well.
- No Orders or Directives referenced in the DODIG MRAP Investigation.
- No Orders that were quoted anywhere in Gayl's study apart from the conclusion.
- No Orders useful for understanding events surrounding the MRAP UNS/UUNS/JUONS.

Gayl's failure to ground his points in actual orders and directives reflects poor analysis that is evident throughout his study.

12A2-MCCDC CRITICISM INCLUDED NO INTERVIEWS WITH MCCDC PERSONEL

Gayl failed to interview MCCDC, EFDC, and JNLW personnel in his research. Combined with the lack of documentation, this flaw confirms Gayl's lack of knowledge about the subject of his study.

One may ask how it is that Gayl was so wrong on so many issues. That answer starts with the purpose of his study. The purpose of Gayl's study: **"in order to illuminate some of the systemic problems inherent and endemic to the Expeditionary Force Development System (EFDS) at Marine Corps Combat Development Command (MCCDC)"** (Gayl page vi). Gayl had experience at Quantico in testing and training, but had little experience in MCCDC EFDS. One might have thought that he would therefore rely heavily on combat development orders and directives. As seen in the previous section, he did not. As a fallback one may have thought that he conducted many interviews with MCCDC personnel. He did not. Gayl's constraint from the first page of his Introduction states, **"...this study did not include interviews or written queries of any employees or institutions coming under the command or oversight of the larger Marine Corps combat development community. These are understood to include MCCDC, the EFDC, Marine Corps Systems Command (MCSC), the Marine Corps Warfighting Laboratory (MCWL), the Joint Non-Lethal Weapons Directorate (JNLWD), and the USMC S&T Program at the Office of Naval Research (ONR)"** (Gayl, p vi). In sum, Gayl had no relevant experience in MCCDC, interviewed no MCCDC personnel, did not use EFDS relevant orders/directives, had few emails, and yet felt comfortable drawing conclusions about the actions of MCCDC.

"A question worth asking is: who 'balances' these issues? Is it accomplished by operationally and technologically-savvy (i.e. bilingual), programmatically neutral government personnel with relevant physics, engineering, or computer science insight? Is it accomplished by neutral government personnel who have a true insight into the state of the commercial art and industry capacity?" (Gayl, p 61) These are legitimate questions for which there are answers. The problem is that Gayl did not seek out the answers. He was confined to his own finite experiences and contributions from select personnel at I MEF and MARCENT. An assessment of MCCDC processes and procedures is not possible with the limited insight Gayl possessed. As Gayl quoted above, he did not interview MCCDC, MCSC, JNLWD, or ONR. The Marine Corps reach into other Labs was also ignored. MCCDC regularly coordinated with Army Labs, Navy Labs, Air Force Labs, DARPA, Joint Labs, JIEDDO, Industry and others. Gayl would have seen the MCCDC technology reach had his research been thorough.

From his admitted position of ignorance, Gayl then transitions to base accusation: **"Or is it overwhelmingly accomplished by acquisition and process specialists within the support establishment who have tangible programmatic interests in the outcome of decisions. These specialists who manage USMC combat development include non-promotable twilight tour officers, retired Marines working as civil servants at MCCDC, MCWL, MCSC, and ONR, and familiar contractors who also have a large stake in the outcomes of decisions."** (Gayl, p 61) There are no specific allegations provided by Gayl of Marines or Government Officials who

made decisions based on personal interests. Industry representatives/contractors make many decisions based on their own interests so they are omitted from the MCCDC decision making forums. Every Command has twilight tour officers (to include I MEF and PP&O). Every major command in the Marine Corps has retired Marines working as civil servants/contractors. Gayl himself completed his twilight tour at PP&O, then became a retired Marine working in the same place.

Gayl had a fundamental lack of understanding about MCCDC, MCSC and the elements of the EFDS. Instead of acknowledging his lack of understanding and accessibility to these organizations, he made accusations from a position of ignorance. There were flaws in MCCDC, MCSC and EFDS, however, Gayl did not provide credible research on them. His lack of credible research on MCCDC, MCSC and the EFDS created incorrect conclusions. The incorrect conclusions could have been addressed had he actually interviewed MCCDC personnel.

12A3-USE OF PARTIAL EMAIL

Gayl's partial emails are misleading.

The failure of Gayl to publish his source email deprives the readers of the context of the emails. The email quotes that Gayl provides are misleading. This author was in the email chain for several of these emails and is therefore able to provide examples of how Gayl shades the truth with half emails. Several examples follow:

"It quickly came to the attention of MARCENT war planners that there was a significant discrepancy between what I MEF (Fwd) was requesting in 2006 (185 each of a specific MRAP variant) and what had been requested in 2005 (a family of 1,169 MRAPs) (Reference e.2.). On 16 Jun 06 Col Thomas Cariker wrote: *"Gents, I will send you a brief on Sipur that call for CIED vehicles and some requested help from us by Marcent. They are asking for us to see if we can find an old UUNS signed by Gen Hejlik some time ago referencing Mine Resistant Ambush Protection Vehicle (MRAP). Chiefs/Staff, They are also asking if we can assign a CIED ground wheeled vehicle advocate for current threat vehicle advocacy (not next generation Hummer replacement)."* (Gayl, p 49) Missing from this email is the fact that Col Cariker was the Chief of Staff of II MEF (Lapierre email dtd 6/20/2006). This is important as the Chief of Staff for the recently deployed II MEF (Col Cariker) is himself asking the II MEF staff for the old Hejlik UUNS. This absence of knowledge about a billion dollar UUNS (by the II MEF COS) reflects a discrepancy between the number of vehicles Gayl states II MEF expected (1,169) and the number they really expected (zero). The COS lack of knowledge about the Hejlik UUNS is another verification of the lack of demand for MRAP-type vehicles.

The same email reflected one of the more glaring omissions previously addressed in Chapter 10. Gayl writes: **"However, on 20 Jun 06 I MEF (Fwd) staff wrote to MARCENT staff to correct that impression, in spite of MARCENT's concerns for the smaller I MEF (Fwd) JERRV requirement: *"...Col Milburn [I MEF (Fwd) CoS]...will take this subject up on Friday with Col Supnick [MARCENT CoS] when he arrives here at Camp Fallujah. We are sticking with the requirement for 185 JEERV vehicles..."*** (Gayl, p 50) Gayl cut off the rest of the email: **"We don't want to confuse anyone about our requirement, let's put this discussion on hold until after I hear from Col Milburn on Friday. Marty"** (Lapierre email dtd 6/20/2006). This is critical information required to understand that there was no requirement above and beyond 185, yet it was omitted. The inclusion of the rest of this email would contradict Gayl's assertions. Gayl states that there was a constant requirement for 1,169 MRAPs. If the requirement was only 185, then Gayl's main argument is proven incorrect.

One may legitimately ask if the remainder of Gayl's quotes from emails and other sources provide adequate context.

12A4-NO PROCESS DISCUSSION

Gayl critiques the actions of MCCDC based on his understanding of combat development processes. His “combat development process” is not provided or referenced.

Gayl’s assertions would have more credibility if they were based on some sort of recognizable process or responsibility. Many of his assertions are based on innuendo and assumptions. An understanding of the process combined with a small amount of reflection would show that aspects of his arguments are irrelevant. Several examples follow.

Gayl goes back to 2003 in his criticism of Marine efforts for Non-Lethal Weapons (NLW): **“It can be argued that if USMC combat developers had acted assertively on NLW needs that were known to them in 2003 Marines in OIF would have had available to them humane, non-kinetic options to control violence without causing permanent harm to innocents.”** (Gayl, p 103) The casual reader may not understand that Gayl himself was a USMC combat developer. He cites several of the UUNS that he submitted as a USMC combat developer (Gayl, p iii) but cites no NLW success or effort that would have been able to solve the NLW problem stated above. His use of the third person places the “blame” on others but a simple understanding of the combat development process would change the above pronoun from “them” to “us”. Gayl, according to the process, was as responsible as those he criticizes.

Gayl states: **“This loose association of the Cougar, Buffalo, Casspir, and RG- 31 with the term MRAP is misleading. All of those vehicles are and were specifically known as MRAPs. Based on all “MRAP” literature, from Capt Sinclair’s award winning article, to Maj McGriff’s SAW thesis, , the 1st MRAP UUNS, the 2005 Safety Conference briefing, the JERRV JUONS, the MRAP JUONS, and the 2nd MRAP UUNS, all combat developers and leaders knew and know that the allegedly “MRAP-like” vehicles purchased for EOD were MRAPs in fact.”** (Gayl, p 68) The article, school papers, the first MRAP UUNS and the 2005 safety conference all occurred. Gayl, however, gives no process or method during which all of these events would be required to be known by all combat developers. There is no process tying together an article in a 1996 periodical, a paper by a student in Quantico, a concluded UUNS and a brief at a conference. There is no reasonable expectation that combat developers would know of these disparate events at the time of the 2006 JERRV JUONS submission. Gayl simply lumps these disparate events together without addressing how any combat developer (let alone all combat developers) would have known of them.

Gayl continues: **“Casspirs, Buffalos, and Cougars were mentioned by name in the 1st MRAP UUNS. In the 2nd MRAP UUNS RG-31s and Cougars were pictured as members of the family of MRAP solutions. This was also the case for the MRAP JUONS. The JERRV JUONS pictured the Cougar. In Maj McGriff’s presentation to USMC leaders in 05 a cost slide pictured the 4-wheeled Cougar variant (see Figure 7 earlier). The confusion of these words above introduces the reader to a misleadingly vague definition of MRAP, in spite of the abundant and compelling documentation that meticulously and unambiguously defined an MRAP.”**

(Gayl, p 68) The nomenclature is addressed in Chapter 8 of this study, but once again Gayl expects that all combat developers should have been aware of McGriff's presentation at the 2005 Safety Conference. Is the expectation that all combat developers know the content of all briefs given at the Safety Conference? Is there an expectation that all articles published in the Gazette during the last decade are known to all combat developers? Is there an expectation that all school papers are read by all combat developers? Every Marine Officer has the potential to be assigned to a billet in the EFDS as a combat developer. Does that mean that all Marine Officers should be familiar with all of the articles published, papers written, and UNS/UUNS/JUONS submitted? Gayl provides no rational method for arriving at an affirmative response to the above questions.

Gayl's failure to address process prompts statements such as the following: **"It is clear that the MCCDC staff was successful at keeping the real reasons for shelving the MRAP urgent need concealed from the view of Gen Hagee in 05, and now General Conway in 07 and 08."** (Gayl, p 73) The presence of eighteen flag officers from different commands (16 of which were not MCCDC) at the safety conference makes the above statement unreasonable. The presence of the ACMC and several Deputy Commandants makes this statement even more unreasonable. If Gayl had described how (process) the MCCDC staff muzzled the ACMC and Deputy Commandants, then his point would have some credibility. As it stands, this statement is a hollow accusation absent any evidence.

The below slide originates from Gayl's DDR&E brief. Once again, assertions are made without any facts or process.

- **I MEF Fwd Operators Defined Solutions:**
 - Need for speed to get ahead of AIF
 - Operators know the requirements
 - CG expected staff to do tech research and define solutions
 - Broad G9 technology field of regard (Labs, Academia, Industry, DARPA)
- **MNF-W needs competed against funded programs:**
 - Angel Fire vs Constant Hawk
 - MASDANS vs Counter Sniper Vehicle
 - G-BOSS vs CRAM/RAID
 - ScanEagle vs Spyhawk
 - SUCAV vs Warrior UAV from TF Odin
 - Penetradar IRIS vs GSSI Road Scan
 - MRAP vs up-armor programs and ONR initiative
 - Terramax vs Forerunner
- **Developers resist divergent operator needs:**
 - Resistance costs time
 - Unnecessary delays cause U.S. friendly and innocent Iraqi deaths and injuries

Figure 48. Competition for resources at home, not warfighting needs determine the outcomes. (Gayl, p 118)

Gayl does not explain the process in which these programs competed. Some were experimental. Some were joint. Some were different Service efforts. Some of the comparisons were both requested by MNF-W (I and/or II MEF). There is no discussion of the financial sources or how MNF-W needs failed in the competition for funding. There is simply allegation without facts. Several examples for which this author has first-hand knowledge:

- Angel Fire was an Air Force effort (mostly R&D) supported by Marines. Constant Hawk was an Army led program. They were funded through different channels. Angel Fire was developed by MCCDC and the Air Force to a point where funding was solicited for a deployment (Johnston email dtd 7/26/2006). Two months later I MEF submitted a JUONS for Angel Fire which was followed by an UUNS. In sum, MCCDC developed the capability and then had I MEF request it.
- GBOSS and C-RAM capabilities were both requested by I MEF (BGen Neller)(Clark email dtd 12/9/2005)
- RAID was an element of GBOSS.
- MRAP and up-armor programs were both requested by I MEF.
- C-RAM had capabilities that GBOSS did not (McDonnough email dtd 2/24/2006)

The absence of process describing where these programs competed was not provided. Simply saying that they competed does not make it so.

C-RAM

C-RAM coordination is a good example of a process of which Gayl was unaware. The process started with a developed capability by the Army known as Counter Rocket Artillery Mortar or C-RAM. The Army was fielding this system of systems throughout Iraq where indirect fire was a regular threat. The Marine Corps took advantage of this Army effort by emplacing C-RAM in several MNF-W bases. Different bases received different C-RAM elements of the system of systems. No MNF-W base received the full suite. One of the problems was the inability of Marines to train with this equipment before arriving in theater. Training before deployment was a Service responsibility and theater equipment was being provided by joint and Army funds. Marines needed to incorporate C-RAM into training before deploying. In addition, Marines needed to be able to integrate existing equipment into C-RAM and vice versa. In order to do this combat development an UUNS was needed. This author and a MCCDC action officer crafted the UUNS and General Neller signed it (Watson email dtd 1/27/2006). It was renamed the ESSBD UUNS in order to differentiate from the Army C-RAM program but the elements were the same (outlined in Clark email dtd 12/9/2005).

The ESSBD UUNS allowed the Marine Corps to commit effort towards ESSBD and C-RAM. MCWL established demonstrations of the capability in Quantico. These demonstrations included systems that eventually became G-BOSS including RAID towers and Doppler radars.

The RAID program was not strictly an element of C-RAM, but it was one of the systems tied in to the system of systems. The C-RAM system that was demonstrated contained the major elements of what would become GBOSS (RAID, WSTI, M-Star Doppler)(McDonnough email dtd 2/24/2006). LtGen Mattis saw the system and directed a suite be established at 29 Palms for training. The authority to act was eased as there was an ESSBD UUNS that had been approved through the process. Most Marines simply referred to the system, however, as C-RAM.

With an approved UUNS and direction from LtGen Mattis, the installation at 29 Palms (the site of most Marine Corps pre-deployment training) was initiated. The ESSBD UUNS helped coordinate and work through the training establishment (Baczowski email dtd 3/20/2006). Eventually I MEF submitted a G-BOSS UUNS in June of 2006. By the time the GBOSS UUNS was approved and someone started thinking about training, MCWL had already established a training suite that contained the surveillance equipment I MEF was requesting and the training equipment that the program would eventually use (see GBOSS chapter).

Gayl's line from the above slide reads, **"MNF-W needs competed against funded programs"** with a sub-element of **"G-BOSS vs C-RAM/RAID"**. C-RAM/RAID, unbeknownst to Gayl, was the GBOSS precursor and C-RAM/RAID established GBOSS training even before GBOSS existed. It was funded through the Army C-RAM office. The GBOSS/C-RAM funding and training efforts were mutually supporting. The equipment suite for this portion of C-RAM and GBOSS were almost identical (see GBOSS Chapter). The mutual support from the Army program was noted by many Marines (and many Army Officers as well) as C-RAM received no Marine funding.

The absence of any process discussion by Gayl makes readers of his study accept or reject his assertions without sufficient analysis. This is manifested in Gayl's fabrication of many of his equipment comparisons. Oftentimes these systems "in competition" were developed simultaneously. Those that were not developed together benefitted the military in that there was a competition between vendors with the military choosing the best system.

12A5-GAYL LATE TO ISSUE AND RELIANT ON OTHERS

Neither Gayl nor his acolytes were involved in the processing of the Hejlik UUNS. Gayl was not involved in the Marine processing of the May-July 2006 JERRV and MRAP UUNS/JUONS.

Gayl deployed to Iraq in September of 2006. He returned in February/March of 2007. By September of 2006 the Marine Corps had already embraced the purchase of large numbers of MRAP-type vehicles. The Marine Corps was already leading the way on a large MRAP buy. Gayl was not involved with the main decisions to buy MRAP. He therefore had to rely on information provided by a limited number of participants in the process.

Gayl's first publicized MRAP occurrence centered on his draft brief to DDR&E in March of 2007. By March of 2007 the Marine Corps already had funding identified for over 800 MRAPs. Testimony was a regular occurrence in the press and in Congress for senior Marines. Testing was ongoing at Aberdeen and industry was ramping up production lines and providing test vehicles. Then, after the Marine Corps fully committed to MRAP, Gayl entered the picture and swept up credit. He continues to do so today. The facts show that Gayl was late to the MRAP issue, but he was early in talking about the MRAP "scandal". The below directive indicates the maturity of the MRAP issue by February 2007:



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

THE UNDER SECRETARY OF DEFENSE
3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

FEB 08 2007

MEMORANDUM FOR SECRETARY OF THE ARMY
SECRETARY OF THE NAVY
SECRETARY OF THE AIR FORCE
VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF
COMMANDER, U.S. SPECIAL OPERATIONS COMMAND
DEPUTY UNDER SECRETARY OF DEFENSE
(ACQUISITION & TECHNOLOGY)
DIRECTOR, ACQUISITION RESOURCES & ANALYSIS

SUBJECT: Mine Resistant Ambush Protected Vehicle Acquisition

I understand the urgency of fielding Mine Resistant Ambush Protected (MRAP) Vehicles and support the ongoing efforts including award of contracts for 36 vehicles for testing. Going forward, I expect rapid, simultaneous, and cooperative efforts to satisfy approved requirements and to define a major defense acquisition program.

The potential joint requirements indicate that MRAP may meet the statutory threshold for a major defense acquisition program. Therefore, I plan to designate MRAP as an ACAT ID if the program grows in size, with the Navy as Executive Agent, and Commander, Marine Corps System Command as Joint Program Executive Officer. The Navy should coordinate the

(Alles email dtd 2/9/2007)

The above memorandum from USD AT&L coordinated with the Service Secretaries on elevating MRAP to ACAT ID a full month before Gayl presents his first brief. This level of coordination and endorsement is well beyond anything portrayed by Gayl's advocates and the

press. Either widespread ignorance or deliberate misguidance allowed Gayl to claim credit for the development of a MRAP program.

Gayl's late entry to the process caused him to rely on others for his "facts". He simply had very little first-hand knowledge or participation in the sequence that led to the Marine Corps commitment to MRAP. His absence from the process caused him to rely on others or on speculation for his MRAP study. Compounding the problems of his own personal absence was his inability to discuss MRAP with many individuals who were participants in the decision making process. His two organizational sources were MARCENT and I MEF (G9).

One of Gayl's acolytes, LtCol Jankowski, had been activated in approximately June of 2006. Jankowski appears to be a source for much of Gayl's MARCENT information. He was hard-copying emails at MARCENT and was an addressee on many of the provided emails in Gayl's study. Jankowski was also a late arrival to the MRAP issue. He was a participant and source for many of the events during and after June 2006 (relatively late in Gayl's MRAP study).

Gayl's other primary source was the I MEF (G9). Gayl spent time deployed with this staff and contributed to the contentious relationships between the I MEF (G9) shop and supporting organizations. The I MEF (G9) was not significantly involved with the processing of the Hejlik UUNS as the I MEF (G9) shop of 2005 turned over after the UUNS was submitted. The I MEF (G9), however, was responsible for designating the 2005 Hejlik UUNS complete and the submissions of the 2006 UUNS/JUONS.

In sum:

- Gayl and many of his primary sources were not involved in the processing of the Hejlik UUNS
- Jankowski was not involved until well into the process for the 2006 submission
- The I MEF (G9) turned over personnel after the 2005 Hejlik UUNS
- Gayl was directed not to interview or discuss MRAP events with many other combat developers which restricted his understanding and access to knowledgeable Marines

Gayl and his main sources were late to the MRAP issue. His information credibility suffered accordingly.

12A6-UNPROFESSIONAL CRITICISM OF FELLOW MARINES

Gayl possessed neither the standing nor the facts required to make his pointed criticisms of MCCDC personnel.

In order to separate Marines into support and warfighter Gayl engages in ad-hominem attacks against the Marines serving in Quantico and on the CDB. As stated before, the MRAP story gets a lot more interesting if there is some sort of corruption. Gayl fabricates this “corruption” in Quantico.

He questions the decision making process in Quantico by attacking those who work in Quantico: **“Or is it overwhelmingly accomplished by acquisition and process specialists within the support establishment who have tangible programmatic interests in the outcome of decisions. These specialists who manage USMC combat development include non-promotable twilight tour officers, retired Marines working as civil servants at MCCDC, MCWL, MCSC, and ONR, and familiar contractors who also have a large stake in the outcomes of decisions.”** (Gayl, p 61) The Marines in Quantico did have tangible programmatic interest, but not as Gayl infers. Marines in Quantico rotated into theater. Marines in Quantico had children in the Marine Corps rotating into combat. Marines in Quantico had deployed and had the probability of deploying again. Marines in Quantico had friends and neighbors in combat. Marines in Quantico had friends who were killed and wounded. In sum, the Marines in Quantico were as invested and had large stakes in the outcomes of equipment decisions...just like any other Marines.

Gayl continues: **“The balance has been wrong, and short of fundamental, verifiable institutional change it will remain wrong. Instead, the balance is clearly in favor of USMC support establishment staff vision of programmatic exigency and MCCDC-driven priorities, as opposed to warfighter-driven priorities.”** (Gayl, p 61) MCCDC did not set priorities. The operating force was tasked (by order) to assign priorities and the MROC established priorities. MCCDC executed those priorities.

“Also, the civilians in the CDIB, SYSCOM, MCWL, and JNLWD who are depended upon for continuity and subject matter expertise, are not operationally current or technologically proficient. Similarly, many if not most of the CDIB, SYSCOM, MCWL, and JNLWD active duty officers have been on extended ‘homesteading’ twilight tours at Quantico and cannot be considered warfighters.” (Gayl, p 61) The Marines in Quantico rotate in and out of the operating forces as do the rest of the Marine Corps. The rotation as a younger officer is generally three years in the operating forces and three in a “B” billet such as Quantico, Paris Island, PP&O etc. More senior officers rotate into and out of the operating forces in a less structured manner. Oftentimes Officers were assigned to fill gaps in units deploying to Iraq. Between deployments to Iraq, this author was the Director of Operations at MCWL. At all times after 2005 there was a majority of officers in the operations section who had deployed to Iraq or Afghanistan. Some had multiple deployments. There were only 1 or 2 officers out of a

section fifteen (by 2008) who had not deployed. This author cannot comment on the number of officers throughout MCWL or MCCDC who deployed or did not deploy, but by 2008 the numbers of previously deployed Officers comfortably outnumbered the numbers of those who had not. Of note is that the CDIB voting member from PP&O (Gayl's own command) during 2005 was Colonel Eddie Ray, Navy Cross winner and Marine leader in the 2003 attack to Baghdad.

In addition, this author was a member of the CDIB and can recall that most CDIBs had at least two future flag officers as voting members. The normal selection rate to Brigadier General in the Marine Corps hovers at approximately 3%. There were former Commanders and senior staff represented on the CDIB. Gayl's evaluation, at a minimum, reflects ignorance.

"These tenured USMC middle management and junior SME individuals, having repeatedly exhibited value sets, incentivization, and concepts of "urgency" divorced from the best interests of both warfighters and the future of the Corps, have a record of providing bad advice to Marine Corps General Officer leadership. This bad advice has done real, measurable damage to both the Corps' and the country's national security objectives." (Gayl, p 61) The "tenured middle management" does not exist. Government billets serve at the discretion of the uniformed Marines. There is no civilian chain of command that does not have active duty Marines in charge (in Quantico). Many civilians are contractors and can be easily fired. Many of the civilians are retired Marines or have served in the Marine Corps. These civilian Marines share the same devotions (deploying children, friends, and neighbors) as active duty Marines. They also deploy as needed.

Unfortunately the press picked up on Gayl's characterization of combat developers: **"On 25 May an article titled *"Marines Fail to Get Gear to Troops"* authored by Richard Lardner appeared on the Associated Press wire. It captures well the scope and concern of the unfulfilled urgent needs documented above, including MRAP. This article came on the heels of press revelations that the I MEF (Fwd) MRAP UUNS of 17 Feb 05 had not been fulfilled (Reference a.12.). The article stated in part: *"The system for delivering badly needed gear to Marines in Iraq has failed to meet many urgent requests for equipment from troops in the field, according to an internal document obtained by The Associated Press. Of more than 100 requests from deployed Marine units between February 2006 and February 2007, less than 10 percent have been fulfilled...It blamed the bureaucracy and a 'risk-averse' approach by acquisition officials. Among the items held up were a mine resistant vehicle and a handheld laser system. 'Process worship cripples operating forces,' according to the document. 'Civilian middle management lacks technical and operational currency.'...The document's claims run counter to the public description of a process intended to cut through the layers of red tape that frequently slow the military's procurement process..."*** This draft brief accurately reflected the lack of faith, and often trust, that the operating forces felt with regards to USMC combat developers." (Gayl, p 115) This is Gayl quoting a reporter who is quoting Gayl. The reporter should have recognized that Gayl was a "combat developer" by order and action. Gayl seems ignorant of the fact that he was a combat developer and an important one at that. Once again, the ignorance of the writers contributes to a narrative that is not factual.

The press can be ignorant about MCCDC personnel, but Gayl, as a former officer, should have had a basic understanding of manpower policy at MCCDC.

12A7-NO DOCUMENTS AND SPECULATION

Several examples of Gayl's poor research are provided below.

Gayl fails to use credible documents in support of many of his points. The emails that were available to him were limited. The documents associated with different decision making bodies were not available to him. The I MEF and MARCENT updates required by orders and directives were not utilized by him. The orders and directives, however, were available to him (addressed in Chapter 4-6). Given the lack of evidence and supporting documents, many of Gayl's points and conclusions are poorly researched and suspect. Gayl states: **"In addition to the contradictions, the reasons being employed to publicly justify the USMC shelving of the 05 MRAP UUNS lacked documented authenticity."** (Gayl, p 59) This lack of "documented authenticity" attributed to others applies to Gayl. Several examples follow.

"This was a direct reflection of the psychological effect of repeated combat developer refusals to provide requested equipment. The MEF assumed that if the JERRV request was modest (even though they needed many more MRAPs) that it would be received more favorably." (Gayl, p 49) There was no psychological study conducted on the I MEF staff to determine the psychological effect of any MCCDC action. MCCDC, as discussed earlier, actually wanted I MEF to request more MRAPs.

"The appearance of these particular DOTMLPF issues, irrelevant for the requested vehicles, reveals the concern of the briefer that the real, battlefield challenges in OIF would upset an established programmatic way ahead. One can conclude from this MRAP case that PORs cannot be forced to adjust to the exigencies of war in the EFDS without much stronger warfighter influence." (Gayl, p 26-27) A briefer presented several points in a PPT presentation and Gayl concludes PORs can't be forced to adjust without warfighter influence. The briefer was not asked to explain his points by Gayl. The purpose of the slide or brief was not studied by Gayl. The conclusions of the body being briefed were not determined. The adjustments of PORs to events in Iraq was not studied. Too many un-researched assumptions are required to arrive at Gayl's faulty conclusion. PORs are adjusted regularly.

"This thinking supposes that MCCDC staff knew best the mind of Congress in terms of the political viability of funding current urgent vehicle needs and long-term capability plans. It is clear today that MCCDC was unqualified to venture a guess on that thinking at the action level, even though the action level perspectives carried the day in a non-transparent process." (Gayl, p 25) Gayl fails to provide the names or billets of the MCCDC officials who stated that they "knew best the mind of Congress". Once again, absent interview or emails, Gayl asserts that a thought process occurred for which he had no facts. The conclusion that those at the "action level" carried the day has already been disproven.

"Again, the reason that the MRAP program has grown in scope is because MCCDC ignored common sense COIN requirements, as well as the growing IED emergency in MNF-

W.” (Gayl, p 86) The assumption here is that the insurgency grew, causing more casualties, because MCCDC ignored common sense COIN requirements. The role of MCCDC in Anbar, in this assertion, is over-stated. The role of MCCDC in each piece of equipment was not accurately examined or provided by Gayl.

“A lack of any reasonable ability to predict future consequences from current and past decisions is implied in the saying that “hindsight is always 20/20.” However, as per the many references, USMC combat developers had ample knowledge of threat projections, lead time, and had even received EFDC process-compliant and specific GO direction to prepare needed COIN enabling capabilities for known threats and possible contingencies.” (Gayl, p xii) The “many references” are not many at all. They were not sufficient in number to cause the advocate to act. The EFDC elements are not discussed nor is their reaction to the COIN enabling capabilities. The assumption by Gayl is that the EFDC rejected COIN enabling capabilities. Gayl states these rejections were in violation of General Officer orders but offers no examples. Gayl, as a combat developer, should be able to provide concrete examples if his accusations were true.

“The CDTS contains the only known documented reason for non-fulfillment of the MRAP UUNS remains budgetary and long-term doctrinal concerns. The documents also specify that the concerns that funding MRAP would decrement the budgets of PORs and futuristic concepts in which combat developers already had a vested interest.” (Gayl, p 22) Poor research yielded few documents for Gayl to analyze. Absent from Gayl’s analysis were documents from the EOS, the MROC, and I MEF. Many of his conclusions rest on one brief at MCCDC and the projected mindset of those who were briefed. There is no mention of those who had CDTS authorities and the programs in which they had a vested interest. Gayl continues: **“The actual reasons for the MRAP’s dismissal in 2005 are contained in this presentation. The POM Issues slide is below:”**



POM Issues

- **Is this issue on your Advocates Requirement List (ARL)?**
 - **This is a new issue and would have to be added.**
 - Which advocate? I&L or PP&O?
 - What does it replace? What does it cut is a better question.
 - Potential \$1B program.
- **What year do you expect this issue to compete in the POM process?**
 - UNS states “urgent” and is targeted at 05 supplemental.
 - Reality...POM 06...Concept of employment...

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Figure 17. POM Issues slide. (Gayl, p 29)

While this action officer slide may have questioned MRAP-type vehicles in 2005, Gayl presents no documents that any senior officer considered these points the most relevant, or relevant at all. The lack of follow-through and analysis of the events allowing any conclusion to be drawn about MCCDC or Marine Corps action is again lacking.

“It is clear that the MCCDC staff was successful at keeping the real reasons for shelving the MRAP urgent need concealed from the view of Gen Hagee in 05, and now General Conway in 07 and 08.” (Gayl, p 73) This statement assumes one of two things; the CMC did not know about the UUNS or the MCCDC decision trumped any decision that would have been made by the CMC who knew about the UUNS. The UUNS process chapter disproves assumption one. The second point requires the CMC to bow to the will of the MCCDC staff if he has a divergent opinion. It is a silly assumption. No matter what the opinion of the MCCDC staff, reasoned or unreasoned, the CMC has the wherewithal to form his own opinion. A simple CMC statement, “I hear what you at MCCDC are saying, I like MRAP anyway” would have sent the MCCDC staff into execution of MRAP buying. Both CMCs were fully informed and made their own decisions. Both were advised by their General Officers (as seen in emails for General Conway), not the MCCDC staff. Gayl does not provide the “real reasons”, or the fake reasons, or the briefs in which they were conveyed. He simply fabricates this conclusion.

ISR will be addressed in a future chapter but this paragraph contained so many assumptions that it is noteworthy for its lack of documentation and speculation. **“MEPOP was immediately considered as a potential solution, but the immaturity of a radio controlled high altitude platform attributable to MCCDC neglect was soon clear. In a search for alternatives the Air Force Angel Fire manned platform was embraced. Compared to even a nominal MEPOP solution Angel Fire lacked platform on station persistence (hours versus a month) and lacked ‘unblinking’ sensor sting capabilities (target orbit [periodic revisitation] versus geostationary [true persistent stare]). Most significantly Angel Fire is a manned aircraft operating at risk, even in COIN as MANPADS capabilities improve.”** (Gayl, p 101) MEPOP was a proposed surveillance asset but was never considered the “answer” for persistent surveillance. MEPOP required development and DARPA and ONR were working on it. Angel Fire was not an alternative for MEPOP.

In 2005 I met then LtCol Chudoba at an “Angel Fire” booth during a technology demonstration. I had arrived there through my involvement with “Constant Hawk” (formerly known as the “Sonoma” project). Neither one of us was pursuing a MEPOP alternative. Both of our shops maintained interest in Angel Fire and eventually we settled on LtCol Chudoba (MCCDC Intel) taking the lead. Once the technology was sufficiently mature, I MEF was brought into the loop and they submitted a JUONS. This continued a pattern of MCCDC development followed by a I MEF UUNS/JUONS.

Angel Fire was a wide area persistent capability, it could view approximately 4 kilometers by 4 kilometers and download to a ground station immediately. It had capability that Constant Hawk did not. Angel Fire achieved persistence through the use of multiple platforms. In sum, Angel Fire was not developed with any regard to MEPOP, it was in a different capability set than MEPOP, the considerations Gayl brings up were not the main valued Angel Fire capabilities, and finally, I MEF recognized the Angel Fire worth and requested it in a JUONS. Angel fire became a prioritized I MEF capability while MEPOP did not. One does not derive these facts from Gayl’s paragraph.

Gayl’s study has thousands of poorly researched declarations. This study only focused on several hundred. Gayl’s correct points are also poorly researched and documented. His study should have been dismissed for the poor quality of research as well as the incorrect conclusions.

12A8-IRRELEVANT SOURCES

The sources Gayl uses are oftentimes irrelevant.

Many of Gayl's sources are mildly relevant or irrelevant. The lack of emails that reflect actual actions and thoughts of participants would have made up for the failure to discuss these events with the participants. Presentations from the EOS or the MROC could have shed light on senior executive actions. The orders Gayl used was a major flaw in his study and has already been discussed. Gayl's sources were inadequate for an understanding of the facts surrounding MRAP.

The fifteen books Gayl cites in his MRAP study are the same books, exactly, that he uses in his laser study. Most add nothing to the MRAP discussion and are not cited apart from a general discussion of warfare.

Gayl cites very few emails. This is because he did not have access to the conversations surrounding many of the events he discusses. His acolytes were also limited in the emails that were available to them. Compounding the lack of access to relevant email was the gap in time between the raising of the issue and the occurrences Gayl cites as causing the MRAP issue. This time gap resulted in the deletion of old emails.

Gayl's orders have already been discussed, but the press could have benefited from understanding relevant orders and directives. The press could have used orders in order to know who and what to question. Instead, the press parroted Gayl and was awestruck by his "facts". Many of the articles Gayl cites use Gayl as their main source.

Gayl's presentations do not come with speaker notes or information on the discussion that the slides prompt. There is no context for the slides. For example, the ESB had nineteen briefs in two days. It was not a MRAP ESB. Gayl provided no ESB conversation beyond the two or three sentences presented as remembrances by one of the action officers. There is no conversation associated with the referenced CDIB slides. There is no conversation from the EOS, MROC, MRB, senior officers (etc.) that could have assisted in determining the real facts surrounding MRAP.

There are very few specific sources referenced in Gayl's study. He does, however, reference the MROC secretariat: **"This 10 June 05 EFDC info paper above is the last known (i.e. known to this case study author) formal communication that the MRAP UUNS had been delayed or cancelled at MCCDC. This has also been confirmed by the MROC Secretariat. The MRAP UUNS was allegedly handled and decided upon outside of the standard process, in that it was never properly brought before the MROC for a formal decision for subsequent recording in an MROC Decision Memorandum."** (Gayl, p 38) This is one of the few times where Gayl cites a source for a conclusion. In this case the MROC Secretariat is wrong or Gayl

fabricated the information. It is clear (DODIG and MROCDM verified) that the MROC considered the Hejlik UUNS in August 2005.

Many of Gayl's sources are irrelevant and he fails to utilize sources that could have changed his conclusions.

12B-GAYL'S FLAWED PERCEPTIONS

The flaws in Gayl's efforts extend to his portrayal of the tactics of the Marines in Anbar as well as his perceptions of how combat development occurs.

12B1-EXAMPLES OF TACTICAL ERROR

Gayl's poor tactical analysis colored the discussion about how material solutions answered Marine tactical needs.

Gayl's failures in tactical analysis may have been the cause of his poor equipment solutions. Simple tactical misstatements were accepted as fact by unwitting readers. There is a drumbeat of tactical error in Gayl's study. Several examples follow.

"The issue was not merely JERRV's for engineers, but rather MRAPs for all members of the MEF (Fwd) engaged in long-haul tactical movement." (Gayl, p 48) Gayl's focus on long-haul tactical movement was tactically inaccurate. The long-haul tactical movement routes were not primarily where IED attacks were occurring. Fifty percent of all IED hotspot attacks occurred within 5 kilometers of a FOB. These were the more local roads. MRAP was primarily intended to defeat underbody attacks which were more difficult to emplace on asphalt long-haul roads and easier to emplace on local roads. The local nature of much of the IED fight pointed towards solutions that would help local commanders. One such solution was G-BOSS.

"The G-BOSS, as an AOR-wide capability was focused on the vast expanses of macro terrain that contain the Main Service Routes (MSRs) along which insurgents planted IEDs and emplaced SAF ambushes. These were the long-haul tactical movement routes for which the MRAP was primarily intended." (Gayl, p 90) G-BOSS was never realized as an AOR-wide capability. The G-BOSS systems were never networked into an AOR-wide capability because II MEF decided that they did not desire that capability. They valued the capability of GBOSS where a tower had local visibility and could be networked with other local towers. The GBOSS capability that was valued was the local ISR for the local Commander, not a MNF-W wide networked system.

A GBOSS tower generally had the capability to "see" the 5 kilometer circumference around FOBs. Oftentimes they could see further depending on terrain and weather. Almost every GBOSS tower had blind spots where buildings or terrain obstructed the field of view. The FOBs provided local security for the towers and the towers provided security in the heaviest IED areas around the FOBs. GBOSS was used away from the FOBs as well and often covered the MSRs. MSR security, however, was not the primary focus of GBOSS. Neither was it the primary area where MRAP was intended for use.

Gayl's continued failure to appreciate the tactical ISR capabilities of RAID and C-RAM are discussed in the G-BOSS Chapter.

In addition to GBOSS, Gayl failed to appreciate the tactical significance of fielding an unsafe dazzler on civilians. Gayl's failure to appreciate the danger of his recommended laser dazzler solution is addressed in the laser dazzler chapter. Gayl's DDR&E brief demonstrated several technical solutions that would have had to be modified in order to work tactically such

as off-leash attack dogs (insufficient control around civilians), remote controlled trucks (insufficient ability to control on twisting/rough roads), and lasers (airspace control). All were cited by Gayl as part of the suite of systems that the MEF was denied due to combat developers. Some of the systems were technically unsound, but others required “tactical development” before being fielded.

12B2- MARINE CORPS EFP EFFORTS

Gayl failed to establish a coherent MRAP EFP argument, nevertheless, continued to criticize MCCDC for the lack of an EFP solution. In reality, and unbeknownst to Gayl, MCCDC was involved with the whole of DOD in establishing EFP solutions.

Gayl makes several incorrect conclusions about the EFP threat in MNF-W and the MCCDC response to this threat. These conclusions reflect a basic misunderstanding of joint warfare and the joint nature of the C-IED fight. The Armor Chapter addresses the different types of threats and the vehicles capable of defeating them. This section addresses the MCCDC response to EFP.

Gayl incorrectly states in several locations that the EFP threat was destined for use in MNF-W:

- **“Specifically, MRAPs were urgently needed to mitigate under-belly IEDs that had already appeared in MNF-W as well as prepare for the appearance of EFPs.”** (Gayl, p viii)
- **“The known threats in 05 have been documented earlier in this case study. They included both the under belly, center line threat from buried IEDs as well as the existence of an probable proliferation of EFPs throughout the ITO.”** (Gayl, p 116)
- **“The requested solution set included an urgent request for protection against Explosively Formed Penetrators (EFP) (References r.2.).”** (Gayl, p vii)
- **“MRAP was intended to respond to a growing IED emergency and the appearance of more lethal threats such as deeply buried center line devices and EFPs.”** (Gayl, p 29)
- **“The employment of Explosively Formed Projectiles (EFP) elsewhere in the Iraqi Theater of Operations (ITO) was known to I MEF (Fwd) and their appearance in MNF-W was predicted (References r.5., c.1., a.15, and a.16.).”** (Gayl, p viii)

Gayl cannot demonstrate that the predicted threat ever materialized. There were several erroneous news reports of EFPs used against Marines, but Gayl failed to produce concrete evidence that EFPs materialized as the predicted threat he cites. The EFP attacks were a significant threat for the Army and many news reports and DOD statements traced EFP capabilities back to Iran. As stated in the press, this explains EFP use in predominantly Shiite areas controlled by the Army.

MRAP capability in relation to EFP was soon commented upon in the press: **“New military vehicles that are supposed to better protect troops from roadside explosions in Iraq aren't strong enough to withstand the latest type of bombs used by insurgents, according to Pentagon documents and military officials. As a result, the vehicles need more armor added to them, according to a January Marine Corps document provided to USA TODAY.”** (Vanden Brook, p 1) Vanden Brook states that MRAPs were not sufficient to withstand EFP attacks without add-on armor.

Gayl's repeated statement of requirement for an anti-EFP capability does not match his offered solution of the MRAP. Every variety of MRAP was vulnerable to EFP. This acknowledged fact was largely ignored by Gayl and the press (despite Vanden Brook's article).

Even the 2005 Hejlik UUNS acknowledged the failure of MRAP-type vehicles against the requirement to defeat EFP. Gayl quotes the 2005 Hejlik UUNS need for augmentation to MRAP-type vehicles as stated:

- ***"capable of having additional armor/standoff screens attached to increase the protection to predestinate and defeat the primary kill mechanisms of EFPs..."*** (Gayl, p 119)
- ***"2 Known threats in February 2005 included EFPs which were specifically discussed in the UUNS, i.e. MRAP vehicles: "... must be capable of having armor/stand-off screens attached to increase the protection to predestinate and defeat the primary kill mechanisms of explosively formed penetrators..."*** (Gayl, p 63)

Gayl frames the Hejlik UUNS as follows: **"In order to mitigate the IED threat I MEF (Fwd) submitted a solution-specific need for a Commercial-Off-The-Shelf (COTS) 4th generation armor MRAP capability. The requested solution set included an urgent request for protection against Explosively Formed Penetrators (EFP) (References r.2.). In spite of the all-around superior protection of COTS MRAP (References p.1. and p.2.) combat developers did not fulfill the I MEF (Fwd) UUNS."** (Gayl, p vii) Gayl is correct in stating that the capability to defeat "the primary kill mechanism of EFPs" was specifically requested. Gayl also states: **"5 The MRAP UUNS called for a specific COTS vehicle with a design and MRAP name-association that was well known to Marine Corps leadership in early 2005. The Buffalo, Cougar, and RG-31 already fielded in Iraq by the Marines for engineers at that time were unambiguously known as MRAPs and were the specific material solution sought in the UUNS, as verified by LtCol Roy McGriff, the author of the document interviewed in USATODAY 16 July 2007."** (Gayl, p 64) Gayl's solution did not fulfill the Hejlik UUNS requirements. These vehicles did not have the capability to defeat "the primary kill mechanism of EFPs" yet Gayl clearly offers them as the solution to the UUNS. They too did not "fulfill the I MEF (Fwd) UUNS". They lacked the "EFP defeat capability" that required development. Gayl's solution of Buffalo, Cougar and RG-31 did not address the need he identifies: EFP defeat. M1114 did not defeat EFP, but neither did MRAP-type vehicles.

Gayl then continues this contradiction by critiquing the lack of development of the predetonation screens required to defeat some EFP:

- **"Most significantly, this process deviation prevented the initiation of the development of EFP predestination stand-off screens specifically requested in the UUNS."** (Gayl, p x)
- **"As an example of lacking urgency, 2006 e-mail correspondence between I MEF (Fwd), MARCENT, and MCWL revealed that the CDIB did not forward the unfulfilled MRAP UUNS to MCWL for technological consideration (Reference e.2.). This had significant implications in 2007, as no USMC investment was initiated by MCWL, ONR, or SYSCOM to find a total defeat solution for the explosively formed penetrator (EFP) threat that BGen Hejlik had specifically highlighted in his 17 Feb 05 UUNS. USMC did**

not seriously begin to invest in an MRAP EFP solution until after USATODAY's publication of MRAP's vulnerability, even though insurgents were aware of this vulnerability (Reference p.11., a.13. and other references). As a direct consequence large numbers of MRAPs are being fielded to Iraq in 2007 without EFP protection because a material solution for that threat has not yet been sufficiently matured due to a new start delay of well over two years." (Gayl, p 31)

- **"As one piece of clear evidence, no USMC EFP protection initiatives were begun in the USMC S&T Program or at MCWL as a result of the UUNS."** (Gayl, p 73)

While Gayl contradicts himself, the fact remained that there was a need for EFP defeat should that threat materialize in MNF-W. The Marine Corps was the lead in the procurement of the MRAP as a response to underbody attacks. The underbody attack developed as the main threat in MNF-W while the EFP attack developed as a serious threat elsewhere in Iraq. As such, the Army was the Service most impacted by the EFP. In addition, the Joint force and coalition were impacted by EFP.

The Army and by extension, the Joint Force required a solution to EFP. The response was a dedicated S&T effort to address EFP. Army, JIEDDO, DARPA, Industry and others were all working to establish an EFP solution. These organizations had billion dollar budgets and experts in the field. They were devoting the time and effort needed to develop the aforementioned capability gap in EFP. Common sense dictates that as Army Soldiers became casualties from EFP and the DOD/Joint/Industry responded, the Marine Corps would take advantage of their efforts. MCWL was working with these organizations who had vastly superior budgets and capability compared to MCWL whose budget was in the millions range. MCWL sat on boards and liaised with the main DOD counter-EFP efforts. MCWL did not know about the EFP requirement in the 2005 Hejlik UUNS, yet remained involved in the EFP solution. MCWL realized that EFP had the potential to migrate to MNF-W so MCWL and the Marine Corps remained highly engaged while still deferring to the Army who was losing Soldiers to EFPs. This author forwarded Gayl's attempted solution to these organizations (it was rejected as technically unfeasible).

Gayl misleads: **"It is equally significant that, independent of the basic vehicle armor solution issue, there is no evidence that any concurrent analysis or S&T new start initiatives were commissioned by MCCDC to address the EFP threat. EFP protection was specifically requested in the MRAP UUNS as it was a known threat at the time."** (Gayl, p 74) "Concurrent analysis" and "S&T" was a constant focus for EFP defeat at MCWL. They were organized through the Army, DARPA, JIEDDO, Industry and others. Gayl continues to mislead: **"LtGen Mattis also spoke of the evolving nature of IED attacks when he was interviewed by the NewsHour on MRAP. LtGen Mattis served as DC, CDI in 2005. The question one can now pose is: since DC, CDI was aware of the evolving threat why was there no immediate investment in the defeat of EFPs as requested in the MRAP UUNS? The EFP threat was known, and as armor improved EFP employment would reasonably be expected to increase based on known insurgent patterns."** (Gayl, p 74) This statement is not only misleading but also not true. There

was significant investment in EFP defeat and the Marine Corps often had a vote in the disbursement of these funds.

Gayl's failure to appreciate the Joint, DOD, and industrial efforts associated with EFP defeat prompted this falsehood: **"MRAPs, though arriving years late, are saving lives today due to SECDEF and Congressional insistence on speed. EFP protection can be spiraled in when mature, as per the current MRAP Program plan. But the Marine Corps combat developers need to answer for this EFP protection development shortfall, as well as the MRAP UUNS shelving. EFP protection should be 3 years more mature than it is today, based on MRAP UUNS development initiation. EFP protection would benefit all vehicles, whether MRAP, MTVR, LAV, AAV, LVS, MAK-UAH, or M1114, and for all Services in the ITO. Unfortunately, as with MRAP vehicles, EFP analysis and development by USMC has become another emergency, and one effectively out of synch with the fielding of MRAP."** (Gayl, p 74) Gayl is correct in that EFP protection can be spiraled in when mature. As events would show, this was the correct approach for the Marine Corps which had "a threat" from EFPs that did not materialize. The falsehood is that there was no EFP development for three years. EFP development was ongoing during these three years and became a priority when EFP use increased. Gayl, as the Advocate S&T Officer, should have been aware of EFP development.

Finally, Gayl's EFP analytic failure is compounded by his failure, as the Advocate S&T Officer, to offer solutions during the timeframe where he criticizes the rest of the Marine Corps. Gayl recommends: **"If the IGMC were to review this MRAP case study, more discovery concerning MCCDC's analysis and handling of the EFP threat would probably yield useful information regarding combat development challenges as a whole."** (Gayl, p 74) MCCDC's handling of the EFP threat was to participate in and fully support and engage with the vast DOD EFP effort. If EFP had materialized in MNF-W in the way that it had in other areas of the ITO, then the Marine Corps could spiral in available EFP solutions. Gayl's myopic view of combat development combined with the limited research he conducted for his study caused him to fail at several levels in his EFP analysis.

12B3-MAK AND M1114

Gayl fails to discuss that the MAK and m1114 were priority UUNS requests from both I and II MEF. The I and II MEF requests for these systems were supported across the Executive level in the Marine Corps.

The MAK and the m1114 were requested by I MEF, II MEF and MARCENT. Both of these efforts were coordinated at the highest levels of the Marine Corps. They were coordinated within the DOD and they were briefed to Congress on multiple occasions.

LtGen Amos, an attendee at the 2005 EOS, briefed CMC: **"...but I can tell you that the decision to buy 1114's by the CMC was well thought out and discussed thoroughly at an EOS in mid 05. This UNNS was sent in in Feb 05...later that spring/summer Gen Hagee agreed at an EOS that he would replace 100% of all theater MAK'd HMMWVs with what he called "the Gold Standard,"...the M1114."** He continued: **"We looked at the threat in 05 and determined that the 1114's were the answer...as the threat ratcheted up in 06 we changed our tack and agreed that the MRAPs were the way to go."** (Tomczak email dtd 5/23/2006) BGen Kelly confirmed: **"I don't know anything about the alleged MajGen Hejlik UUNS request, but do know that all the early requests from I MEF (MajGen Zilmer and Neller) for MRAP were purely for the big vehicles for use in EOD/side of the road IED clearing. We still had not seen any real number of underbody attacks until the 1114s began arriving in theater in large quantities, and my theory is the bad guys noticed the effectiveness of 1114s and decided to look for another way to get at the vehicle's occupants."** (Tomczak email dtd 5/23/2006) BGen Kelly correctly noted the m1114 capability was purchased for side blast attacks which were the primary type of attack at the time. The purchase of the m1114 was a reasoned decision by the leadership of the Marine Corps.

The purchase of MAK and m1114s was briefed to Congress by ACMC: **"We have determined that the M1114/M1116 Up-Armored HMMWV (UAH) is the best available, most survivable asset that meets our evolving vehicle underbody protection requirements."** (Nyland, p1) This brief occurred in June 2005, well after the submission of the February 2005 Hejlik UUNS. It was also after the 2005 EOS. It was a decision thoroughly coordinated with both I and II MEF and Congress.

Gayl attempts to lay blame on up-armor POR Advocates on-site in Quantico: **"This was a top priority POR at Quantico – SYSCOM had apparently purchased huge quantities of steel for this effort and contracts had already been let – reprogramming in order to fund the COTS MRAPs requested in the UUNS would have gutted and perhaps cancelled this and other vehicle programs – the need for COTS MRAP of the operators located thousands of miles from Quantico had no chance of winning out against the survival instincts of the up-armor POR Advocates on-site in Quantico."** (Gayl, p 37) The POR advocates were simply carrying out the orders of the senior level of the Marine Corps. The purchase of the m1114 and MAK were coordinated across the Marine Corps.

Gayl also implied that funds were misused: **“This statement [MAK update to Congress] confirmed that the FY05 Supplemental had indeed been received by the USMC, but that it was not employed for the purpose that the warfighters had expressly requested, namely the purchase of 4th generation COTS MRAPs.”** (Gayl, p 39) The warfighters specifically requested, coordinated and desired both MAK and m1114. The plan to purchase m1114 was specifically briefed to Congress (Nyland).

These vehicles remained vulnerable to underbody blast, but that was not the main type of attack at the time. **“(2) CG, I MEF (Fwd) was aware that the M1114 and MAK up-armored HMMWVs remained vulnerable to the known underbelly IED threat, as well as to EFPs.”** (Gayl, p 119) The awareness of vulnerability to underbody and EFP attack was commonplace. The underbody threat materialized for MNF-W but the EFP threat did not. At the time, however, the main type of IED attack was a side attack against which the m1114 was very effective. I and II MEF supported the buy of MAK and m1114 because of its side attack defeat capabilities. I MEF then shifted to support MRAP once the underbody threat grew.

12B4-PROOF OF “PUSHBACK”

Gayl's over-use of the term “pushback” gives the impression that there are facts supporting his allegations. There are not. In many cases “pushback” is attributed to a nameless person or uncited opinion. The failure to provide information surrounding the “pushback” reflects poorly researched opinions being manifested as fact.

Pushback is a generic term often used by those who cannot make a concrete accusation. Gayl makes use of this generic term on several occasions:

“It is noteworthy that during the conduct of his 2002-2003 thesis research Maj McGriff continuously encountered push-back from operators at all levels, both enlisted and officer, when presented with the MRAP idea. As if conditioned with a sense of futility, his audiences shared a common first response that 1) the MRAP idea was unrealistic because the Marine Corps would not nor could not afford it and 2) the acquisition system would certainly reject MRAPs because it was something new that differed from/was outside of established Programs of Record (PORs). This same sense of procurement and process futility persisted even while their warfighter audiences agreed that the MRAP made operational common sense.” (Gayl, p 5) Maj McGriff submitted no UUNS. As a student in a school he was part of the yearly influx of Officers into Quantico to attend various classes. His paper, while potentially correct, existed in a forum that did not make decisions. Furthermore, Quantico could not make a decision to commence a billion dollar program based on a paper from a student in school. In this case “pushback” is applied to a student in school.

“Based on the dated documents from within the MCCDC needs analysis and recommendation processes noted above, it is clear that there was a concurrent and determined pushback from MCCDC middle management and SMEs involved in the UUNS evaluation process.” (Gayl, p 41) Gayl makes this observation based on MCCDC action after June 2005. This observation relates to the Hejlik UUNS submitted in February 2005. The pushback Gayl references therefore occurred between Feb and June 2005.

Prior to June of 2005, the following non- “MCCDC middle management” events occurred (according to Gayl):

- ACMC testimony
- MCCDC staffing comments on the UUNS
- IGM report
- The 2005 ESB
- Advocate comments on the UUNS.

In addition, the Executive off-site and staffing external to MCCDC occurred. According to Gayl, the “MCCDC middle manager pushback” had the capability to trump the opinions of the rest of these organizations which also considered MRAP.

"Jim Hampton, now a retired colonel, questions why the Pentagon and Congress didn't do more to keep the troops safe. 'I have colleagues who say people need to go to jail over this, and in my mind they do...' This well-researched USA TODAY article revealed a history of wider DoD awareness of and pushback on MRAP that was occurring concurrently with the Marine Corps' own MRAP experience." (Gayl, p 58) The USA TODAY article was poorly researched. It relied on Gayl information and was one of many "Gayl quoting the press quoting Gayl" events. This accusation of pushback, and the opinion that those pushing back were against troop safety and should go to jail is irresponsible opinion delivered from a point of ignorance.

"It is interesting that Army followed USMC's lead on all aspects of MRAP, from early push-back to later participation in the MCSC-led Joint Program." (Gayl, p 58) This use of the term pushback expands its parameters to beyond the Marine Corps by incorporating the Army. Once again, the term pushback is not defined for its application by the Army.

Scan Eagle (SE) is a UAV. Gayl states: **"When the JRAC offer to fund a USMC-executed expansion of the SE capability defined in the JUONS, combat developers pushed back, in spite of the warfighter urgent need."** (Gayl, p 94) This definition of pushback, once again undefined applies to a different system. This undefined pushback by undefined combat developers is also portrayed as against the best interest of the warfighters.

"(13) Between Mar and Jun 05, MCCDC and MCSC combat developers pushed back on the I MEF (Fwd) MRAP UUNS to avoid reprogramming resources from favored STOM, MV-22/CH-53 transportable, and legacy HMMWV/MAK vehicle programs." (Gayl, p 120) Gayl's conclusion point number 13 supposes that there was pushback to avoid reprogramming. Reprogramming to support a billion dollar shift in funds would have to be approved at the MROC if not by the CMC. MROC members were briefed on MRAP. In this use of the term pushback, MCCDC and MCSC combat developers are supposed to have been able to determine the approval and eventual sources for funding a potential reprogramming. This use of the term pushback is applied to the thought process of MCCDC and MCSC combat developers absent any interviews or emails of said developers.

Gayl's use of the term "pushback" leads the reader in many directions. "Pushback" appears to mean an undefined and unsubstantiated opinion of Gayl on the position of various un-interviewed MCCDC officials. Gayl identifies by name officials in portions of his study, however, "pushback" officials remain nameless.

12B5-NOT INVENTED HERE-THE REAL "DIRTY LAUNDRY"

Gayl was not involved in MRAP until after the entire Marine Corps, to include the CMC, decided to pursue MRAPs. His real complaint was that the rest of the Marine Corps and Joint commands did not support his wide variety of material solutions.

The "not invented here" (NIH) mindset prevents the best technical solutions from being advanced in favor of lesser solutions invented by those who are in a position to decide which solution to use. It is a mindset that is detrimental to the combat effectiveness of the operating forces and leads to casualties. The NIH mindset was not a factor in the Marine Corps decisions to equip with MRAP. Franz Gayl was not a factor in the Marine Corps decision to equip with MRAP. The NIH mindset, however, was the key issue creating discord between Gayl, I MEF G9 and MCCDC. The continued ill will established while Gayl was in country is the reason that he continued his anti-MCCDC tirade when he returned to CONUS. The combination of Gayl's NIH mindset combined with the I MEF G9 NIH mindset created the hostility behind Gayl's criticism of the Marine Corps' combat development. MRAP was simply an opportunity to complain that presented itself to Gayl.

Gayl points out: **"After all, if the urgent needs submitted by operational forces are to lead to effective and realistic solutions they must be thoroughly researched by SME's familiar with both the operational challenges and material trade-space. McGriff and DeWet both helped to balance those prerequisites, as they had sufficient separation from the fight to deliberately analyze the strengths and weaknesses of all options in close coordination with the Marines in the fight. At the same time, the draft UUNS was extensively staffed throughout I MEF (Fwd) to insure that it was a collaborative effort and validated at all levels of technical and operational insight. This transcontinental team effort at UUNS and JUONS formulation has been standard practice in OIF and OEF to synthesize the most current technical knowledge with the most current operational experience in order to initiate the most useful material solutions for the fight:"** (Gayl, p 10-11) One of Gayl's themes is that the supporting establishment ignored the forces in combat. He argues against that theme in this paragraph as he notes the combination of operational need with the knowledge of the material trade space possessed by those who had "separation from the fight". It is a correct dynamic in that those in combat are focused on the fight and do not have the wherewithal, time, or knowledge to research material issues. There may be some residual expertise in a deployed MEF, but the material expertise outside the deployed MEF dwarfs the material expertise within the deployed MEF. Once the deployed MEF starts developing material solutions for its own needs and coordinating/contracting with industry for the delivery of said systems, the potential for conflict arises. The deployed MEF is not capable of fulfilling its own needs in a competent fashion. That is why the supporting establishments of every Service have organizations that have **"sufficient separation from the fight to deliberately analyze the strengths and weaknesses of all options in close coordination with the Marines (Soldiers/Sailors/Airmen) in the fight."** (Gayl, p 10) I MEF G9 failed to adhere to this separation and started acting as their own procurement entity. This caused I MEF to develop their own material solutions and

advocate for them based on their own very limited capabilities. Once I MEF offered a solution, better solutions were viewed as contradicting the needs of the warfighter. The NIH mentality developed with I MEF insisting on its own solutions for its stated needs.

Gayl draws a naive conclusion in stating: **“What will be seen is that the dire need for MRAPs, however non-optimal they may be for all future operations, was the result of an emergency created by combat developers in that they had likewise refused operator requests for the tools of COIN.”** (Gayl, p 46) The “tools of COIN” requests from the operators numbered in the thousands, if not in the tens of thousands. New equipment, experimental equipment, modifications to equipment, increases in numbers of equipment were all requested on a regular basis. In truth, Gayl is not complaining about “operator requests” writ large. He is largely complaining about the S&T “Gayl requests”.

For example, the UUNS tracker sent by Col Ouzts on 5/9/2006 contained over four hundred entries from both the Army and Marine forces in Anbar. Each one required resolution. This list of over 400 was not the full list required to provide “the tools of COIN”. The vast majority of the tools of COIN don’t even appear on this list. Ammunition, first aid equipment, food, concertina, helicopters and every other tool of COIN had to be provided to the warfighter. Each element was under constant development and refinement. They were also under constant coordination. The provision of the tools of COIN was a full Service effort and was of a scope unrepresented by Gayl. Gayl, however, incorrectly represented his interests as the full spectrum of “tools for COIN”. COIN requires much more than the tools Gayl discusses.

Gayl’s DDR&E presentation represented S&T issues with which he was involved. The issues with which he was not involved are not represented. This is a representation of the NIH mindset. Only Gayl’s issues make the cut.

Of Gayl’s issues, the majority are issues that were already being worked but did not incorporate Gayl’s selected equipment. For example, the I MEF GBOSS tower configuration was inferior to the already existing RAID tower, yet I MEF G9 insisted on their welded together tower effort. I MEF G9 GBOSS tower deficiencies were noted in side by side comparison, side by side testing, vendor comparison and user comparison. I MEF G9 continued to insist on their in-house configuration despite a vastly superior product already in existence as a program of record. Even before GBOSS was an UUNS, MCCDC was establishing a GBOSS-like capability at 29 Palms for training (Baczkowski email dtd 3/20/2006).

Gayl presented I MEF G9 ideas as technically feasible and original. Many of the ideas were already being worked by teams of physicists and/or experts in the field. Gayl, however, remained comfortable demanding his technical solution and criticizing those already in existence. His breadth of technical input included:

- **Laser Induced Plasma Channel Electrostatic Discharge**
- **Layers of Ballistic Fabric and Liquid Armor for EFP**
- **20kW Incoherently Phased Fiber Laser**
- **Combined Fused Stereoscopic EO/IR Suite With Neural Net Machine Assistant**

- **Specially Trained ISR Equipped Attack Dogs to Spoil/Interrupt Sniper Attacks**
(Gayl DDR&E Brief from McCord email dtd 5/30/2007)

Unfortunately, his breadth of technical knowledge did not extend as far as his breadth of technical input. Rejection of technologically unattainable suggestions led to hostility and accusations of non-support. Gayl fostered the NIH attitude for equipment that was under development. He thought that if he could draw it up in an UUNS, then I MEF shouldn't have to wait for MCCDC to produce it. Unfortunately many of his solutions were substandard or unworkable.

MCWL was often tasked with determining the technical feasibility of these solutions. MCWL did not always have the technical expertise on staff to analyze these submissions so a full DOD effort was required. DARPA, ONR, Army Labs, JIEDDO and others put forth solid analysis on every UUNS/JUONS MCWL received. Many were ongoing research projects. Of those, many failed. Some (laser capabilities) are coming to fruition today (8 years later). Some (airborne targeted directed energy in Gayl's PASDEW) have yet to come close. Yet every technical idea invented by Gayl was presented by I MEF G9 as feasible or better than every other potential solution. Gayl's Mobile Acoustic Shooter Detection and Neutralization System (MASDANS) and Cognition Based Electromagnetic Pattern Analysis System are good examples of his NIH mentality.

"The HMMWV-based Counter Sniper Vehicle (CSV) developed by MCWL without input from the MEF was determined to be non-survivable, and I MEF (Fwd) requested that MCWL not deploy the CSV (Reference r.16. and r.24.). In the end the C-BEMPAS and MASDANS both were submitted as UUNSS and JUONSS, and neither was delivered or developed. On the other hand, the IED vulnerable and under-armed MCWL CSV was delivered, yet it had no operational need basis in an UUNS, JUONS or UNS." (Gayl, p 102) Gayl's critique of the MCWL experimental CSV demonstrates the NIH mindset. Gayl was incorrect in that:

- The CSV was deployed to MNF-W and did survive.
- S&T organizations regularly deploy assets into combat as a final test. MCWL always coordinated every deployment with the MEF command element.
- Some of the same equipment was used in both the MCWL effort and the MASDANS/C-BEMPAS effort. Other components were similar.
- The operational need was established in an UUNS/JUONS/UNS. The operational need for CSV was established in any number of counter sniper technology needs to include MASDANS/C-BEMPAS.
- Gayl's preferred solution was problematic. A fellow Colonel from MNF-W later wrote **"I did an on site assessment in California of the technology associated with C-BEMPAS. The pattern recognition technology central to the system is at best 5 to 10 years away from military testing, much less employment in a combat environment (OIF 12 or 13?). It does work well in a grocery store though...maybe we should alert the Commissary System. Additionally, 40 of the optic systems the I MEF (Fwd) G-9 selected for C-BEMPAS were delivered to II MEF (Fwd) recently and found to be utterly useless for**

any application on a moving vehicle. There is no stabilization system for the optics they convinced the MEF to spend huge dollars on. According to II MEF (Fwd), the optic systems can't even be used for force protection at ECP's as they lack the range/optical clarity to be used in a fixed base capacity. I asked the G-9 on numerous occasions as to how he envisioned mounting the optic system on the HMMWV. Bottom line is that there was absolutely no plan for integration beyond, and I quote, "oh, the SEABEES will build us a mount." By the way, this same philosophy on the part of the G-9 drove much of the G-BOSS deployment. C-BEMPAS optics were chosen over the AT-FP choice for thermal optics from FLIR-RECON. At least that thermal optic system had been integrated and tested in Fallujah by a Cpl from 1/25 (even if it was just duct tape and tie ties)." (Bare email dtd 5/30/2007) This author deployed to MNF-W several months later and was able to confirm the I MEF staff member's observations.

Gayl's description creates the impression that MCCDC established its own needs and developed programs independent of the deployed MEF: **"The balance has been wrong, and short of fundamental, verifiable institutional change it will remain wrong. Instead, the balance is clearly in favor of USMC support establishment staff vision of programmatic exigency and MCCDC-driven priorities, as opposed to warfighter-driven priorities."** (Gayl, p 61) This perceived lack of "balance" was indeed the source of the friction between I MEF and the supporting establishment. Prior to Gayl and the associated MEF G9, balance was achieved by the MEF establishing the need and MCCDC providing the material solution (similarly to Gayl's description of McGriff in the second paragraph of this section). MCSC did not have the authority to create its own needs. MCCDC did not have the ability to create its own needs. The priorities were created by the warfighter. The only exception was for research or S&T. Even then, MCCDC organizations such as MCWL conducted experimentation based on warfighter priorities. Several of Gayl's projects outlined in his DDR&E presentation were MCWL experiments that matured to a point where they could be turned into UUNS and deployed. The MEF then created the need statement and asked for the already developed project.

Gayl's problem with MCCDC was that MCCDC did not automatically select the material solution that Gayl wanted based on his phone calls and internet research. If a different and better technology solution was available to answer a need, MCCDC selected it. The GBOSS and Dazzler chapters will highlight the main points of contention with the I MEF G9 NIH approach to equipping the force. These were two examples of better technological solutions that were vehemently opposed by Gayl and the I MEF G9.

12B6-MARCENT NOT NEGLIGENT

If Gayl is to be believed, and he is not, then MARCENT was negligent in its handling of the Hejlik UUNS. MARCENT, however, performed their mission according to order and directives.

MARCENT had Service Component responsibilities for the 2005 Hejlik UUNS. The MARCENT Commander was initially the Commander MARFORPAC (LtGen Gregson). Upon the full establishment of MARCENT, the Commander of MARCENT became LtGen Sattler. LtGen Sattler was the Commanding Officer of I MEF when his subordinate, BGen Hejlik, signed the 2005 Hejlik UUNS. LtGen Sattler, in his billet as MARCENT, was directly responsible to the Commandant of the Marine Corps.

Jankowski, a MARCENT staff member wrote: **“MARCENT first attempted a large MRAP program in Feb 2005 under the efforts of LtCol McGriff and LtGen Wallace “Chip” Gregson. McGriff was a War Planner in the G-4 (Logistics Branch) and Gregson was the MARCENT Commanding General at the time. A variety of specious arguments and bureaucratic maneuvers, complete with retroactive excuses, were used to drown the 2005 MRAP requirement.”** (Jankowski, p 1) While the term “drown” means little, one can safely assume that it implies some sort of final disposition.

As the service component with defined roles and responsibilities (by order and directive MARCENT had Hejlik UUNS roles and responsibilities), MARCENT was either negligent in its responsibilities towards the 2005 Hejlik UUNS or the 2005 Hejlik UUNS was resolved.

As seen in other chapters, the 2005 Hejlik UUNS was indeed resolved. Jankowski, along with Gayl, makes several other arguments arguing that the 2005 Hejlik UUNS remained active. In doing so, Jankowski unwittingly implies that his own command (MARCENT) was negligent. Jankowski was late to the MRAP sequence so his perceptions of MARCENT actions vs MCCDC actions is skewed.

Gayl and Jankowski both seem to agree that there was some function that MARCENT assumed for the MRAP sequence. Gayl states: **“Realizing the need for higher level advocacy, MARCENT quickly became the I MEF (Fwd)’s operational champion and took the cause of MRAP again.”** (Gayl, p 46) MARCENT was always responsible for higher level advocacy for all OIF forces. That included the forces in 2005 and in 2006. In 2005, that advocacy was expanded as MARCENT became a stand-alone Service Component. Jankowski’s self-proclaimed heroics in his Small Wars Journal article was simply MARCENT performing their mission. He wrote: **“When MajGen Jackson returned from Afghanistan, he ordered the MARCENT staff to study MRAPs. We sensed the intensity in his voice and knew we were onto something very special. We had a sense that this MRAP effort would not be routine. From that point on, MARCENT officers working on MRAP requirements for the warfighters in Iraq had fire in their eyes. That may sound melodramatic, but we could see the impact on the war effort these vehicles could have. We would defeat the obstructionist Pentagon Establishment. We had**

to.” (Jankowski, p 1). If the Hejlik UUNS was still active, then why was there so much “new” energy.

Jankowski also wrote: **“In late May, at MajGen Jackson’s direction, Alderson presented a full brief on MRAPs to LtGen Sattler and MajGen Jackson.”** (Jankowski, p 1) By the time of this brief MCCDC was already fully in support of the draft copy of the UUNS and was working to make it joint. MARCENT had yet to get a signed draft of the UUNS. The Hirsch email dated 5/18/2006 shows MCCDC performing their mission. MARCENT was also performing their mission. The difference is that Jankowski’s portrayal of events makes MCCDC officials out to be obstructionist while MARCENT officials performed with “fire in their eyes”. The story teller (Jankowski) gets to embellish, but the student of history needs to be more wed to facts.

The facts are:

- MARCENT performed their mission correctly
- In order for MARCENT to have performed their mission correctly, the 2005 Hejlik UUNS would have had to have been resolved.
- The 2005 Hejlik UUNS was resolved
- MARCENT then performed its mission with the 2006 MRAP-type vehicle requests
- MCCDC was fully involved and supportive even before MARCENT had a signed MRAP-type vehicle UUNS in 2006

12B7-I MEF G9 NOT SUPPORTIVE OF JUONS

Contrary to Gayl's statements, I MEF preferred working with UUNS through Quantico more than using JUONS through the joint system.

The submission of a JUONS vs an UUNS has been used as an indicator of distrust of MCCDC by I MEF. This is another falsehood. Gayl states: **"MARCENT capability war planners studied MCCDC's 2005 handling of the MRAP UUNS and realized that MRAP would most likely not be favorably received at MCCDC if it were again submitted as a USMC UUNS. Coordination between war planners and MCSC was also minimized, given known institutional opposition to a large urgent MRAP purchase. Consequently, MARCENT war planners supported the I MEF (Fwd) decision to submit the full MRAP capability through the Joint chain in the form of an MNF-W-generated Joint Urgent Operational Needs Statement (JUONS)."** (Gayl, p 47) Contrary to Gayl's opinion, MCCDC had been advocating for a larger role for joint efforts for over a year. The Hirsch email dtd 5/18/2006 shows that I MEF originally submitted an UUNS (service requirement) and, on the recommendation of MCCDC, changed it to a JUONS (joint requirement). This email shows that Gayl's assertion is totally false. Gayl repeats his fabrication: **"It is noteworthy that the Commander, MCSC (MajGen Catto) was already working on procuring the 185 JERRVs for I MEF (Fwd) using JRAC (i.e. Joint/CIED) funding as a result of JRAC JERRV JUONS approval. MCCDC was hardly aware, if at all aware of MCSC actions which turned out to be beneficial for MARCENT and the MEF (Fwd). The workaround to avoid MCCDC involvement in fielding MRAP by employing the more responsive JUONS-JRAC connection had been successful."** (Gayl, p 50) The entirety of the MCCDC staff was working aspects of the JERRV request in both a Service capacity and a joint liaison capacity. Awareness was widespread. The addressees on the Hirsch email show the depth of the involvement of MCCDC. The coordination between I MEF DCG and MCCDC is also demonstrated. This author and the staff of MCWL anticipated potential involvement with JIEDDO and were preparing appropriately.

MARCENT also advocated for the joint process and Col Butter (MARCENT) indicated that it was actually MARCENT that changed the UUNS to a JUONS: **"Gentlemen, MARCENT converted the MNF-W UUNS for 185 JERRVs to a JUONS, which was subsequently validated by MNF-I. It is currently at CENTCOM for approval."** (Col Butter email dtd 6/27/2006) Both MARCENT and MCCDC had worked to get the MRAP-type vehicle submitted through the joint process.

I MEF did not prefer the use of JUONS. For example, the I MEF G9 sent the following email to Col Oltman at MCCDC and info copied MARCENT and staff members at both MCCDC and I MEF: **"Jeff, I am glad we spoke on the phone tonight. My leadership does not want to go to the JUONS process with G-BOSS. We have yet to receive any material solution from that venue, our first JUONS went in 10 FEB 2006. Despite what LtCol Chill mentioned it is more complicated and takes more time, the process is not stacked in our favor."** (Chill email dtd 8/18/2006) The MEF G9 confirmed in this email string that the CG I MEF (Fwd) did not want to

use the joint process for GBOSS. I MEF had to be coaxed to use the JUONS process. This email occurred in Aug 2006, one month after the second MRAP-type vehicle request. The I MEF reluctance to use the joint process was consistent through the submissions of both MRAP-type vehicle requests in May and July. That reluctance continued past this August email. MCCDC advocacy for the joint process, I MEF G9 rejection of the joint process, and MARCENT use of the joint process all show Gayl's statements to be utter fabrications.

Gayl continued: **"CMC immediately authorized a large procurement of MRAPs. Thus empowered, I MEF (Fwd) immediately submitted a 2nd MRAP JUONS request for the entire warfighter need at that time for all forces operating under MNF-W command—Soldiers, Sailors, and Marines."** (Gayl, p 47) The first UUNS was a JERRV UUNS that eventually turned into a JERRV JUONS. The term MRAP was rediscovered between the request for 185 and the request for 1,000 vehicles. CMC did not have the authority to authorize a large procurement of MRAPs through the JUONS process. The CMC has no JUONS authority as this is a joint process.

The joint process was poorly understood by many in the Marine Corps. Those working with JIEDDO were constantly attempting to educate the force and use the joint system in order to get joint funding. Maj Moore (MCCDC-MCWL) was in contact with MARCENT and advocating for the use of the joint processes. These discussions resonated with MARCENT, I MEF and II MEF personnel. Gayl quotes a II MEF staff member addressing a MCWL liaison: ***"I believe this effort is tied in with the talks we had yesterday about all the Purple money available for CIED."*** (Gayl, p 50) The MCWL liaison was referring to JIEDDO funds for which MCWL was the Marine Corps lead. MCWL was attempting to get I MEF to use the joint process despite their reluctance. The subject of joint funding will be discussed in a later chapter, but the previous statements in Gayl's study about the JERRV and MRAP JUONS are fabricated.

12B8 GAYL'S MRAP NUMBERS DON'T ADD UP

Simple math shows that the Hejlik UUNS was not a factor in the MRAP-type needs established by I MEF in 2006. The requested numbers had no link to the Hejlik UUNS number of 1,169.

The changing number of MRAPs required tells the story of a developmental requirement for a new type of equipment. Chapter 10 provides a more detailed explanation of the changing requirement for MRAP-type vehicles leading up to the 2006 requirement of 1,185 vehicles. That sequence continued from 2006 into 2007. One of the claims Gayl makes was that the 2006 MRAP requirement was very close in numbers to the 2005 requirement. **“The total requirement at that time was 1,185 vehicles, remarkably similar to the 1,169 vehicle count from 2005 (References r.8. and r.11.).”** (Gayl, p 47) There is nothing remarkable about the similarity in numbers.

In Feb 2005 the Hejlik UUNS was submitted with a requirement for 1,169 vehicles. The UUNS was satisfied with m1114s and the UUNS requirement went back down to zero. The next request was for 185 vehicles. After discussion amongst MCCDC, MARCENT, I MEF and II MEF, another JUONS was submitted for an even 1,000 vehicles. The analysis behind adding an even 1,000 vehicles was unknown. The request for 185 was signed 21 May 2006. The request for 1,000 was signed 10 July 2006. The total was then 1,185 and in no way tied to the 1,169 request from 2005. The requirement continued to grow through 2006.

BGen Alles (MCWL CG) in congressional testimony stated, **“The approved USMC requirement is 1022 with a new request from the force commander in Iraq for more, up to triple the current requirement, which the Marine Corps is currently validating.”** (Beyler email dtd 1/18/2007) The requirement had roughly tripled in approximately six months to 3,700 in Jan 2007. Had there been a continuing requirement, then the number requested would have remained 1,169 or the number 1,169 would have showed upon some calculus of Marine requirements. It did not.

The number 1,185 was not linked to 1,169. While 1,185 is a number that is close to 1,169, the calculus to arrive at 1,185 in no way included 1,169. Nor did the number 1,169 figure into any calculus in the requirement of 3,700. The Hejlik UUNS requested number was irrelevant (as was the Hejlik UUNS) in the effort to get 185 or 1,185 or any subsequent number of MRAPs.

12B9-BATTLE BUREAUCRACY AT QUANTICO

There was only one MEF deployment where a major staff section thought there was a battle with MCCDC for support of the warfighter. That MEF section was the I MEF G9 for the 2006 deployment. In reality, there was no battle with the bureaucracy outside of that staff section for that deployment.

While there was contention between I MEF G9 and MCCDC over several systems, there was no contention over MRAP. MCCDC was even more enthusiastic than I MEF in creating a larger demand for MRAP despite Gayl's incorrect portrayals: **"Based on the dated documents from within the MCCDC needs analysis and recommendation processes noted above, it is clear that there was a concurrent and determined pushback from MCCDC middle management and SMEs involved in the UUNS evaluation process."** (Gayl, p 41) Gayl's analysis of the 2005 documents as well as his conclusion are flawed.

Gayl also misleads while addressing the 2006 MRAP need. **"I MEF (Fwd) was aware of the fact that MCCDC had disapproved the MRAP UUNS that it had submitted early in 2005. Instead of battling with the bureaucracy at Quantico, I MEF (Fwd) decided to try the Joint resourcing route."** (Gayl, p 49) The battle with the bureaucracy for MRAPs was nonexistent for MRAP. MCCDC endorsed the new MRAP-type vehicle UUNS with enthusiasm. As seen in the Hirsch email dtd 5/18/2006, it was MCCDC that stressed the joint resourcing route. The "battle" was disagreement about other systems such as GBOSS. GBOSS is discussed in depth in Chapter 15 but the following example illustrates "the battle with the bureaucracy".

The camera that I MEF wanted to mount on GBOSS towers was the t3000. The GBOSS section will provide more detail, but the nature of the "battle" can be captured in the following excerpt: **"As you may already be aware, there are many at Quantico and elsewhere that insist our T3000s will be unstablized and therefore are unsuited to G-BOSS . These other folks would rather insist that the Star Sapphire is what is needed for G-BOSS due to gyro stabilization....If the voices at Quantico continue to doubt the unstablized T3000 our ability to buy our additional cameras is in jeopardy....Further doubts will bring even further delays, and if I MEF Fwd turns over before this is resolved, it is in great jeopardy of not happening at all."** (Alles email dtd 11/10/2006) This email was provided by the vendor. The t3000 was unstabilized. Also in this email was a series of questions and answers between the vendor and I MEF G9. I MEF G9 asked about gyro-stabilization **"Did we order that in our buy?"** The answer was "No" (the fact that I MEF G9 had to ask this question in the first place will be discussed in the GBOSS chapter). MCCDC was fully aware of the systems that I MEF wanted to buy and knew that they weren't stabilized and provided a lesser capability to the Marines. The vendors knew that they weren't stabilized and therefore less capable. Despite the poor I MEF G9 design, MCCDC was an enthusiastic supporter of towered cameras well before I MEF submitted a GBOSS need (see GBOSS chapter). I MEF remained wed to the t3000 camera and MCCDC eventually bowed to the I MEF desire for t3000s.

MCCDC, despite the disagreement, advocated for t3000s in the joint funding forums (JIEDDO). The joint commands disagreed. They saw the deficiencies of the I MEF G9 design and insisted on the more capable cameras. GBOSS was never in jeopardy of “not happening”. Gayl’s hyperbole did, however, reflect the nature of the “battle with the bureaucracy”. Any disagreement on a material solution was reflected as non-support for the warfighter. Gayl’s study indicates a contentious MRAP relationship. While there was contention for GBOSS, laser dazzler and other systems, there was no contention over MRAP. MCCDC habitually defaulted to the best solution for the warfighter. There were equipment disagreements, but once the I MEF G9 redeployed, those disagreements lessened/ended.

12B10-BIZARRE CLAIM THAT HEJLIK UUNS INTENTIONALLY KEPT FROM MROC

The MROC was well aware of the Hejlik UUNS. MROC members made several decisions on the Hejlik UUNS.

Gayl implies that the MROC did not know about the MRAP UUNS as he did not have any proof that there was a MROC Decision Memorandum. Once again, his assumptions are incorrect and therefore his conclusion is wrong. The MROC had full knowledge of the MRAP UUNS, and the MRAP UUNS was in a MROC Decision Memorandum. **“The perception is that advice was given (including the IGMC visit results) and decisions ultimately made “behind closed doors.” There is no known MROC Decision Memorandum on this UUNS (we have checked with the MROC Secretariat), in spite of the fact that it had a near-term resource implication that equaled or even exceeded USMC’s other top tier programs such as EFV and even Osprey. In the end no historical trail other than a few presentations, process documents, and a MCCDC info paper are known to exist.”** (Gayl, p 38) Gayl believed that this was an important point. If the leadership of the Marine Corps was not making the decisions on MRAP, then the decision makers must have been elsewhere. Gayl states that the “behind closed doors” decision makers were co-conspirators with the IGMC in keeping the MROC in the dark. Gayl’s allegations are easy to prove false.

The Dasch email on MROC dtd 10/20/2005 contains MRAP in two places. One was part of the slide presentation. Both were part of the MROCDM. It is unknown why the MROC Secretariat did not point this out to Gayl.

The MROC was briefed as required. If all of the MROC members were already briefed on MRAP, then it is doubtful that a full brief would have been presented at the MROC. Two of the members of the MROC were at the ESB where MRAP-type vehicles were briefed. All of the MROC members attended the EOS where MRAP-type vehicles were briefed. The Marine Corps leadership understood the issue and did not need a full brief in the MROC. Nevertheless, every member of the MROC was provided with this MROCDM and the presentation. Any MROC member could have immediately stopped the MROC to ask about any aspect of MRAP.

Some of the commentary Gayl uses is deceptive such as the following: **“Much of the history of the Feb 05 MRAP UUNS was unknown at that time, as the UUNS had apparently not been presented to the MROC by MCCDC and DC, CDI for a formal decision.”** (Gayl, p 46) It may be true that MCCDC did not present the UUNS with a stand-up briefer presenting power point slides at the MROC meeting. The UUNS was presented to MROC members in different forums. It may be true that DC, CDI did not present the UUNS. THE DC, CDI does not do the presentation. The MROC, however, made the decision reflected in the MROCDM. The DODIG results portrayed a similar deceptive conclusion that will be discussed in the DODIG section.

Gayl also mistakes the functions of the CMC with those of the MROC: **“Effectively circumventing MCCDC staff, CMC was directly given a compelling briefing in July 2006 that**

analyzed casualty rates by-vehicle.” (Gayl, p 47) The component commands can present to the CMC on any topic. The impression that MCCDC was circumvented is only true if MCCDC retains all authority to present information directly to the CMC. MCCDC does not. If this circumvention were really a circumvention for some action on MRAP, then the MROC was also circumvented as they had reviewed the Hejlik UUNS. The above statement is simply inconsistent with an understanding of the chain of command.

The MROC members were briefed on the Hejlik UUNS. MROC members made decisions about which vehicle would satisfy the UUNS. The CMC made the final decision. Gayl is incorrect in stating that there was no MROCDM. There was and the MROC knew it.

12B11-185 SUBMISSION WORKED WITH ALACRITY

MCCDC and MCSC did not work against MRAP. MCCDC and MCSC worked diligently to get MRAP, often leading the effort.

Gayl's perception of MCSC was also skewed and in the case below he directly contradicts himself.

Gayl provides a generalized statement reflecting his opinion that MCSC was wed to established programs and hostile to MRAPs: **"MCCDC and MCSC officials remained focused on expeditionary vehicle concepts that were suited to MV-22 internal and CH-53X external transport, in addition to Maritime Prepositioned Shipping (MPF) compatibility. COTS MRAPs, while combat proven, were large, heavy, and incompatible with MPF ships. In spite of the near term need to have MRAPs included in the USMC combined arms tool kit, any vehicle concept that did not fit the future expeditionary vision was dismissed by MCCDC and MCSC."** (Gayl, p viii) The Marine Corps, as a worldwide force in readiness, required an amphibious and MPF vehicle capability. Program managers correctly continued developing these capabilities. MRAPs did not (and still don't) suffice for Marine Corps expeditionary lift needs. MCCDC and MCSC grasped this basic tactical/programmatic point immediately.

The opinion above was augmented by Gayl's specific opinion about institutional resistance to a MRAP UUNS: **"MARCENT capability war planners studied MCCDC's 2005 handling of the MRAP UUNS and realized that MRAP would most likely not be favorably received at MCCDC if it were again submitted as a USMC UUNS. Coordination between war planners and MCSC was also minimized, given known institutional opposition to a large urgent MRAP purchase."** (Gayl, p 47) Gayl, although not present at the time, states that MRAP coordination with MCSC was minimized due to the perceived institutional opposition to a large MRAP requirement.

The perceived institutional opposition of MCCDC and MCSC was incorrect. Gayl himself recognizes MCSC action in support of the I MEF JERRV JUONS: **"It is noteworthy that the Commander, MCSC (MajGen Catto) was already working on procuring the 185 JERRVs for I MEF (Fwd) using JRAC (i.e. Joint/CIED) funding as a result of JRAC JERRV JUONS approval. MCCDC was hardly aware, if at all aware of MCSC actions which turned out to be beneficial for MARCENT and the MEF (Fwd)."** (Gayl, p 50) MCCDC awareness was widespread. MCSC aggressive actions to pursue JRAC funding demonstrated something other than "opposition". MCSC and MCCDC were in fact supporters of a large MRAP buy as shown in MajGen Catto's efforts and the Hirsch email dtd 5/18/2006. Not only were MCSC and MCCDC supporters, but they were enthusiastic supporters.

12B12-GENERALS/GENERALISTS

MCCDC Generals were deeply involved in technology issues. I MEF Generals, on the other hand, had to rely on their staff as they were fighting an insurgency and did not have the time to spend on technology issues.

Gayl makes much of the idea that General Officers are often incapable of understanding technology: **“Generals are “generalists” by design and effectively less pivotal in the needs fulfillment equation. And the weaker the background of the generals with regards to technology and opportunities the more they become the tools of the SMEs.”** (Gayl, p 61) Gayl then focusses the discussion about General Officer inability on MCCDC: **“Generals are “generalists” by design and effectively less pivotal in the needs fulfillment equation. And the weaker the background of the generals with regards to technology and opportunities the more they become susceptible to inadequate technological analysis from MCCDC SMEs. These tenured USMC middle management and junior SME individuals, having repeatedly exhibited value sets and concepts of “urgency” divorced from the best interests of both warfighters and the future of the Corps.”** (Gayl, p 62) MCCDC Generals actually immersed themselves in technology.

To some extent Generals are reliant on the actions of their staff. Several of the General Officers at Quantico, however, were directly responsible for technology and equipment. They had the time and wherewithal to receive briefs, visit production facilities, see demonstrations, etc. The MCCDC Generals, especially those involved with equipment, had the opportunity and the mission to be technically adept. Gayl, however, was working for General Officers who were fighting insurgents in Anbar Iraq. Gayl’s observations were true for the I MEF Generals. They had to rely on their staff for technology advice as they were in the middle of the fight. In the case of Gayl, that technological advice was often flawed. One liaison officer reported a staff meeting for a developmental piece of technology with MGen Neller: **“Sir, Below are communications between (I MEF G9) and Robin Cromwell, CIV, NAVSURFWARCENDIV Crane, Code 606, PM JIN. MGen Neller asked this morning, “If this was going to blow up in his face like the laser dazzler issue?” BGen Neller voiced concern about “collateral damage” i.e. are we going to hurting somebody.”** (Alles email dtd 12/27/2006) The General Officer subjected to the I MEF G9 and Gayl’s recommendations was voicing his concern in relying on the information he was receiving from his staff.

Not only was Gayl’s technological advice flawed, but his lack of understanding of MCCDC compounded the flaws of his advice. **“Being composed of uniformed generalists, the leadership was beholden to the parochial interests of SMEs resident at Quantico, and likely MCWL and ONR as well as any organization having a big stake in the success of the JLTV. The advice originated with fully informed officers and civilian SMEs at Quantico who were presumably aware of the consequences of their advice.”** (Gayl, p 72) MCWL and ONR did not have big stakes in JLTV. Gayl provides no example of the MCWL/ONR stake in JLTV because there was none.

The General Officers in the fight had to rely on their staffs more than the General Officers in Quantico. Any staff makes mistakes, but the assessment by Gayl on staff functioning in relationship to General Officer decision making is flawed.

12B13-JLTV FACTS

Gayl's perception that there was a legitimate competition between JLTV and MRAP was misplaced.

Gayl states: **"As noted above, what can be made *"immediately available"* in the world of COTS is entirely a Marine Corps commitment decision. Also, although it appears late in the letter, at least CMC did mention this key JLTV program by name, arguably the main seed of all MRAP delays and the UUNS' eventual rejection."** (Gayl, p 73) Gayl and others believed that JLTV was the reason for the lack of MRAPs. The JLTV was not the cause of an MRAP delay. As seen in earlier chapters, the cause of the delay was absence of demand and rejection of MRAP by I MEF. MRAP advocates understood early on that MRAP could never replace JLTV. The amphibious requirements alone eliminated MRAP as a replacement for JLTV. The tactical competition with JLTV was created by those who did not understand the different capabilities of the vehicles. The programmatic factors also disprove Gayl's assertion.

The 2005 Hejlik UUNS was submitted in February 2005. The JLTV program was not approved at that time. The ESB, EOS, and MROC were all briefed on MRAP during the following months. The JLTV program still was not approved. The last known consideration of the 2005 Hejlik UUNS, during 2005, occurred in August 2005. The JLTV program was not approved. I MEF deployed and demanded no MRAP-type vehicles through May 2006. They added a MRAP JUONS in July 2006. The JLTV program still was not approved. The Marine Corps briefed Congress and formalized the need for MRAPs as a new UUNS was submitted for 805 MRAPs in September 2006. The JLTV program was not yet approved. In November 2006, the first contracts were established for MRAPs in association with the 2006 I MEF UUNS/JUONS. In Nov 2006, the JLTV program was approved (Feickert, p 2).

"On December 22, 2007, the Under Secretary of Defense for Acquisition, Technology, and Logistics USD (AT&L) signed an Acquisition Decision Memorandum (ADM) directing the JLTV Program to move from the Concept Refinement Phase into the Technology Development (TD) Phase of the DOD System Acquisition Process." (Feickert, p 2) The Marine Corps had already fully embraced MRAP and was awarding contracts by the time JLTV came out of concept refinement. Three JLTV Technology Development contracts were awarded in October 2008 for a total of 166 million dollars (Feickert, p 2). In July 2008, previous to the awarded JLTV technology demonstration contracts, **"the JROC approved a total DoD requirement of 15,838 MRAP-type vehicles. Of these, 2,225 were allocated for the Marine Corps."** (DODIG, p 2) If there was a competition between the two programs, the JLTV lost every step of the way and it lost spectacularly.

There were those in Quantico who thought the JLTV program might have been impacted by MRAP. There were even those who voiced their concern in the CDIB. As a member of the CDIB, this officer was present when those concerns were voiced. The reaction at the CDIB was immediate and vocal. The MCSC program representative at the CDIB was widely criticized by

other members. Mr Blasiol took charge of the meeting and ended the commentary by the JLTV program member. Gayl states: **“The CDIB briefing of the MRAP UUNS showed a direct link between the two in that MCCDC staffers were concerned that developmental programs like JLTV might have to help pay for COTS MRAPs.”** (Gayl, p 53) This author made a point of attending this particular CDIB and was ready to strongly advocate for MRAP. Once Blasiol ended comments by the MCSC program representative, there was no one left to “advocate against” MRAP. The CDIB was in favor of the MRAP.

12B14-CORRECT ROLE OF THE WARFIGHTER

The warfighters (in this case I and II MEF (Fwd)) have specific responsibilities and authorities for combat development. Gayl incorrectly portrays these responsibilities.

The combat development responsibilities of the warfighter are different than those of the supporting establishment. One of the main issues creating the MRAP issue was the I MEF G9 and Gayl's insistence in changing the nature of combat development. The development of a material solution, in the correct combat development process, is the responsibility of MCCDC. MCCDC performs the development of Doctrine, Organization, Training, Material, Leadership, Personnel and Facilities (DOTMLPF) in support of Urgent Needs. The entirety of the process is then coordinated with the Warfighter. The I MEF G9 had less than ten personnel to develop DOTMLPF for UUNS, MCCDC had thousands. As simplistic as it sounds, I MEF was also the warfighter and had to actually fight the war. I MEF (Fwd) did not and could therefore devote the time and effort needed for UUNS DOTMLPF issues.

Gayl states: **"In the case of urgent needs, the will of the warfighter must prevail in any case where there is a split in the voting outcome. This default outcome would also appear to meet the spirit, intent, and operational commitment of DC, CDI. As evidence, on the topic of the fulfillment of a separate need, in an e-mail to CG, I MEF (Fwd) on 13 Sep 06 LtGen Amos wrote: "...I will never...repeat NEVER deny our forces forward what they need to fight this fight if I can in any way provide it for them."** (Gayl, p 75) The split Gayl is referring to is the split between the solutions provided by I MEF G9/Gayl and the material solutions provided by MCCDC. Gayl's opinion is that MCCDC should have defaulted to I MEF solutions in all cases (Gayl, p 125 recommendation 16). If MCCDC did not accept I MEF G9/Gayl's material solution, then MCCDC was accused of "saying no". MCCDC always considered, with deference, the I MEF material solution recommendation. If it was too problematic, other solutions would be pursued. GBOSS and Laser Dazzler were the two main points of contention with Gayl and I MEF G9. Each has a dedicated chapter showing the I MEF G9 advocacy for a well thought out need combined with an incompetent material recommendation.

The I MEF G9 material development effort was replete with error. Despite incompetent I MEF G9 equipment solutions, MCCDC continued to establish efforts that would assist the I MEF G9. For example, MCWL continued to work with the RAID program and other programs that had already completed similar buys to the GBOSS buy that I MEF conducted. Equipment integration was a major concern as I MEF wanted to assemble the GBOSS towers in Anbar. This author established an equipment integration effort. The initial results were provided to I MEF G9. The response rejected the effort: **"Steve, Thanks for the info. What is the cost unassembled and without the FSR. The previously stated and present clear intent here is to do the assembly out here and take care of it out here. NO FSR desired or required."** (Hostetter email dtd 10/10/2006) I MEF G9 leadership and Gayl were cc'd. I MEF not only wanted to assume the role of MCCDC in material selection, but they also wanted to assume the role of integration, assembly and maintenance. The concern about this course of action

increased as the RIPTOA with II MEF approached. Sensing a disaster in the making, the MCWL Chief of Staff wrote to I MEF **“The decision to conduct the system integration out in Iraq still needs to be discussed. Intent is to make sure this project succeeds. Ideal place to do it is in CONUS, with available support from the companies if needed. Sending the parts out to Iraq, at time when I MEF is preparing for turnover to II MEF, may not be the right thing to do. Has II MEF agreed to the idea of taking this effort on from I MEF?”** (Hostetter email dtd 10/10/2006) Once II MEF deployed and RIPTOA occurred, all assembly reverted back to CONUS. The GBOSS chapter will discuss this in greater detail. Gayl and the I MEF G9 portrayed the efforts of MCCDC and other agencies as obstructionist. In reality, Gayl and the I MEF G9 were once again expanding their role to integration, assembly and maintenance. These were roles for which I MEF G9 was inadequate. Of note is that II MEF wanted nothing to do with the I MEF approach.

Major problems for I MEF G9 arose as they waded into their newfound self-established role. Their material selection incompetence was on display as they attempted to determine the specs of the camera system that they ordered from the vendor (Gary):

“Gary, I just left a voice mail. We are looking at Gyro Stbilization in our cameras.

Did we order that in our buy?

What does it do?

Why would we need it?

Can we add it to our cameras?

How much is it?”

(Alles email dtd 11/10/2006)

These questions are normally asked before a buy, not after. The I MEF G9 expansion of responsibility could have been a disaster for what was one of the most influential equipment advances in Iraq. While the warfighter is not the optimal combat developer, the warfighter does have combat development responsibilities.

The warfighter identifies the Urgent Needs and submits the UUNS. It is up to the warfighter to establish the need. The warfighter considers the gaps in capability and weighs the need for new equipment against mission accomplishment. Capability increases were not always welcome. The time and effort required to establish a new capability in theater was often problematic for units already in the fight. It was often the case that warfighters rejected all but the most significant new equipment in order to focus on warfighting. MCCDC could not force the use of any equipment and relied on the warfighter to approve movement of equipment into MNF-W.

Gayl notes: **“Following RIPTOA in early 2006 the new CG, I MEF (Fwd), MajGen Richard Zilmer and his DCG, BGen Robert Neller became immediately aware of the continuing urgent need for MRAP protection to counter the IED emergency.”** (Gayl, p 46) It was the responsibility of the MEF to achieve awareness of material shortfalls. Once they were aware, it was the responsibility of the warfighter to submit an UUNS. Both MARCENT and MCCDC often volunteered to write the UUNS and submit them to I MEF for signature after which MARCENT

and MCCDC would receive them officially. The MEF would have final say in anything in the UUNS as well as the authority of WHEN to submit them. In this case, Gayl states that the CG and DCG became aware of the need for MRAPs in Feb 2006. Since they became aware in Feb of 2006, it is obvious that they were not aware prior to then (making it hard to argue that MRAPs were in constant demand). The first I MEF JUONS or UUNS for any MRAP-type vehicle was submitted in May followed by another in July. The timing was determined by the CG and DCG, not MCCDC. In the case of MRAP, the warfighter drove the timelines.

The role of the warfighter is focused on the battle at hand. The warfighter does not have the wherewithal to perform all phases of combat development. Attempts to do so take away from the warfighters ability to fight.

12B15-UUNS EMPLOYED AS FORCING FUNCTIONS

Gayl portrays the use of I MEF UUNS as forcing functions. In reality, UUNS were the simple documents used to initiate a combat development effort. All commands (even those not deployed) used the same documents to initiate combat development efforts.

Gayl paints the use of UUNS as forcing functions. They are forcing functions by design, not by I MEF choice. UUNS/UNS are the document that start the combat development process. This discovery by Gayl was painted as some sort of criticism of MCCDC: **“With full knowledge of the casualty rates, they waited for forces to submit requests for mature capabilities (often repeatedly) in a reactive mode. The unmitigated IED onslaught was evidence that we had lost the technological advantage against our asymmetric foe. UUNs were employed as forcing functions to coerce basic support out of MCCDC, and still the resistance to reprogramming from local POR priorities increased rather than subsided.”** (Gayl, p 84) MCCDC and MCWL were constantly improving existing equipment and starting new programs. Several of the UUNS that Gayl cites were actually conceived in Quantico and renamed by I MEF when they submitted their UUNS. Once again, without the approval of the operating forces, MCCDC would not send new equipment forward. It would first have to be developed and fully DOTMLPF supported before some of the MNF-W commands would support its introduction to theater. This author deployed again in 2007-2008 and the amount of unsolicited equipment was actually regarded as a problem by MNF-W. The UUNS acts as the demand signal, or as Gayl puts it, the forcing function.

I MEF (Fwd) was tasked with submitting UUNS (and JUONS as MNF-W). As they submitted UUNS they would often request capabilities that already fully existed or existed in part. Those who were involved with S&T appreciated the broad swath of requests coming from I MEF (Fwd). It allowed for wide development and experimentation of various capabilities. There were other commands who were not receptive to new ideas and did not submit much in the way of new UUNS. The UUNS/UNS was the initiating event for the combat development process so I MEF (Fwd) can claim that all of the capabilities submitted in an UUNS were self-initiated: **“With the exception of Iraqi re-alliances and the remarkable tactical IED emplacement turn-around resulting from self-initiated I MEF (Fwd) and II MEF (Fwd) ISR, NLW, and IO initiatives in Al Anbar Province, there was no reliable sign that the need for MRAPs would diminish.”** (Gayl, p 45) I MEF (Fwd) did not develop all of the concepts or material solutions that existed in their UUNs. Oftentimes they already existed and were simply renamed. ISR and NLW are two such capabilities that will be discussed in later chapters. I MEF (Fwd) however, did submit the UUNS. That is how the process works.

12B16-“MCWL VENDORS”

Gayl once again demonstrates his combat development ignorance as he assigns authority to MCWL that it did not possess.

Gayl established a heretofore unknown authority for MCWL to establish vendors for a program of record: **“Furthermore, as a proven platform offering superior survivability by design, the KB appeared to again contradict the MCCDC way-ahead for Tier II UAS generally, and the favored vendors of MCWL specifically.”** (Gayl, p 96) MCWL is the Marine Corps S&T organization and, as such, experiments in many different areas. UAVs was one and Tier II UAVs was a subset.

MCWL had the authority to experiment in all areas of military endeavor. If an experiment was successful, the results would be passed to MCCDC or MCSC. There was no associated demand that the MCWL technology be adopted. It was illegal for the MCWL capability to be adapted into a program of record as the material solution without competition. MCWL “favored vendors” was an irrelevant term.

The delays ascribed to MCCDC were often caused by Gayl and I MEF G9.

Gayl stated in his presentation to DDR&E that the resistance of developers to operator needs cost time and **“unnecessary delays cause US friendly and innocent Iraqi deaths and injuries”** (see slide below)

- **I MEF Fwd Operators Defined Solutions:**
 - Need for speed to get ahead of AIF
 - Operators know the requirements
 - CG expected staff to do tech research and define solutions
 - Broad G9 technology field of regard (Labs, Academia, Industry, DARPA)
- **MNF-W needs competed against funded programs:**
 - Angel Fire vs Constant Hawk
 - MASDANS vs Counter Sniper Vehicle
 - G-BOSS vs CRAM/RAID
 - ScanEagle vs Spyhawk
 - SUCAV vs Warrior UAV from TF Odin
 - Penetradar IRIS vs GSSI Road Scan
 - MRAP vs up-armor programs and ONR initiative
 - Terramax vs Forerunner
- **Developers resist divergent operator needs:**
 - Resistance costs time
 - Unnecessary delays cause U.S. friendly and innocent Iraqi deaths and injuries

(Gayl presentation from McCord email dtd 5/30/2007)

Gayl reinforces this accusation in his study: **“Concurrently with MRAP requests, from 2004 through early 2007 advocate and operator requests were repeatedly submitted for mobile tactical persistent ISR capabilities, including high altitude airships, armed and unarmed Tier II Unmanned Aerial Vehicles (UAV), mobile tower-mounted cameras, and covert miniature sensor suites. In all cases, those ISR capabilities were either delayed or denied by combat developers at Quantico.”** (Gayl, p xii) In reality, the delay/denial was often due to the insistence by Gayl and I MEF G9 that only certain material solutions were acceptable.

The GBOSS chapter will discuss I MEF G9 actions in detail. Gayl stated: **“Finally, the vast expanses of Iraq and a limited MEF footprint meant that SA would have to be augmented with persistent ISR. MCCDC did not initiate action to prepare for this obvious gap and delayed its development even after the MEFs felt compelled to ask for it.”** (Gayl, p 86) The GBOSS section will show that MCCDC had developed strategies and better capabilities well

before the GBOSS UUNS was even submitted. Funding and fielding of GBOSS would have occurred sooner had I MEF G9 not slowed the process.

Gayl continued discussing Non-Lethal Weapons (NLW), a second area of contention: **“Concerns for NLW EA and program management legal liabilities, while placing a premium on the bureaucratic and programmatic interests of developer labs caused the JNLWP to repeatedly hesitate and delay transitions. The consequences of U.S. Joint Forces lacking state of the art NLW tools in Fallujah (Army-2003), Haditha (USMC-2005), Afghanistan (MARSOC-2006), Baghdad (Blackwater-2007), and other similar instances where innocents were apparently killed needlessly.”** (Gayl, p 103) The NLW solution in question was requested, developed, approved by the requesting unit, and delayed when I MEF decided upon a different material solution. The I MEF solution was not provided and the original solution eventually was fielded accomplishing the original mission. The delay was entirely due to I MEF and will be discussed in the Laser Dazzler Chapter.

The delay attributed to MCCDC was the result of actions by Gayl and I MEF G9. MCCDC was often dependent on the deployed MEF for fielding decisions. If these decisions were problematic, delays occurred.

12B18-COMPARISON OF I MEF G9 AND QUANTICO SOLUTIONS

Gayl stated that I MEF and MCCDC were in an equipment competition. The material solutions offered by I MEF were often competed with other systems in order to determine the best solution (as directed by law), but several of Gayl's "competitions" were non-existent.

Gayl's DDR&E slide provided a listing of "funded" programs that supposedly competed against MNF-W needs:

- **I MEF Fwd Operators Defined Solutions:**
 - Need for speed to get ahead of AIF
 - Operators know the requirements
 - CG expected staff to do tech research and define solutions
 - Broad G9 technology field of regard (Labs, Academia, Industry, DARPA)
- **MNF-W needs competed against funded programs:**
 - Angel Fire vs Constant Hawk
 - MASDANS vs Counter Sniper Vehicle
 - G-BOSS vs CRAM/RAID
 - ScanEagle vs Spyhawk
 - SUCAV vs Warrior UAV from TF Odin
 - Penetradar IRIS vs GSSI Road Scan
 - MRAP vs up-armor programs and ONR initiative
 - Terramax vs Forerunner
- **Developers resist divergent operator needs:**
 - Resistance costs time
 - Unnecessary delays cause U.S. friendly and innocent Iraqi deaths and injuries

(Gayl presentation from McCord email dtd 5/30/2007)

The nature of the competition is not described in Gayl's presentation. A simple analysis shows that Gayl's list is flawed.

Angel Fire and Constant Hawk were two different wide area persistent surveillance capabilities. They did not compete for funding in the Marine Corps. The Marine Corps championed the development of Angel Fire due to its unique capabilities. The developmental nature of Angel Fire allowed for Marine Corps developmental input.

G-BOSS incorporated RAID. C-RAM had a different mission than GBOSS and contributed programmatic expertise to GBOSS. The I MEF G9 material solution for GBOSS towers was replaced by the better C-RAM/RAID solution all under the umbrella of GBOSS.

The Penetradar IRIS was rejected in the joint process. LtCol Nelson cites the JIEDDO reasoning: **“The Joint IED Defeat Organization (JIEDDO) declined this JUONS 18 January 2007 citing the initiative was “technologically challenged.”** (Nelson email dtd 6/1/2007) Many of Gayl’s suggestions were “technologically challenged”.

MRAP has been discussed throughout this paper and the reader can make a judgment on where the competition occurred.

A clean competition between systems in order to determine the best system for the warfighter is being portrayed as a bad thing. It is really a good thing, especially when many of the I MEF equipment solutions had so many flaws. In this slide and throughout Gayl’s study, competition often mean that the I MEF material solution was not selected immediately. The GBOSS chapter and the laser dazzler chapter will provide good examples with detail. If the competition was a bad thing, Gayl failed to explain why. If the competition between the other systems resembled the GBOSS and Dazzler competition, then the warfighter was well served. The problem was that I MEF G9 refused better equipment in favor of “their equipment”.

CONCLUSION

Gayl's writing techniques created the circumstances for a substandard research effort. His flawed analysis further degraded his study. The flaws in Gayl's study are not confined to those mentioned in this chapter, nor does this chapter cover all of Gayl's flaws. Major flaws are discussed in their own chapters. Additional flaws remain unaddressed in the interest of brevity.

13-ARMOR/EFP AND THE THREAT

The nature of the threat in Anbar and Iraq changed over time. The vehicles that the Marine Corps used also changed over time. One of the flaws in analyzing equipment, to include MRAP, is to use the current threat as the accepted threat for the entirety of operations in Iraq. The threat changed. The initial ground war was fought using standard HMMWVs and trucks. In 2004 this author travelled on what was to become the most IED'd roads in Iraq. The vehicle used was a bus. The occupants were instructed to draw the shades. There was no ammunition issued and not all the passengers had personal protective equipment. As the threat matured, additional vehicle types were added to the inventory. Busses were no longer regarded as safe transportation. At the time, however, the bus was adequate to get from point A to point B. This chapter will provide a summary of the threat and the reaction to that threat. It will also describe the material solutions that fail against the threat.

13A-THE THREATS IN THE HEJLIK UUNS

No vehicle defeated all of the threats in the Hejlik UUNS (to include any MRAP-type vehicle).

The threat in 2005 was maturing beyond a conventional weapons threat. That does not mean that conventional weapons were not a threat. As is often the case, the introduction of new vehicles caused the enemy to change attack methods. In 2005 the Hejlik UUNS focused on three types of attacks: IEDs, Rocket Propelled Grenades (RPG) and Small Arms Fire (SAF). Of note is that there was only one use of the term “explosively formed penetrator” in the Hejlik UUNS as that was not a current threat. The threat in the Hejlik UUNS was prioritized to IED/RPG/SAF. The following table reflects select vehicle capability versus the “Hejlik UUNS threats” (green indicates potential threat defeat, red indicates potential vehicle defeat).

	IED			RPG	SAF
	Under IED	Side IED	EPF	RPG	SAF
M1114	Red	Green	Red	Red	Green
CASSPIR	Green	Red	Red	Red	Red
RG 31	Green	Green	Red	Red	Red
COUGAR	Green	Green	Red	Red	Green

(Gayl, p 17)(with modifications)

CAVEATS:

- The m1114 had frag kits that increased its capabilities
- The m1114 had some underbody protections but they were overmatched by many IEDs
- The RG-31 had some capability to withstand SAF as did Casspir
- Any vehicle could support some sort of add-on package. Add-on packages were eventually created for EPF and RPG.
- An EPF, given the right construct and size, could penetrate through most armor.
- Most suicide vest attacks could be defeated by all of these vehicles.
- VBIED attacks would have to be addressed on a case by case basis.
- Motor Vehicle Accidents (MVA) were reduced across all vehicles but the Cougar had advantages for MVA reduction.

The above table reflects threats that the Hejlik UUNS presented. There were other considerations for vehicles in COIN that favored the m1114 and others favoring vehicles such as the Cougar. Hindsight being 20/20, many would pick the Cougar. The threat portrayed in the 2005 Hejlik UUNS, however, does not allow such a clear cut decision.

Another way to view the Hejlik UUNS is through the threats that were never realized or were minimally realized. NBC protection, overhead airburst and EPF were not common Marine

occurrences. RPG attacks were significantly less common than IEDs. Every one of these capabilities was requested in the Hejlik UUNS.

None of the vehicles had an organic remotely fired weapon system and few had firing ports on all four sides. Both of these capabilities were requested in the Hejlik UUNS.

The Hejlik UUNS requested vehicle capabilities that were not in existence at the time. Marine Corps leadership was put in a position where there was no vehicle that addressed all of the threats.

The EFP threat that Gayl described never materialized in MNF-W. Despite this fact, MCCDC organizations were heavily involved in counter-EFP solution development.

The emergence of the EFP in the ITO created a new demand for additional capability above and beyond the organic MRAP-type vehicle. Every major DOD organization was aware of the EFP threat. That threat made headlines around the world when Secretary Rumsfeld accused Iran of interfering in Iraq. The specific interference was EFPs. US and coalition forces struggled to develop counter EFP solutions. The importance of this effort was underscored by the SECDEFs involvement and his accusation against Iran.

In the Pentagon, the SECDEF wields enormous authority. Should the SECDEF accuse another country of meddling in US military operations, one may safely assume that the Pentagon and the rest of the DOD would take notice. The SECDEF was openly addressing Iran due to the loss of life associated with EFPs. The EFP threat was killing troops and the SECDEF was engaged in solving the problem. Part of the solution to EFP was in developing countermeasures that would minimize the effectiveness of EFPs.

“On 31 May 07 an article titled ***“MRAPs can't stop newest weapon”*** authored by Tom Vanden Brook appeared in USA Today (Presentation a.13.). It stated in part: ***“New military vehicles that are supposed to better protect troops from roadside explosions in Iraq aren't strong enough to withstand the latest type of bombs used by insurgents, according to Pentagon documents and military officials. As a result, the vehicles need more armor added to them, according to a January Marine Corps ... the armor on those vehicles cannot stop the newest bomb to emerge, known as an explosively formed penetrator (EFP). The Pentagon plans to replace virtually all Humvees with MRAPs to provide better protection against roadside bombs, responsible for most casualties in Iraq...Since MRAPs are so much safer against traditional roadside bombs, the document says, Iraqi insurgents' use of EFPs " can be expected to increase significantly." As a result, the Marine commanders in Iraq who wrote the statement asked for more armor to be added to the new vehicles...”*** (Gayl, p 56) The effectiveness of EFP was a topic for widespread reporting. This deliberate airing of vehicle capability was poorly regarded by military personnel who were attempting to keep military capabilities secret.

There was a DOD-wide effort to solve the EFP threat. This effort included DARPA and the DOD, Joint Commands, the Services, Industry and the Whole of Government (WOG). The brainpower and funding for counter EFP was significant. This author was involved in several working groups that regularly addressed EFP. The DOD/WOG funding and expertise dedicated to EFPs was well beyond the organic efforts in the Marine Corps.

There was a constant vigilance for any use of EFP in Anbar. Homemade EFP and Iranian EFP were areas of concern and each had different implications. Gayl makes the following statements about EFP:

“The requested solution set included an urgent request for protection against Explosively Formed Penetrators (EFP).” (Gayl, p vii) The 2005 Hejlik UUNS did little to add to the ongoing development of counter-EFP solutions. The one line request in the Hejlik UUNS was overshadowed by the other more pressing threats in MNF-W.

“The employment of Explosively Formed Projectiles (EFP) elsewhere in the Iraqi Theater of Operations (ITO) was known to I MEF (Fwd) and their appearance in MNF-W was Predicted” (Gayl, p viii) The appearance of EFP in MNF-W was monitored for a change from “predicted” to “actual”. A simple internet search will show erroneous reporting on the spread of EFP. EFP remained “elsewhere”.

“Most significantly, this process deviation prevented the initiation of the development of EFP predestination stand-off screens specifically requested in the UUNS.” (Gayl, p x) The DOD was already working EFP countermeasures. The MCCDC process for the MRAP had little to do with the development of a material solution for EFP which was a one-liner in the UUNS and never materialized as the threat Gayl envisions.

“As an example of lacking urgency, 2006 e-mail correspondence between I MEF (Fwd), MARCENT, and MCWL revealed that the CDIB did not forward the unfulfilled MRAP UUNS to MCWL for technological consideration (Reference e.2.). This had significant implications in 2007, as no USMC investment was initiated by MCWL, ONR, or SYSCOM to find a total defeat solution for the explosively formed penetrator (EFP) threat that BGen Hejlik had specifically highlighted in his 17 Feb 05 UUNS. USMC did not seriously begin to invest in an MRAP EFP solution until after USATODAY’s publication of MRAP’s vulnerability, even though insurgents were aware of this vulnerability (Reference p.11., a.13. and other references). As a direct consequence large numbers of MRAPs are being fielded to Iraq in 2007 without EFP protection because a material solution for that threat has not yet been sufficiently matured due to a new start delay of well over two years. Only a second bidding on MRAP contracts in the summer of 2007 is requiring such protection (Reference a.18.). As is evident in the DWG/CDIB presentation, EFP was not even discussed. Budgetary concerns dominated the outcome.” (Gayl, p 31) ONR was already working on elements of an EFP solution. MCWL remained engaged in the joint EFP forums. MCWL “investment” would have been insignificant in the larger and well-funded Army, Joint or DOD efforts (each of which brought resources well beyond those of the Marine Corps). The MRAP fielding without EFP protection was in no way due to the lack of Marine Corps involvement. It was due to the lack of a material solution. Gayl’s implied delay of two years had no basis in fact.

“In 2004 and early 2005, during the conduct of Operation Iraqi Freedom (OIF) in Al Anbar Province, IEDs were having a significant, adverse impact on the ability of I MEF (Fwd) to accomplish its mission. I MEF (Fwd) was heavily dependent on High Mobility Multi-Purpose

Vehicles (HMMWVs) for troop transport and other routine missions throughout Anbar Province that defined the Multinational Force West (MNF-W) Area of Operations (AOR). This dependency included both urban operations and long-haul convoy tactical movement along the extensive paved Main Service Routes (MSR) that linked urban areas. Known threats included IEDs that attacked the HMMWVs from the side, as well as buried centerline IEDs, a.k.a. underbelly IEDs. The employment of Explosively Formed Projectiles (EFP) elsewhere in the Iraqi Theater of Operations (ITO) was known to I MEF (Fwd) and their appearance in MNF-W was predicted (References r.5., c.1., a.15., and a.16.).” (Gayl, p 47) EFP had no impact on I MEF operations in 2004 and 2005. The real threat was other forms of IEDs.

“1 MCCDC ignores I MEF (Fwd)’s request for EFP protection:” (Gayl, p 73) EFP was never ignored. Gayl’s lack of insight to the MCCDC work being done across the DOD for EFP defeat was due to his lack of participation.

“It is equally significant that, independent of the basic vehicle armor solution issue, there is no evidence that any concurrent analysis or S&T new start initiatives were commissioned by MCCDC to address the EFP threat.” (Gayl, p 74) EFP analysis and initiatives were a constant. New starts were constantly being introduced by industry and S&T organizations. The Marine Corps was a member of the decision making bodies for many of these efforts.

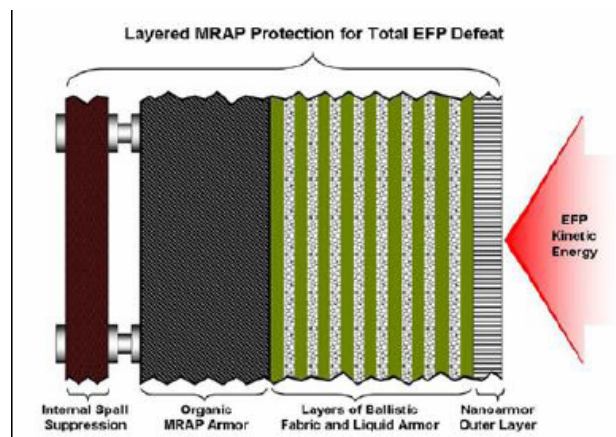
“EFP protection was specifically requested in the MRAP UUNS as it was a known threat at the time.” (Gayl, p 74) Gayl changes his perception of the threat from a “predicted threat” to a “known threat”. EFP protection was prioritized to those joint and Army organizations which actually had an EFP threat (known or predicted).

“The question one can now pose is: since DC, CDI was aware of the evolving threat why was there no immediate investment in the defeat of EFPs as requested in the MRAP UUNS? The EFP threat was known, and as armor improved EFP employment would reasonably be expected to increase based on known insurgent patterns.” (Gayl, p 74) Investment for an EFP solution was a WOG effort. The DOD slice of counter-EFP was significant in its funding and effort. MCCDC personnel, as well as many other Marine organizations, participated in these efforts.

“But the Marine Corps combat developers need to answer for this EFP protection development shortfall, as well as the MRAP UUNS shelving.” (Gayl, p 74) As seen in previous chapters, the UUNS was not shelved. There was no developmental shortfall within MCCDC. S&T across the DOD involved MCCDC. Counter EFP Policy involved MCCDC. Armor solutions involved MCCDC. Solutions were developed. Of note is that Gayl, as the GCE Science Advisor, had years to offer a solution for EFP. He also had the opportunity to identify the problem in an UNS and request a solution. As with the entire MRAP and counter-IED armoring effort, Gayl submitted no UNS or UUNS as an Advocate.

“The known threats in 05 have been documented earlier in this case study. They included both the under belly, center line threat from buried IEDs as well as the existence of an probable proliferation of EFPs throughout the ITO.” (Gayl, p 116) Gayl changed his perception once again from “predicted threat” to “known threat” to “probable proliferation”. Once again, Gayl cannot point to materialized EFP attacks and can’t even define the threat.

Once Gayl established himself in I MEF (Fwd) he offered a material solution for EFP defeat as depicted in the slide below:

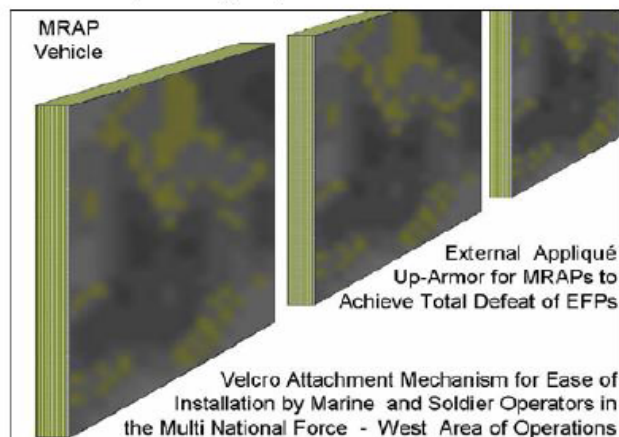


• Description:

- MRAP Explosively Formed Penetrator Total Defeat Capability
- Acceleration of nanotube-armor R&D and production capability
- Acceleration of sheer-thickening liquid armor R&D
- Acceleration of spall-suppressing internal MRAP layer-curtain
- Development of individual folding passenger protection within MRAP

• Status:

- JUONS signed 7 January 2007
- UUNS signed 13 January 2007
- JUONS and UUNS at CENTCOM and MCCDC, respectively



22. MRAP EFP Total Defeat UUNS slide from the draft DDR&E presentation.(Gayl, p 55)

Gayl’s solution, with nanotube-armor and sheer thickening liquid armor, was staffed through EFP defeat staffs and returned as unfeasible. It was not ignored or shelved or disregarded. It was assessed and rejected.

Gayl presents a picture of negligence using carefully crafted verbiage that makes the Marine Corps counter EFP effort seem non-existent. In reality, counter EFP was a DOD-wide problem with full MCCDC involvement. EFP use was tracked diligently. EFP solutions were tracked diligently. If EFP materialized in MNF-W, then the Marine Corps was ready to implement solutions. Until then, real threats took priority.

14-UUNS VS JUONS

Joint funding opportunities were developed during OIF and the Marine Corps required adjustment to maximize their use.

Prior to assuming responsibilities as the DirOPS MCWL I was in charge of the Marine Corps portion of Counter Rocket Artillery Mortar (C-RAM). C-RAM is an Army led program designed to deal with enemy indirect fire and rockets (similar to Iron Dome). I had the opportunity prior to my 2005 deployment to take a short trip to Iraq and coordinate with Multi-National Headquarters Iraq (MNCI). It was during this trip that I realized that the Marine Corps was poorly established to take advantage of joint funding opportunities that went through MNCI. The Marine Corps had no dedicated liaison for equipment at MNCI. I talked with Marines who were on staff and their response to my question of who represented the Marine Corps for equipment and funding was to point towards Multinational Forces West (MNF-W). MNF-W was dual-hatted (also responsible) as the senior Marine Staff in Iraq. I had previously been responsible for ensuring the Marine Corps received fair share funding from another joint pot of money. It was obvious to the trained eye that the structure of the Marine Corps at MNCI was not optimal for taking advantage of new joint funding resources.

One of the areas of the MRAP issue that may have actually helped benefit the Marine Corps through self-critique is in the area of usage of joint funding. The Marine Corps was slow to take advantage of joint processes that provided access to joint funding. One of the new paradigms for warfare in Iraq/Afghanistan was the new and significant funding available through joint processes. JIEDDO was primary amongst these new efforts. The JIEDDO budget for FY05 was \$1.23 Billion and for FY06 was over \$3 Billion (McKinney email dtd 7/7/2006). In 2007 it grew to over \$4 Billion.

MCWL was the Marine Corps lead for all JIEDDO efforts. It was incumbent on MCWL to best utilize JIEDDO efforts on behalf of the Marine Corps. It was also incumbent on MCWL to educate the Corps on the new paradigm involving billions of dollars of joint funding. In order to do so, this author created a simple brief and presented variations of it to MCCDC leadership (LtGen Mattis and Staff)(Butter email dtd 7/17/2006), CDIB leadership (Blasiol email dtd 6/21/2006), and MARCENT leadership (Butter email dtd 7/26/2006). Several of the slides are presented at the end of this chapter for further discussion.

The larger size of the Army allowed them several advantages in using this funding. They were able to source staffing for the joint organizations which allowed them to influence how the funds were used. They had a robust procurement organization which made them the natural recipients of programmatic funding. They had the majority of AOR in Iraq and had the majority of casualties. These factors combined to steer the majority of funding to the Army. The Army became so comfortable with joint funding that they started to submit their service needs statements and joint needs statements through the same command (MNCI) (ONS section

of attachment to Ouzts email dtd 5/2/2006). In this atmosphere, the Marine Corps was often left out.

Part of the brief was a “how to” on recommending solutions. The document that initiates the urgent joint process is the JUONS while the document that initiated the Marine Corps urgent process was the UUNS. They both worked through different chains (see diagrams at end of chapter). In order to maximize the potential for funding, it was recommended that all C-IED needs be submitted as UUNS and JUONS simultaneously. The additional paperwork was minimal and the supporting establishment (Joint and USMC) could coordinate to establish who would fund/support the need (Alles email dtd 6/30/2006). The Joint Staff and MCCDC interacted closely and there was MCCDC awareness and oversight for all “Marine Corps JUONS”. Gayl cited the tandem approach in his DDR&E presentation:

- Over 130 I MEF Fwd JUONS-UUNS submissions:
 - Low combined fill rate – JUONS and UUNS both <10%
 - Before Nov 06 JUONSS frequently languished at MNC-I
 - UUNSS cancelled, delayed, or solutions not what was asked for
 - Tandem JUONS and UUNS submissions routine to increase odds
- CoS CENTCOM intervened to speed JUONS:
 - JUONS urgency at MNC-I and MNF-I restored
 - II MEF now benefiting from CoS CENTCOM's action on JUONS process
- Joint Staff actions always rapid and supportive
- JRAC actions always rapid and supportive
- UUNS process remains challenging:
 - Process worship cripples operating forces
 - Civilian middle management lacks technical and operational currency
 - Risk-averse civilian middle management defaults to process controls
 - Mine Resistant Ambush Protected Vehicles (MRAP) delayed
 - Unmanned Arial Vehicles (UAVs) delayed
 - Ground Based Observation and Surveillance System (G-BOSS) delayed
 - Many other urgently needed capabilities delayed

Caption: “**Figure 46. While the JUONS process is sound, the UUNS process is broken.**” (Gayl, p 117)

Gayl’s comments will be addressed in a later section, however, his observation about tandem submissions was correct. After the submission of a JUONS, the Marine Corps problem continued as the JUONS had to work its way through a system where there were few Marines. His statement that the “UUNS process is broken” is incorrect.

14A-USMC GETTING SHORT-CHANGED AT JOINT FUNDING

The size of the Marine Corps prohibits it from taking maximum advantage of joint procurement opportunities.

The Marine Corps Officer Corps remains approximately one tenth of the total officer corps. Joint billets are therefore primarily filled by other Services. Marine Corps representation on Joint Staffs remains at a ratio dictated by the size of the available pool or, for the Marine Corps, approximately ten percent. The ability of the Marine Corps to take advantage of available joint efforts is therefore decremented. Compounding the problem is that Marines are more operationally/tactically focused and may not gravitate towards joint procurement or logistics billets.

The Marine Corps generally used approximately 6% of every DOD dollar and approximately 12% of every joint dollar. Those statistics remain fairly consistent. JIEDDO was funded through DOD efforts. Simple math shows that the Marine Corps, with a minimal effort, could receive maximum benefit through JIEDDO while only “contributing” approximately 6% (notional) of the JIEDDO budget. A smart, coordinated effort was required to use the process established for the DOD funded JIEDDO effort. JIEDDO funding was sourced through the operational chains using joint request formats or JUONS (For the purpose of this study, all Joint requests will be called JUONS even though the JUONS format/process was not established until later in 2005). It was therefore incumbent on the Marine Corps operational chain to initiate JUONS in order to utilize JIEDDO capability (funding as well as support and analysis). The only area where JIEDDO would respond directly to Service requirements was in the area of training which was a Service responsibility for deploying units. The Tomczak email dtd 8/22/2006 provides a brief from LtGen Amos to CMC regarding JIEDDO decisions to fund USMC C-IED training.

On 8/17/2006 I MEF G9 wrote **“I am glad we spoke on the phone tonight. My leadership does not want to go to the JUONS process with G-BOSS. We have yet to receive any material solution from that venue, our first JUONS went in 10 FEB 2006. Despite what LtCol Chill mentioned it is more complicated and takes more time, the process is not stacked in our favor.”** On 8/18/2006, one day later, the I MEF G9 wrote **“Somehow this LtCol Chill of MCWL has convinced everyone that we are not using the JUONS process and we need to be shown how. We currently have 14 JUONS in the system with 3 more on the way.”** (Tomczak email dtd 8/18/2006) The contrast between the statements reflects the confusion at I MEF G9. The lack of JUONS use in the first statement is followed by a citation of 14 JUONS submitted as a demonstration of JUONS use. There is an inconsistency between the two emails.

During this timeframe the I MEF CG recognized this process challenged and asked for additional support in the form of Franz Gayl. **“The Commanding General I MEF Forward requested me by-name to deploy into theater in September 2006 to assist with technical and process challenges facing his Marines, and I volunteered.”** (Gayl Testimony, p 2) The

Commanding General was correct, he had process challenges but they were not solely his responsibility.

The two staffs responsible for dealing with MNC-I and MNF-I were MNF-W (I and II MEF) and MARCENT (Which also dealt with CENTCOM). The results, or lack thereof, of equipment requests at the MNC-I and MNF-I level impacted the ability of Marines to successfully engage at the Joint Staff. Once MNF-W started to request through joint channels, the absence of Marines on staff adversely impacted the movement of requests through these joint commands. It also adversely impacted the oversight of MNF-W requests in their content and formatting. Once again, the previous lack of joint funding available made joint funding processes largely irrelevant. Sensing the new funding paradigm, and the lack of Marine preparedness for it, the Marine Corps started to organize.

MARCENT requested briefs to get better acquainted with joint funding and joint processes. MARCENT confirmed that the Marine Corps was getting shortchanged at MNCI and had attempted several JUONS on their own (Alles email dtd 5/20/2006). I MEF remained reluctant to submit JUONS and MARCENT recognized the ability to “backward staff” needs statements. Backward staffing would occur as MARCENT would submit JUONS directly to MNCI on behalf of MNF-W.

LtGen Mattis was also provided a brief (several slides of which are at the end of this chapter) on the use of JUONS and joint funding with which he concurred. (Butter email dtd 7/17/2006) Given the lack of Marine manpower, LtGen Mattis also correctly focused on the responsibility of MARCENT to oversee the joint processes at MNC-I. (Butter email dtd 7/17/2006)

The focus of MARCENT and MNF-W was the solution to the lack of use of joint funding, but their solution was not optimal. The optimal solution to influence MNF-W JUONS was to have a physical presence at MNCI. MARCENT was responsible to CENTCOM, not MNCI. The oversight of Marine issues at MNCI should have been the responsibility of the Marines on the MNCI staff. The Army took advantage of their numbers on the MNCI staff to, in effect, turn it into an Army staff for procurement purposes. Nowhere was this more evident than in the JUONS process.

14B-JIEDDO

JIEDDO was an opportunity for the Marine Corps that was not maximized.

The majority of funding for OIF/OEF remained with the Services but the most accessible and well-funded new joint entity was JIEDDO (previously called the Joint IED Task Force). JIEDDO not only provided funding but also provided counter IED expertise and analysis. It was a forum to share enemy analysis, technology development (S&T) and counter-IED solutions across the entirety of the DOD. This study, however, will focus on funding.

The functions of JIEDDO developed over time. Interaction with JIEDDO also developed over time. The JIEDDO Staff as well as the Joint Community and Services had to learn and develop methods of interaction. The Marine Corps was no different. Early on the Marine Corps established a working group and submitted a \$2 Billion list of C-IED needs to JIEDDO. (Doyle email dtd 6/29/2006) Per JIEDDO processes, only training issues were funded from the Service request. The submission included the 185 JERRV request.

MCWL was the initial liaison for JIEDDO actions. As JIEDDO grew, a discussion within Quantico occurred in order to determine who would lead Marine efforts with JIEDDO. LtGen Mattis settled on MCWL (Alles email dtd 5/20/2006).

MCWL recognized early on that the remainder of the Marine Corps had to be educated on the use of JIEDDO. The lack of knowledge about how to use JIEDDO was understandable as there was no precedent and no schools covering this new funding paradigm. MARCENT was quick to ask for information (McKinney email dtd 7/7/2006). Briefs were provided and liaison was conducted. (Baker email dtd 7/20/2006) Marine Corps leadership also requested briefs. Processes were developed to maximize use of joint funding and JIEDDO. Despite the development of processes to utilize JIEDDO, I MEF continued unconventional processes which caused friction: **“Concurrently, MNF-W drafted a JUONS for G-BOSS that incorporated the TCVS for covert micro terrain inclusion in the V-COP. This document, which included a request for 240 Scan Eagle Tier II UAVs (see discussion of UAVs below), was presented to the Director of JIEDDO during his visit to Al Anbar Province the Resubmission of the G-BOSS as a JUONS out of frustration with MCCDC inaction on an UUNS again follows the familiar pattern that had been observed with MRAP, TCVS and other capabilities to be described below. In an effort to reinforce the initial capability, CG, I MEF (Fwd) submitted a JUONS in order to gain access to more substantial JIEDDO funding since G-BOSS helped the C-IED fight in the ITO.”** (Gayl, p 91) Once again, it was MCCDC and not I MEF who was the primary advocate for joint efforts. This case (discussed in detail in a subsequent section) demonstrated the I MEF G9 lack of JIEDDO understanding in that they believed that the Director of JIEDDO had the authority to approve equipment requests without MNCI, CENTCOM and Joint Staff approval. He did not. One had to submit JUONS through the chain of command, not voice a request to the Director of JIEDDO. Gayl’s unfamiliarity with joint process mirrors his unfamiliarity with Marine Corps process which often caused acrimonious relationships (Bare email dtd 5/17/2007).

In the final analysis, JIEDDO had the potential to be an excellent source of support for the Marine Corps if used correctly. The first step in correct usage was to submit a JUONS.

14C-PROPPER JUONS SUBMISSION BY MNF-W ONLY

The JUONS was required to establish needs within the Joint community and MNF-W was the only USMC Command that could submit them for OIF. I-MEF, as MNF-W, was often reluctant to submit JUONS.

The JUONS is the urgent initiating document for the joint needs process while the UUNS is the initiating document for the Marine Corps needs process. The JUONS followed the joint command path to the joint staff and, if decided, JIEDDO. The UUNS followed the Service chain of command to MARCENT and then to MCCDC (see diagrams at end of chapter). MNF-W was the Command authorized to submit JUONS and I MEF was the command authorized to submit UUNS. They were both under the same Commander and Staff. The “dual-hatting” (one commander wears different hats or has more than one set of responsibilities in different chains of command) allowed for execution of both Joint and Service functions in one command. It also allowed I MEF to submit needs requests through both chains and source the different pots of money and support. There was no other Marine Command authorized to do so in the ITO.

As previously discussed, MCCDC recommended submitting both JUONS and UUNS simultaneously in order to allow for the fastest support to Marines in MNF-W. The Marine Corps maintained awareness of both chains for submission and could deconflict at several points in the process. The Marine Corps could also identify the most capable organization, Joint or Service, which could satisfy a need. In the case of MRAP, MCCDC coordinated with I MEF to submit a JUONS versus the draft UUNS that was originally submitted by I MEF (Hirsch email dtd 5/18/2006). MCCDC felt that the joint route would better support the JERRV need. Gayl fabricates the following statement: **“In its capacity as Combined Joint Task Force HQ, MNF-W, I MEF (Fwd) resubmitted the MRAP request in the form of two Joint Urgent Operational Needs Statements (JUONS). This time, the urgent needs for MRAPs were approved by the Commanders of MNC-I, MNF-I, CENTCOM and the Director of the Joint Rapid Acquisition Cell (JRAC). In the absence of combat developer support for MRAPs, Service support was obtained directly from the Commandant of the Marine Corps based on a statistically verified casualty analysis at MARCENT.”** (Gayl, p x) It was MCCDC that saw the opportunity with a joint effort. The JUONS had to be approved through the joint chain of command: MNC-I to MNF-I to CENTCOM and to the JRAC in order to be approved at the joint staff level.

Gayl further fabricates: **“CG, I MEF (Fwd)’s employment of JUONS to avoid USMC combat developers mirrored his approach to MRAP.”** (Gayl, p 92) In contrast to Gayl’s assertion, I MEF did not feel that the JUONS process was working for them and the I MEF G9 wrote: **“I am glad we spoke on the phone tonight. My leadership does not want to go to the JUONS process with G-BOSS. We have yet to receive any material solution from that venue, our first JUONS went in 10 FEB 2006. Despite what LtCol Chill mentioned it is more complicated and takes more time, the process is not stacked in our favor.”** (Tomczak email dtd 8/18/2006) In addition, the I MEF UUNS tracker dated 7 May 2006 had almost 300 resolved UUNS and 60 active I MEF UUNS (Garcia email dtd 5/10/2006). This is clear evidence that I MEF

preferred the UUNS process. The individual at MARCENT responsible for tracking JUONS submissions could only find three JUONS submissions by I MEF from February to May 2006 (Johnson email dtd 5/11/2006). It took significant effort to get I MEF to use the JUONS process.

The JERRV JUONS was one of MCCDC and MARCENT's first success stories using the JUONS process. Gayl mistakenly states: **"I MEF (Fwd) had already experienced superior support from the JRAC with the JERRV JUONS, in light of MCCDC's shelving of the MRAP UUNS in 05."** (Gayl, p 94)(as previously proven, MCCDC did not shelve the 2005 UUNS). The JRAC process fully involved MCCDC personnel. MCSC as well as MCCDC staff are responsible for administering parts of the Marine JRAC effort. MCCDC enthusiasm for the JERRV JUONS helped it to succeed. Gayl also fabricates for the GBOSS effort: **"I MEF (Fwd) had gone the successful JUONS route in both cases as a means of working around USMC combat developer resistance. In the G-BOSS JUONS, which was also approved by the JRAC resulted in the provision of approximately \$100M in C-IED funding through JIEDDO."** (Gayl, p 95) The GBOSS section will show in detail how distorted this statement is while showing a comedy of errors in the pursuit of what was one of the most important equipment requests of the war.

MCWL maintained a liaison at I MEF and one of the priorities was to ensure that he had the most updated information to share with the deployed MEF. The problems associated with Marines and the JUONS process were articulated in an email in late July 2006 (Fisher email dtd 7/19/2006). I MEF, after half of their deployment, had yet to establish a solid JUONS effort. By August of 2006, I MEF G9 had reluctantly started to realize the benefits of the JUONS process and had started to submit JUONS. During this timeframe MCWL established a CIED cell to assist I MEF with CIED efforts in Anbar and liaison with other CIED efforts in the ITO as well as in CONUS. The JUONS responsibilities, however, remained with I MEF G9. The push from MCCDC to utilize the joint system eventually started to have results. The I MEF G9, however, remained a reluctant user due to the supposed difficulty in using the JUONS process (Tomczak email dtd 8/18/2006). Gayl, who was supposed to be assisting with process challenges, was unable to assuage the I MEF G9 discomfort with JUONS. This discomfort was understandable as very few understood the JUONS process. The MRAP DODIG, conducted years later and in the absence of any combat responsibilities, also did not understand the JUONS process and therefore made recommendations which required revision.

14D-DODIG BOTCHED THE RECOMMENDATION

The initial DODIG recommendation ignored the chain of command and was therefore rejected. Their second recommendation also ignored the chain of command.

The MRAP DODIG arrived at several erroneous conclusions. Some were from lack of evidence, however, some were due to the illiteracy of DODIG personnel in the area of command relationships. This illiteracy gave birth to flawed recommendations such as the following: **“In response to the draft report, the Director, Joint Staff requested that both Recommendations 1. and 2. be changed to direct the Service requirements developers to forward urgent requirements that may have joint-Service applicability to the appropriate combatant commander, instead of directly to the Joint Chiefs of Staff. We agree with the Director, Joint Staff’s comments and revised Recommendations 1. and 2. to direct Service requirements developers to forward urgent requirements that may have joint-Service applicability to the appropriate combatant commander for endorsement and then to the Joint Staff for validation as Joint Urgent Operational Needs.”** (DODIG, p 15)

The Services and Joint Commands have different responsibilities. Oftentimes they overlap, but a new chain of command is not established every time overlap occurs.

The DODIG initially recommended that Services submit Service requirements directly to the Joint Staff. This cut out the Combatant Commander. It is not hard to imagine problems arising from just one Service being equipped with MRAPs, surveillance equipment, jammers (etc.) while the other Services in the same fight are not similarly equipped. COCOMs ensure that the force is equipped across the entirety of the force. The DODIG correctly saw the flaw in the original recommendation.

Unfortunately, they settled on another recommendation that was also flawed. The Service request would be sent to the COCOM for endorsement and then be sent to the joint staff. The problem with this recommendation is similar to the problem with the original recommendation. The MNCI Commander was being bypassed (as was the MNFI Commander). In the case of MRAP, the DODIG recommended a process where I MEF submitted a need to MARCENT and then the Service Headquarters. After approval, the Service Headquarters would then submit it to the COCOM who would then submit it to the Joint Staff. I MEF’s need would bypass their immediate Commander at MNCI presenting the same problem envisioned at the COCOM level. In the case of OIF, the COCOM could ensure that the need was staffed to MNFI and MNCI as a work-around to the DODIG process. This was not a guarantee.

The correct decision would have been to have I MEF, which was dual-hatted as MNF-W, submit its JUONS to their Commander at MNCI. MNCI could coordinate for the needs of the force and submit coordinated needs further to MNFI and then to the COCOM. The COCOM could then submit to the Joint Staff. This process follows the chain of command. The solution is not for the Service to submit to the COCOM, but for the Service components in the joint

organizations to submit through the joint chain of command. This is simple command and control. The alternative, as recommended by the DODIG, was to have forces in the ITO bypass MNCI by submitting needs through their service chains to the COCOM. This recommendation ignores military command and control.

14E-GBOSS SHOULD HAVE BEEN JOINT

The GBOSS effort would have proceeded faster if I MEF G9 submitted a JUONS. They refused to do so for months. MCCDC continued to lead GBOSS efforts in Joint communities despite the lack of a JUONS.

The I MEF G9 GBOSS effort is instructional in understanding the JUONS/UUNS process. The GBOSS chapter will address the other elements of the GBOSS issue.

In August 2006 MCWL established a surveillance conference to better coordinate Marine Surveillance issues. I MEF G9 wanted to represent themselves in this conference and adamantly refused to entertain suggestions to use Army programs (I MEF G9 email dtd 8/4/2006). The I MEF G9 had little understanding of the Army programs and their ability to support the GBOSS effort (Chill email dtd 8/18/2006). These programs would be utilized once I MEF RIP/TOA occurred placing II MEF in command. I MEF G9 maintained control of their own needs and neither the joint community nor MCCDC could force I MEF to use equipment.

Compounding the issue was a general lack of understanding about equipment capabilities. The I MEF solution used a tower that stood 106 feet tall and had two cameras on the top. C-RAM towers stood 106 feet tall and had one superior camera on the top. C-RAM used RAID towers. The far superior camera on the RAID tower was used for base defense, but it was also used as the camera on attack helicopters. The RAID tower and the I MEF design were towered cameras. Their use was determined by the using unit. I MEF incorrectly assumed that RAID towers could only be used for base defense. They additionally assumed that the aggregation systems could only be used for base defense (Jankowski email dtd 9/1/2006). The poor gear analysis made I MEF reject the superior systems in favor of their own systems.

I MEF G9 was the MEF gatekeeper for JUONS. Their established position was against RAID towers so there was no JUONS forthcoming. At the same time, the demand from units in MNF-W was reflected in the following email: **"Charlie, Just came out of Iraq on CMC trip. Resounding call for more JLENS/RAID towers from Gen Zilmer to every Bn cmdr we saw."** (Alles email dtd 10/3/2006) Despite the high demand, the I MEF G9 maintained its stance against RAID towers and refused to submit a JUONS.

I MEF G9 continued to prefer the system that they were buying and assembling in theater. Recognizing this as a potential disaster, the supporting establishment continued to ask I MEF to submit a JUONS for equipment that would come assembled. I MEF G9 responded from the ITO: **"Thanks for the info. What is the cost unassembled and without the FSR. The previously stated and present clear intent here is to do the assembly out here and take care of it out here. NO FSR desired or required."** The MCWL Chief of Staff responded: **"JT, The decision to conduct the system integration out in Iraq still needs to be discussed. Intent is to make sure this project succeeds. Ideal place to do it is in CONUS, with available support from**

the companies if needed. Sending the parts out to Iraq, at time when I MEF is preparing for turnover to II MEF, may not be the right thing to do.” (Hostetter email dtd 10/10/2006) It was clear that I MEF G9 was going to order the material, engineer, assemble and maintain the surveillance equipment in MNF-W. Without the submission of a JUONS, there was nothing that the joint community could do.

MCCDC hoped to get a JUONS from I MEF G9 and commenced the briefing process through JIEDDO in October 2006 (Johnston email dtd 10/13/2006). The process was soon halted due to the lack of a JUONS.

The MARCENT and MCCDC CGs saw the problem and organized for a coordinated effort. The coordination responsibility for the effort was removed from I MEF G9 and fully assumed by MARCENT (Alles email dtd 10/15/2006). The requirement for a JUONS, however, still existed. It remained a function of I MEF G9, and MARCENT had to coordinate with I MEF to submit the JUONS (Chill email dtd 12/20/2006).

Coordination continued with JIEDDO despite the lack of a JUONS. LtGen Amos was briefed that JIEDDO would not support the effort unless a JUONS was submitted. Once the JUONS was submitted, JIEDDO would be forthcoming with funding but for the established RAID program. (Alles email dtd 12/27/2006)

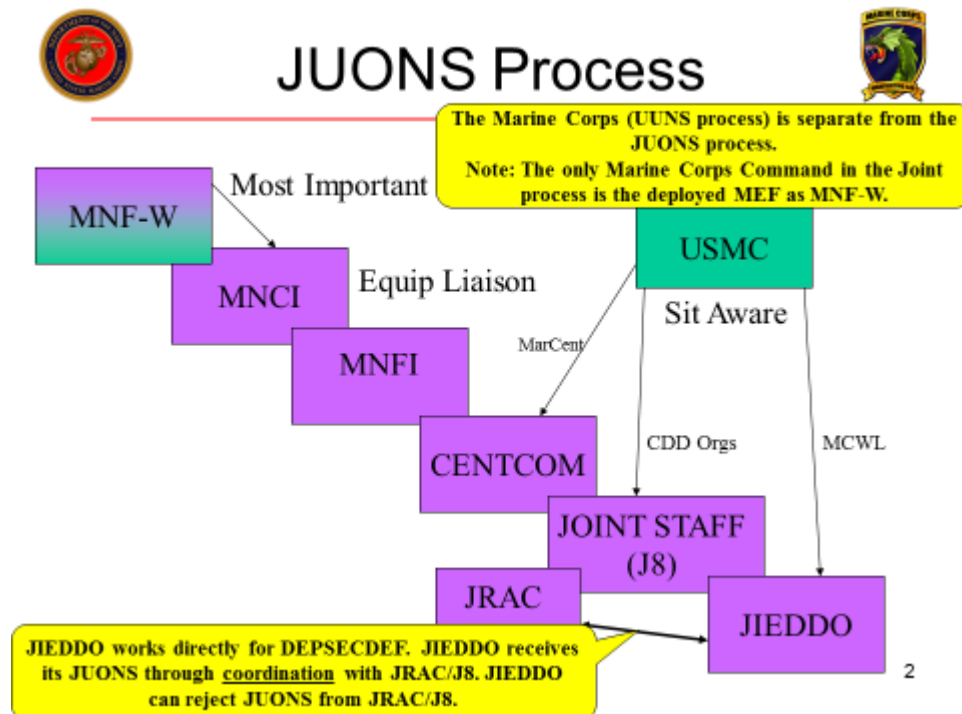
The GBOSS JUONS was eventually submitted in January, 2007 and signed by MNCI on 30 January 2007. JIEDDO received the JUONS by March 2007 and funds were approved three months later (Donnelly email dtd 8/23/2007). GBOSS eventually grew into one of the most effective systems in the ITO.

I MEF had submitted an UUNS in June 2006. The JUONS arrived at JIEDDO in March of 2007. The program was then funded. Flag officers through the three star level had made their desires known. I MEF had made its desires known. There was common knowledge about GBOSS (with equipment disagreements) and yet nothing occurred until I MEF relented and submitted a JUONS. Only then did Marines receive the high demand GBOSS towers.

14F-THE JOINT PROCESS SUMMARIZED

The below slides were sufficient to describe the major elements of the JUONS process.

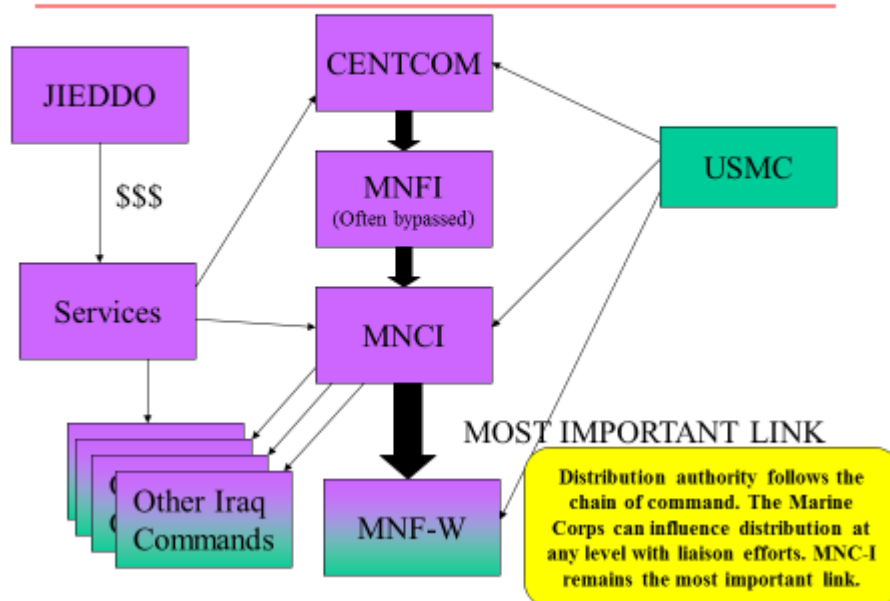
The following three slides are from a presentation that had been provided from 2006 to 2008 (Chill email dtd 4/20/2007). They were also discussed with the DODIG. The DODIG was unaware of the potential for Marine use of joint funding when interviewing this author. The DODIG eventually understood the lack of Marine Corps use, however, their solution was incorrect. The first slide describes the correct JUONS process and how the Marine Corps was able to influence it while not being a part of it. MNF-W was the only Marine dual-hatted command in the process.



The second slide deals with distribution of jointly approved equipment. The joint commander had the authority to distribute joint equipment. Equipment that was requested by the Army was also provided to the Marine Corps. On occasion, Army-requested equipment was given to Marines first based on the tactical situation. Marine-requested equipment could be provided to the Army, so a healthy liaison was required to shepherd the equipment distribution process.



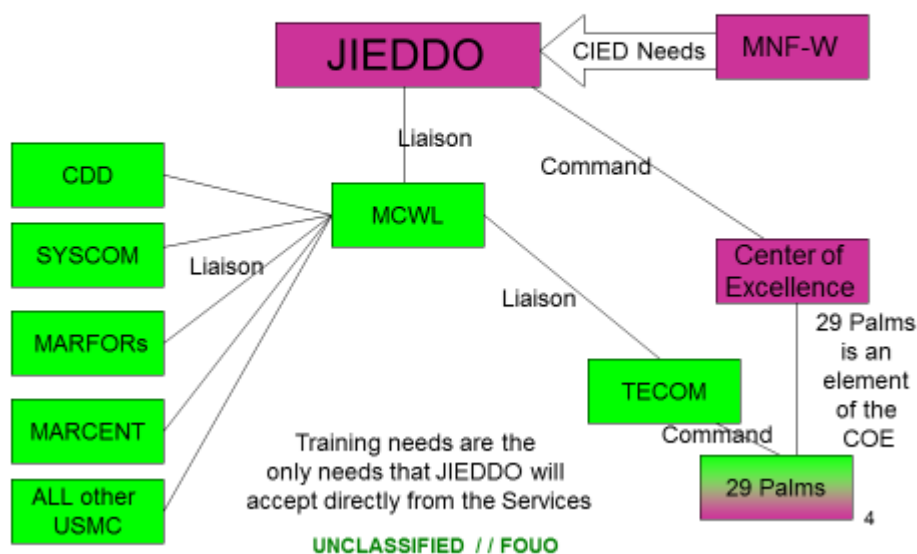
Distribution



The final slide depicts the Marine Corps relationship with JIEDDO. MCWL was the coordinating authority for JIEDDO but several commands also had relationships with JIEDDO.



USMC Relationships w/JIEDDO



CONCLUSION

I MEF was reluctant to use the JUONS process. They preferred to use the Service UUNS process. Gayl's statements about the preference of I MEF to use the JUONS process and work around MCCDC are fabricated. It is unclear whether it was Gayl fabricating these statements or his sources who fed him fabricated information.

One of the lessons learned from this study ought to be that the Marine Corps is in an ideal position to maximize use of joint funding through the JUONS process. A coordinated effort should be undertaken to do so.

15-GBOSS-THE I MEF G9 DISASTER

I MEF G9 actions to establish GBOSS were incompetent. GBOSS illustrates that forces in combat can establish needs, but are severely challenged in other aspects of combat development.

ISR capabilities and concepts greatly improved over the time periods of OIF and OEF. Most recognized the need for additional surveillance in the COIN environments of Iraq and Afghanistan. Most, however, did not understand the available capabilities and what they could do for US forces. ISR equipment had to be linked with education and tactics. The failure to understand the equipment initially resulted in the failure to optimize or even understand its use.

The ISR capabilities requested by I MEF were revolutionary. With “eyes on” the insurgent suffered higher casualties and was restricted from operations. Similarly to MRAP, I MEF’s grasp of the concept led the way in the ITO. Unfortunately, several of their attempts at equipment solutions were disastrous. None was worse than G-BOSS which serves as a perfect lesson on why commands in combat should not be allowed to procure. Instead, they should focus on combat.

This section is being included for two reasons:

- Suggestions that the forces in combat are best positioned to determine procurement issues have been made. These suggestions are flawed and will harm forces in combat. They must be dismissed.
- Gayl presents ISR as a major issue throughout his study (over one hundred times). It is the critique mentioned the most after MRAP. This section will demonstrate the twisted and contorted nature of the Gayl ISR arguments which reflect on the rest of his MRAP study.

The technology issues associated with the GBOSS effort exemplify the flaws in the I MEF (Fwd) approach to equipping the force. The GBOSS program, II MEF and subsequent I MEF staffs jettisoned many of I MEF G9 technical recommendations after I MEF G-9 rotated back to CONUS. II MEF established technical requirements similar to those recommended by MCCDC and these solutions were put into effect during the “Anbar Awakening” as well as through Marine deployments to Afghanistan. As with every other equipment issue where the I MEF G9 technical solution was not adopted, Gayl offered his misleading opinions: **“Many months of MCCDC middle management inaction followed. MCCDC civilian middle managers were fully cognizant of the chronic vulnerability suffered by operating forces due to lacking AOR wide persistent surveillance yet chose to obstruct G-BOSS and its plug-in complimentary ISR components.”** (Gayl, p 91) and **“The MNF-W cost of forces killed and injured, especially due to unobserved IED emplacement, due to MCCDC inaction was not trivial.”** (Gayl, p 91) In the case of GBOSS, the MCCDC solution was far more beneficial to the forces in combat than the almost disastrous I MEF G9 effort. The MCCDC solution was field ready. The “inaction” can be attributed to Gayl and the I MEF G9.

This chapter of this study will include “process foul” aspects of GBOSS. The Marine Corps agreed on the capabilities needed but then had to watch as I MEF G9 insisted on incompetent equipment efforts. It took time to get to the right decisions as the Marine Corps led the way.

The GBOSS effort demonstrated how combat development works despite deep seated disagreements. The emails and coordination were continuous and contentious. By way of comparison, no similar coordination was performed with MRAP between August 2005 and May 2006. This chapter is what combat development looks like when the deployed force wants a capability. Only after May of 2006 did the same level of combat development start with MRAP. The period of “no MRAP coordination” coincided with the period of “no MRAP demand”.

As opposed to MRAP efforts, Gayl was actually involved with ISR developmental efforts. This involvement, however, was deeply flawed and his recollections departed from reality. Persistent surveillance (often called PISR) was new trade space and in 2004 this author, Gayl and a fellow officer were discussing developing scenarios for PISR training. Gayl responded, **“Mike, Nice work - captures well Steve's earliest vision of this possibility, and now CMC's interest (expressed at DARPA last Friday) as well. I will be working on the Persistence Capability UNS soonest - will send to you guys and Jim Lasswell when it gets moving. V/R Franz”** (Gayl email dtd 9/16/2004). Gayl correctly noted Quantico’s vision in 2004. This vision was the precursor to equipment development. Gayl later critiqued Quantico for its lack of ISR vision.

Gayl’s recollection of events were flawed as he writes in his study: **“The MEF (Fwd)’s tactical gaps in SA were significant, as insufficient forces were committed for the given mission and terrain, and compensatory ISR had not been provided to make up the difference. This was especially so when the MEF later assumed the mission of MNF-W. Regrettably, MCCDC combat developers did not push such capabilities to the warfighters.”** (Gayl, p xi-xii) The specific equipment suites that were pushed will be discussed. GBOSS capabilities were “pushed” throughout 2005 and into 2006 before the GBOSS UUNS was submitted. Operational commanders were initially hesitant in accepting systems that eventually were in high demand. GBOSS systems fit this category.

Gayl, as a member of the advocate, had responsibilities in developing surveillance capabilities. He wrote: **“Concurrently with MRAP requests, from 2004 through early 2007 Advocate and operator requests were repeatedly submitted for mobile tactical persistent ISR capabilities, including high altitude airships, armed and unarmed Tier II Unmanned Aerial Vehicles (UAV), mobile tower-mounted cameras, and covert miniature sensor suites. In all cases, those ISR capabilities were either delayed or denied by combat developers at Quantico.”** (Gayl. p xii-xiii) Gayl, as an advocate, only offered a proposal for a high altitude airship (2004) that was never in high demand due to capability restraints. He then criticized combat developers (despite being one): **“This is due to a combination of inner provincial Iraqi**

re-alliances and the dramatic benefits of persistent tactical ISR, and later, cemented with MRAPs and additional troops. Had ISR and other tools of CIN been fielded promptly in past years by combat developers the IED emergency and urgent need for MRAPs may never have materialized.” (Gayl, p 54) Gayl, as the Advocate S&T Officer, was focused on niche capabilities and never submitted a viable PISR UNS/UUNS. The ISR tools for COIN were pushed by combat developers but were often rejected. Once UUNS/UNS/JUONS were submitted by I MEF and MNF-W, the aforementioned capabilities were enthusiastically supported.

This chapter will demonstrate that combat developers were the lead in PISR development and encouraged I MEF to accept equipment that they eventually requested. **“It took extraordinary efforts by I MEF (Fwd) to force the fielding of MNF-W-wide threat-mitigating ISR, but the IED emergency grew to the point that at least initially ISR alone would not be able to stem the casualties.”** (Gayl, p 33) Gayl’s statement is easily disproved. An accurate statement would be “It took extraordinary efforts to establish a PISR capability in MNF-W due to the extraordinarily inept efforts by Gayl and those like minded in the I MEF G-9.”

Several of the critical elements of the MRAP issue center around the absence of demand/coordination. These absences are more difficult to illustrate as there is also an absence of emails and other documentation. GBOSS, on the other hand, was actually in demand during the period discussed by Gayl. Emails, briefs and discussions required for coordinating the provision of equipment actually occurred. Similar MRAP emails, briefs and discussions did not occur as MRAP was not in demand for the period Gayl mentions. The contrast between a capability in demand (GBOSS) and a capability not in demand (MRAP) is noteworthy.

15A-QUANTICO ISR ACTIONS LEAD THE WAY

MCCDC was developing every aspect of GBOSS prior to I MEF G9 submission of the GBOSS UUNS.

MCCDC ISR efforts were oftentimes leading the way for Marine Corps and DOD ISR efforts.

MCCDC Engaged C-RAM and RAID programs to provide ISR focused capability

Early on in OIF Quantico organizations started to explore various new surveillance systems associated with COIN. Elements of Quantico were strong advocates for various surveillance systems, but there was no stated requirement from the operating forces. Several demonstrations of new capabilities were conducted in order to educate the Marine Corps. The Counter Rocket Artillery Mortar (C-RAM) program had an advanced interest in surveillance systems. C-RAM had an S&T effort that drew equipment from across the surveillance industry and the C-RAM program conducted several demonstrations for the Marine Corps in 2004 and 2005.

The C-RAM demonstrations included every surveillance system that would be included on the towers eventually known as GBOSS. They included the t2000, t3000, Star Safire II and III, and Doppler radars. The C-RAM system will be discussed in a later section.

One of the systems that C-RAM used that eventually became the main GBOSS system was the RAID tower. In 2005 this author had the opportunity to witness RAID towers in action at several FOBs in the ITO. They were fielded both individually and as part of C-RAM. In all cases the C-IED worthiness of the RAID tower was demonstrated. Even the C-RAM towers (focused on indirect fire attacks) were more valued as C-IED systems. Approximately fifty percent of all IED attacks occurred within five kilometers of a FOB. The RAID tower had the range to observe these IED activities.

In 2005, the Marine Corps was reluctant to use RAID surveillance systems despite their availability in theater (in early 2006 there were 8 aerostats and 26 RAID towers in the ITO (Reed email dtd 2/8/2006)). Several commanders suggested to this author that the towers could be used as a point of aim for indirect fire, a significant threat at the time. Combat developers remained convinced that this system was extremely valuable and in need of integration into the Marine Corps.

There were available RAID systems in the ITO so supply was not the problem. The introduction of a new capability to units already in combat was the problem. Towered cameras would have to be introduced in the training process in order to familiarize combat units prior to deployment.

MCCDC held a demonstration of elements of the C-RAM system at Quantico after which MCCDC leadership committed to further effort: **“LtGen Mattis and MajGen Stalder attended and demo of this system on Monday and have provided guidance to proceed with coordination to look at the requirements of having a system sent to MAGTFTC for ExFor use potentially at FOB Wilson.”** (Baczkowski email dtd 3/20/2006) Coordination occurred with the main training command for deploying forces which responded: **“I think there is limited utility in setting it up here because the only tasks I see being trained are the Detect and Warn task for the entire exercise force and the System Integration piece for the Bn Staff.”** (Baczkowski email dtd 3/20/2006). The detect and warn capabilities were subsequently fielded. By March 2006 MCCDC was coordinating the training of the force on GBOSS equipment prior to the force submitting the need for the same equipment (GBOSS). In April 2006 MCCDC had established a programmatic relationship for the provision of surveillance equipment to MAGTFTC (McDonnough email dtd 4/6/2006).

Gayl's fabrications

MCCDC had established a persistent surveillance strategy and persistent surveillance training and was introducing persistent surveillance equipment into the ITO before I MEF submitted its GBOSS UUNS. MCCDC saw the gap and commenced efforts to address it. Gayl, as the advocate, only recommended an experimental high altitude airship (MEPOP) that never made it to Marines in MNF-W and was not pushed by his own command. The rejection of surveillance equipment will be discussed in later sections.

Gayl, as an element of the advocate staff, was largely absent from discussions advancing persistent surveillance beyond his experimental airship. The practical development of PISR was carried out by MCCDC, yet Gayl states:

- **“The emergency appeared and continued to grow in MNF-W because MCCDC combat developers did not equip the MEFs for COIN contingencies, with tactical ISR being the most pressing gap, as will be discussed later.”** (Gayl, p 29)
- **“The author of this case study suggests that in the case of the USMC the wound was largely self-inflicted as operating forces were denied an adequate mix of ISR (both troops and cameras) by combat developers that might have helped prevent the IED emergency altogether. In short, the MRAP was needed to compensate for a lack of material preparation for COIN in Iraq.”**(Gayl, p 84)
- **“Finally, the vast expanses of Iraq and a limited MEF footprint meant that SA would have to be augmented with persistent ISR. MCCDC did not initiate action to prepare for this obvious gap and delayed its development even after the MEFs felt compelled to ask for it.”** (Gayl, p 86)
- **“It took extraordinary efforts by I MEF (Fwd) to force the fielding of MNF-W-wide threat-mitigating ISR, but the IED emergency grew to the point that at least initially ISR alone would not be able to stem the casualties.”** (Gayl, p 86)
- **“It can be convincingly argued that if USMC combat developers had acted assertively on the information that was known to them in 2003 with respect to ISR needs and**

looming OIF challenges, different conditions would have existed in Al Anbar Province.”
(Gayl, p 87)

Chapters 4-6 discuss the actual responsibilities for combat development. The combat development responsibilities of the Advocates, Component Commanders, MROC and every other element of the combat development process also apply for ISR capabilities. All were responsible, yet Gayl only created fabrications focused on MCCDC.

MCCDC actions after the GBOSS UUNS established

Once the GBOSS need manifested itself, MCCDC personnel accomplished the following:

- Solicited funding and established an initial buy of RAID (Reed and Allen emails dtd 9/14/2006)
- Attempted to organize joint funding (\$190M) for RAID despite the lack of a JUONS (Johnson email dtd 10/13/2006)
- Agreed to support the lesser capability (T3000) demanded by I MEF (Fwd) (see Technology Issues section) (Charboneau email dtd 11/2/2006) (Alles email dtd 12/7/2006)(Tomczak email dtd 12/19/2006)
- Incorporated I MEF Camera systems into MAGTF training (Albrecht email dtd 11/16/2006)(Alles email dtd 3/2/2007)(Albrecht email dtd 3/29/2007)
- Conducted safety tests on I MEF equipment (Koenig email dtd 12/19/2006)
- Integrated I MEF equipment (Southerland email dtd 1/5/2007)
- Demonstrated the systems for the Marine Corps (Bove email dtd 6/26/2006)
- Conducted training (Albrecht emails dtd 8/27/2007 and 9/14/2007)

Despite claims to the contrary, MCCDC personnel fully supported the combat development of I MEF (Fwd) GBOSS efforts undeterred by the substandard I MEF equipment decisions. Gayl claims: **“Requests for specific material solutions were frequently rejected outright whenever the needs were not understood, or viewed as competition against PORs.”** (Gayl, p xiii) In reality, MCCDC worked diligently on all requests to include the lesser I MEF GBOSS configuration. The lesser configuration would eventually mature.

15B-ISR AS A CAPABILITY

ISR capabilities saw exponential growth during OEF/OIF.

ISR capabilities are one of the fastest maturing capabilities in the DOD. During OIF, the Marine Corps pioneered ISR strategies and capabilities in addition to ISR pieces of equipment. At the same time, the Marine Corps had a gap within its procurement process in defining equipment strategies regarding overlapping pieces of equipment. For example, ISR can be towered cameras, Doppler radars, satellites, C2 equipment to display pictures, aerostats, UAVs etc. The breadth of ISR equipment was wide and growing. The problem occurred as each one of the systems was the product of a single UNS/UUNS focused on that specific need. In the case of ISR, the problem was magnified as surveillance (ISR) assets became available to non-Intelligence (ISR) communities. The integration of all of the needs and the determination of a path forward for the trade space often did not exist in the combat development process.

In an attempt to broadly define the path forward for ISR, a PISR Strategy was developed. The PISR Strategy was created at MCCDC and staffed to the Marine Corps in order to broadly describe where the Marine Corps was headed for PISR focused on the ITO. Colonel Chudoba staffed the document with the following summary: **“The attachment contains "A Persistent ISR Strategy for IED Mitigation," an output of the recent Persistent ISR working group hosted by MCWL. The document represents collaboration among key stakeholders in the Persistent ISR effort; intent is to use this strategy to drive appropriate requirements development, proof of concept, and experimentation efforts, with the objective of rapidly deploying sufficiently mature capabilities to our operating forces. We deliberately crafted the strategy to capture our specific view of the challenge, while mirroring the broader JIEDDO context. We believe that this "nesting" of purpose will allow us to better compete for resources while meeting our service-specific needs.”** (Alles email dtd 4/8/2006). It was staffed to I MEF (Fwd) and shortly afterwards I MEF (Fwd) produced the GBOSS UUNS.

The GBOSS UUNS was a manifestation of the concepts in the PISR Strategy. The GBOSS UUNS was submitted two months after the PISR Strategy was staffed. The PISR Strategy was accompanied by advocacy for equipment that would fill elements of the strategy. Despite the conceptual, tactical and equipment push from combat developers, Gayl falsely states: **“Non-material solutions including TTP changes and increased use of air reflected the substantial lack of operational insight of the members of the CDIB. Additionally, the CDIB’s proposed COAs omitted the single most effective innovation of the war, namely persistent surveillance to compensate for the lack of ground forces in MNF-W and elsewhere in the ITO. Had the MCCDC briefer proposed the fielding of long-range cameras to achieve an “unblinking eye” along MSR’s the proposed courses of action would have appeared to reflect intelligent and thorough analysis. Even after requests from I MEF (Fwd) in 2006 and early 2007 for an order-of-magnitude increase in Scan Eagle UAVs and other cameras, MCCDC did not fulfill them.”** (Gayl, p 30). In truth, the CDIB led the way in developing the “single most effective innovation of the war”. Gayl continued: **“Instead of predicting, planning, and pushing creative ISR**

solutions to the MEFs, combat developers allowed gaps ISR to grow prompting the costly in-theater emergency that led to the MRAP surge.” (Gayl, p 87). In sum, both MCCDC and I MEF realized the need for a persistent surveillance capability increase and planned accordingly. All major Marine Corps commands concurred with the MCCDC strategy (Gayl’s position at the time is unknown as he was not a participant until late 2006, well after the GBOSS UUNS and PISR Strategy were published).

Despite the universal agreement on the concepts, serious disagreement arose when I MEF (Fwd) attempted to select and contract for the material solutions that could achieve the goals of the strategy and GBOSS UUNS.

15C-I MEF G9 FLUBS THE GBOSS TECHNOLOGY

I MEF G9 GBOSS technical solutions were lacking and provided far less capability to Marines than the MCCDC solutions. After RIP/TOA with II MEF, I MEF G9 material solutions were quickly abandoned by the operating forces.

I MEF G9 GBOSS tower used two T3000 cameras to achieve 360 degree coverage. The cameras did not have:

- Stabilization
- Laser pointer
- Autotracker
- Spotter scope

I MEF G9 GBOSS Tower was 106 feet tall (with trailer not pictured)

I MEF G9 GBOSS Trailer was often not towable and therefore difficult to displace.

JLENS RAID camera covered 360 degrees with more range.

JLENS RAID tower 106/107 feet tall with trailer shown.

JLENS RAID (as opposed to I MEF G9 variant) came with:

- Joint Funding (no procurement cost to USMC)
- Maintenance funding
- Program Office Support
- Spare Cameras
- Spare Parts for entire system
- Gyro stabilization (more range and detail)
- FSRs
- In theater support structure
- Towable trailers
- Proven track record in combat
- IP address for C2 networking



The outward similarities of the two towered systems show that both I MEF G9 and MCCDC understood the value of towered ground based observation. Both commands understood the same tactical solution of towered cameras. The differences arose from disputes about the best material to build the towered systems. The MCCDC recommendation was far superior to the I MEF G9 solution in many ways. I MEF G9 however, continued to advocate for their material solution. This section compares the two approaches.

I MEF G9 "Not Invented Here" (NIH) mindset

One of the prime movers behind the I MEF refusal to accept equipment was the NIH mindset. Several staff officers noted this attitude amongst the I MEF G9 personnel and the MCWL liaison noted, **"These guys are just like their predecessors, everyone has an opinion and NIH is alive and well."** (Ouzts email dtd 4/4/2006) The I MEF G9 was against the use of Army equipment despite much of it having been tested in combat over years. In a comment about RAID: **"The problem is that the MCWL folks do not have enough operational experience in the AOR and they do not have the system experience required to avoid the bad technology programs that the Army is offering for our use, such as PDTs."** (Chill email dtd 8/18/2006). Of note is that I MEF used an Army contract with Army equipment as the basis for their camera contract (Jankowski email dtd 11/2/2006).

Not only did the NIH mindset exist for determining the type of gear to purchase, but it also existed for where the gear was to be assembled. I MEF wanted to assemble their surveillance towers in Iraq instead of in CONUS: **"Steve, Thanks for the info. What is the cost unassembled and without the FSR. The previously stated and present clear intent here is to do the assembly out here and take care of it out here. NO FSR desired or required."** (Hostetter email dtd 10/10/2006). This occurred despite the coordination with Raytheon to engineer the tower according to I MEF specs (Jankowski email dtd 10/12/2006). The insistence of I MEF G9 to "do it yourself" led to subsequent "do it yourself" bad decisions. For example, instead of ordering a camera with gyro-stabilization, I MEF G-9 determined that they could simply torque down the guy wires on the tower until the camera jitter disappeared (Lapierre email dtd 11/29/2006). I MEF G9 rejected equipment, engineering support for their system, assembly assistance for their system and FSR support for their system despite there being no cost to the MEF.

I MEF G9 Contracting Failures

The most disconcerting example of incompetence during the entirety of the GBOSS debates is that I MEF did not know what it was contracting for. The I MEF G9 stated: **"I think we all agreed that the T-3000 Multi-sensor from FLIR does meet the I-MEF requirement. We are looking to see a vehicle moving at ten miles and human and in motion at eight miles. We would like to be able to see exactly what the human is holding and doing at six miles. I don't think we need to say anything more about this issue."** (Chill email dtd 8/18/2006). The vehicle range was possible, the human detection range was highly doubtful and the "human holding and doing" was an impossibility. The vendor pointed out the ranges as much less for spotting a

human let alone seeing what he was holding (Crouse email dtd 11/7/2006). I MEF included the range that they believed was achievable by the T3000 camera as 20 km (Jankowski email dtd 11/2/2006). This misconception was not corrected by LtCol Jankowski.

The email dated 11/8/2006 from Mr Crouse is sufficient, in and of itself, to demonstrate why units in combat should not be conducting procurement. The T3000 camera order was dated 18 Sept 2006. The I MEF G9 had questions about their order with FLIR. These questions and answers occurred two months after the I MEF order (November 2006):

Gary, I just left a voice mail. We are looking at Gyro Stbilization in our cameras.

Did we order that in our buy?

What does it do?

Why would we need it?

Can we add it to our cameras?

How much is it?

The contractor responded:

Did we order that in our buy?

No. There is a stabilized pan/tilt available for the T3000 but it is expensive (an additional \$30K +/-). It only works at about 1Hz, and I am not certain it would provide an operationally significant improvement over the planned configuration.

What does it do?

Gyro stabilization takes the motion out of the images. In the case of mast-mounted systems, the motion is caused by shaking or jitter in the mast, from wind, etc. The motion is both low frequency (sway) and high frequency (jitter). The high frequency motion (up to 50-60Hz or more) will make the image look blurry, and the low frequency motion will make it hard to stay on target. Stability not only affects the image (reducing detection, recognition and identification range and making it hard to stay on target) but also affects the laser. Without stabilization of all payloads, you can't keep the laser on target.

Why would we need it?

To provide maximum target detection, recognition and identification range, to allow the system to stay on target (don't want to lose the target in a gust of wind), and to keep the laser on target (to get accurate target range and location).

Can we add it to our cameras?

Not really. Stabilization has to be done at the system level. You want all cameras and lasers pointing at the same target at the same time (boresight retention), and you have to account for all the masses and dynamic motions. To get maximum performance, the stabilization has to be on the order of 10 microradians. This is equivalent to 1 meter at a range of 100,000 meters.

(Crouse email dtd 11/8/2006)

This post contract line of questioning was echoed by Gayl. He took the further step of criticizing Quantico for presenting facts that did not support the I MEF equipment suite in an email to Mr Crouse: **“As you may already be aware, there are many at Quantico and elsewhere that insist our T3000s will be unstablized and therefore are unsuited to G-BOSS.”** (Crouse email dtd 11/8/2006). It was not Quantico insisting, it was I MEF G9 who did not order stabilized cameras. Almost as egregious is the absence of knowledge of what exactly was ordered in the first place. The incompetence did not stop there. Gayl continued: **“The fact is that if we could afford gyro stabilization like that on Star Sapphire we would include it. Unfortunately, we are stuck with a spending cap.”** (Crouse email dtd 11/8/2006). The Star Sapphires were affordable but I MEF G9 was adamantly opposed to buying them through the Marine Corps or through Joint processes.

I MEF G9 continued to wonder about their order as they once again asked the FLIR vendor (Hans) what it contained:

“Hans,

Good to meet you if only by email! We have received the first two T3000MS cameras. They do not come with the network command and control options, additionally they do not have the Laser Designator on them.

Where these options part of the contract, if so are they to be delivered separately?” (Crouse email dtd 3/6/2015)

Once again, the failure of the I MEF G9 to understand their own contract reflected an inability to conduct all elements of combat development.

High demand from Commanders for MCCDC Solution

During a CMC trip to Anbar, it was noted that RAID was in high demand: **“Charlie, Just came out of Iraq on CMC trip. Resounding call for more JLENS/RAID towers from Gen Zilmer to every Bn cmdr we saw. We will work this with JIEDDO.”** (Alles email dtd 10/3/2006). Charlie was the SES 5 Deputy for DC P&R (finances). Despite the demand by the CG and Bn Cmdrs, the I MEF G9 continued to insist on their model. The MCWL liaison wrote **“If RAID / RAID like towers could satisfy the requirement believe they would have been requested.”** (Chill email dtd 5/1/2008). This was four days after the ALLES email above. I MEF G9 continued to refuse RAID towers despite the demand signal from Bn Cmdrs and the MEF Cmdr. In order to advance the lesser technical solution, I MEF G9 and Gayl felt it necessary to criticize the system that was actually in demand by the CG I MEF and his commanders. Gayl, not knowing the success and future success of RAID, continued to mischaracterize RAID in his study:

- **“On the other hand, the Joint IED Defeat Organization (JIEDDO), spent significant resources to respond to Army tactical ISR needs in theater. The Rapid Aerostat Initial Deployment (RAID) aerostat and elevated camera tower platform combinations were deployed to provide ISR in support of FOB defense and local force protection. However, RAID towers and aerostats were entirely focused on FOB defense and force**

protection. The Marines and Soldiers of MNF-W were focused on conducting offensive COIN. They did so in spite of the ISR gap in Al Anbar Province and paid a heavy cost in casualties, especially from IEDs.” (Gayl, p 80)

- **“The Army’s FOB-defense-oriented RAID and JLENS capabilities were not capable of fulfilling the MEF (Fwd)’s specific needs.”** (Gayl, p 80)
- **“Similarly, the Joint Land Attack Cruise Missile Defense Elevated Netted Sensor/Rapid Aerostat Initial Deployment (JLENS/RAID) capabilities did not satisfy the G-BOSS requirement.”** (Gayl, p 91)

I MEF G9 believed that their market research was accurate. They stated: **“When we started writing the G-BOSS UUNS, in April of this year, we were told that the StarSaFire III camera that is used on the RAID towers would not be available until some time in late 2008. We were also told that the RAID towers themselves would not be available until 2009.”** (Alles email dtd 12/11/2006). The MEF G9 was wrong on both counts as demonstrated by the RAID/Star Safire (SS) III fielding in 2007 through 2008. The flawed research continued to be highlighted as the I MEF G9 stated: **“The folks at FLIR, (email address deleted), told us that they had another camera that would meet our requirement for a camera that can be controlled from a data network with a 20KM visual range, laser designator, laser range finder, optional Gyro stabilization and daylight sensor all in one package. The only limitation on the T3000MS as compared to the StarSaFire III is that it was not meant to be put on an Aerostat or a helicopter.”** (Alles email dtd 12/11/2006). There was obviously “miscommunication” as the 20km range and laser designator were fantasy and the “optional Gyro stabilization” was a far inferior electronic stabilization (barely qualifying as stabilization).

C-RAM and RAID not understood by Gayl and the I MEF G9

I MEF G9 was also hostile to C-RAM supporting the GBOSS effort. The I MEF G9 stated: **“C-RAM is not intended to be expeditionary because it depends on a large fixed data center at each FOB.”** (Lapierre email dtd 1/24/2007). C-RAM was a system of systems and there were elements that were not able to be expeditionary (e.g. - the Phalanx systems used to intercept incoming projectiles were not expeditionary). The I MEF G9 failed to understand that elements of C-RAM such as the RAID tower, however, were already being used by I MEF in an expeditionary role.

Gayl continued his display of equipment ignorance as he stated: **“At this point it is clear to all other parties, including SYSCOM and MARCENT that we have a requirement different from C-RAM, and no, the Army does not have experience in this.”** (King email dtd 1/24/2007). Every action officer working GBOSS knew that C-RAM was a different requirement. Every action officer also understood the overlap and the opportunity to take advantage of the C-RAM GBOSS overlap. C-RAM was already deployed or being deployed at Fallujah, Ramadi, TQ, Al Asad and Hit. The use of the C-RAM program office for their surveillance support (as opposed to full C-RAM) capabilities was a no-brainer. The C-RAM section will discuss this in more detail, but an initial support brief is provided in the Southerland email dtd 2/14/2007. The issues in the brief were part of the “material solution” that Gayl incorrectly claims were solved in the GBOSS

UUNS. Once II MEF took over for I MEF many of these issues began to be addressed (Baker email dtd 3/19/2007).

The tower decision

The line of thinking that caused the confusion with C-RAM also existed with RAID. C-RAM was a system of systems that included RAID. The concept of towered surveillance caused confusion as the material solutions were offered. I MEF G2 personnel were also confused by the offered systems. I MEF G2 stated: **"I think what MCCDC and MCSC have been opting for are base perimeter systems. They would improve base security but would not:**

- **provide persistent surveillance along the MNF-W's MSRs / ASRs**
- **would not disrupt the Insurgency**
- **counter the threat of IEDs**
- **allow for remote viewing, storage, manipulation, and transmission of data around the AO."** (Oltman email dtd 9/1/2006). Surveillance was a tool that applied to base security as well as other COIN applications. For example, a system located on a base could spot IED emplacement, perimeter breaches and indirect fire points of origin. Parts of the systems were mobile and parts were restricted to base. The RAID tower could perform in all of the above mission areas.

Eventually, the RAID PM had to recuse themselves from assisting in the development of the T3000 towers as they had already competed and selected a towered system (Reed email dtd 11/1/2006). Even while working to provide the I MEF G9 configuration, MCCDC continued to compare the capabilities of the two systems. Mr Crouse, the FLIR vendor (for both systems) sent a comparison of the cameras showing the vastly superior capability of the SSIII (Crouse email dtd 11/7/2006). In a separate effort, JIEDDO provided its own analysis and comparison of the two systems once again favoring the SS III (Brooks email dtd 11/13/2006). Eventually JIEDDO insisted that if they were going to spend money on towered cameras, then they would have to be RAID (Alles email dtd 11/15/2006). The Marine Corps, however, continued to integrate the I MEF G9 configuration as well as the RAID purchases (Southerland email dtd 12/27/2006).

One of the issues not coordinated with I MEF was the failure to buy towers with the correct mobility. Some towers have wheels for local adjustment only and are not towable by HMMWV or MRAP. I MEF G9, despite the tactically correct need for tower mobility, ordered towers that could not be towed. They had to use "low-boys" to get them from place to place. (Southerland email dtd 2/14/2007).

In order to provide capability, Quantico worked/supported the I MEF G9 buy even though it had numerous technical problems (Choate email dtd 10/24/2006). Quantico continued to look for opportunities to purchase either variety of system (Alles email dtd 11/15/2006). In addition to the tower portion of GBOSS, there was a master station requirement. Quantico continued to work options to satisfy that requirement (Lapierre email dtd 11/28/2006). The entirety of the GBOSS requirement had elements that were very similar

to C-RAM efforts and that Army program continued to support GBOSS development despite the constant criticism from I MEF (Southerland email dtd 2/14/2007). The technical aspects of GBOSS were eventually settled after I MEF G9 rotated. The RAID tower became the base tower and had Doppler and a T3000 added in various configurations.

GBOSS Communications

Gayl stated in his study published in 2008: **“Finally, by enabling a true video COP, all authorized CF users in theater will have access to every individual G-BOSS camera view as well as every conceivable collection of camera views.”** (Gayl, p 89) The video COP and master station were ill-conceived. As stated by Gayl in his study: **“Second, it assimilates-into the V-COP video streams from Tier II unmanned aerial vehicle (UAV) platforms such as the Scan Eagle and Small Unmanned Combat Air Vehicle (SUCAV), as well as those of Task Force (TF) Odin, Angel Fire, and Wasp Micro UAV (MUAV) ISR platforms. Third, G-BOSS assimilates into the COP micro terrain video ISR inputs from such ground sources as the stationary Tactical Concealed Video System (TCVS) and the mobile Cognition-Based Electromagnetic Pattern Analysis System (C-BEMPAS).”** (Gayl, p 89) The V-COP was dropped by II MEF as a requirement. I MEF did not request it again. The V-COP and video aggregation as proposed in GBOSS were never realized due to a lack of user need.

Gayl states: **“The G-BOSS concept already incorporated the sensor inputs from networked tower-mounted cameras and the micro terrain inputs of TCVS in the V-COP. Now, I MEF (Fwd) desired to include the overhead imagery of the SE, however on a larger and AOR wide scale, thereby complementing G-BOSS throughout MNF-W.”** (Gayl, p 93) Gayl’s G-BOSS CONOPS required mobile networked towers feeding into a Video Common Operational Picture (V-COP). Towers would be networked together as seen on Gayl’s DDR&E presentation. Some of the original discussion suggested using SATCOM and not directly linking the towers (not reflected in the DDR&E brief). The communications suite recommended by Gayl and I MEF G9 was insufficient for GBOSS alone let alone all of the additions proposed in the DDR&E brief. To the existing communications deficiency Gayl proposed adding (per DDR&E brief):

- A biometrics network
- TCVS
- SLATS
- Scan Eagle
- Angel Fire
- TF Odin assets
- SUCAV

One simply has to look through Gayl’s DDR&E slides to determine the uses for the GBOSS network. This would have been a significant communications effort for a static ground station with major comms assets, let alone a mobile tower. Angel Fire alone would have overwhelmed the communications equipment proposed in GBOSS. A trained communicator could have looked at Gayl’s slides and immediately recognized the proposal as correctly

articulated, but totally technically infeasible. Most readers, however, are not trained communicators and therefore cannot critically assess Gayl's presentation.

Process

Early on in the process Maj Charboneau, MCCDC action officer, had a conversation with I MEF G9. One hour afterwards he sent this email:

"Gentleman, the latest on G-BOSS. I just completed an hour long discussion [via secure phone] with (I MEF G9)...I initiated the connection at 1430 today. I updated (I MEF G9) on our activities here...and I also had a series of question [prepared] for him to answer...most importantly...who is the manufacture of G-BOSS.

His response...was that there is no manufacture...G-BOSS is a concept...that defines [describes] the required need. In fact, (I MEF G9) stated that it was his design...[based off of his civilian background] and that there was a lot of research put into the G-BOSS concept [UUNS].

Gentleman, I recommend we immediately begin the market research to identify potential solutions to this required capability...and use "the ground based operational surveillance system concept" as the base line approach going into this effort. (I MEF G9) was concerned with this recommendation and cautioned that we should not ignore his efforts.

Regarding the specific range requirements of the cameras...it was driven by the solution [T-3000] and not by the requirement. The same goes for the height of the towers...solution driven...not based off of any analysis....as well as the VSWAN...same response.

And he did make it clear that this capability would be employed inside the wire...within COPs, or FOBs...and that security of these systems was not an issue...nor was manpower."
(Johnson email dtd 8/3/2006 from Johnston email dtd 5/1/2008)

Had I MEF G9 stuck to the same position, MCCDC and the rest of the supporting establishment could have established an effective GBOSS program much faster. Instead I MEF G9 became involved with material solutions, contracting and technical specifications. The ensuing delays were the result.

Gayl personally provided his equipment perspective replete with inaccuracies. He shared these with I MEF G9 who shared them with Jankowski. Some of Gayl's errors were simple: **"When will others begin to understand that the single mast-mounted T2000 is not a precursor, it is rather a completely different capability than two tandem T3000 cameras."** (King email dtd 1/24/2007). The FLIR T2000 was a variant of camera that was the vendor model prior to the FLIR T3000. It was a precursor. The T3000 was the same generic shape but had additional capability. Gayl continued: **"Furthermore, the material solution doesn't need to be**

developed, rather it has been developed and now needs to be fielded.” (King email dtd 1/24/2007). Gayl clearly believed that the material solution was fully developed by I MEF G9. The lesser camera capability, absence of FSRs, absence of spare parts, and ignorance of what was actually ordered have already been discussed and were known by Gayl when he wrote this email. Despite the known flaws by I MEF (as opposed to the unknown which were as significant) Gayl continued with a “just field it” mindset. Communications and networking issues remained unsolved.

I MEF G9 orchestrated a questionable buy. Not only was it questionable, but it could have been better accomplished by MCCDC. Had I MEF G9 not decided to become involved in material solutions, then Marines would have had a better solution faster and legally. Quantico was simply attempting to pick up the pieces of a disastrous and inept I MEF G9 procurement effort.

15D-COMMANDER FORWARD UUNS/JUONS DECISIONS

Gayl fabricates the story that I MEF preferred joint requests for ISR instead of working through the Service chain. Even when MCCDC encouraged the use of JUONS, I MEF refused.

Many of Gayl's ISR accusations are based on incorrect perceptions of the CG I MEF (Fwd) attitude towards the submission of needs to MCCDC or through the Joint Process.

The use of the joint process was associated with joint equipment and I MEF G9 often preferred their own equipment solutions. Gayl critiques the I MEF CG JLENS decision: **"This became evident when CG, I MEF refused to consider the employment of JLENS tethered blimps for ISR over FOBs and COPs, even though Army was employing JLENS successfully. Angel Fire became the only default near-term solution to ISR since COTS Scan Eagle requests from in-theater continued to be refused by MCCDC."** (Gayl p 101). CG I MEF did consider JLENS aerostats. A decision was made not to employ them due to airspace issues. Not only did I MEF reject joint equipment, but they also were reluctant to use the joint process.

I MEF G9 reported that CG I MEF was not interested in the JUONS process for GBOSS. His desire was to stay with the UUNS process through Quantico: **"I just spoke with Gen Zilmer again on this issue, he is not interested in the JUONS process with regard to G-BOSS.S/F** (Chill email dtd 8/18/2006).

The I MEF G9 also said of his leadership (assumed the CG and/or DCG): **"Jeff, I am glad we spoke on the phone tonight. My leadership does not want to go to the JUONS process with G-BOSS. We have yet to receive any material solution from that venue, our first JUONS went in 10 FEB 2006."** (Chill email dtd 8/18/2006). This author volunteered to write the JUONS for I MEF (Fwd) and was rebuffed.

The COS reflected the I MEF G9 negative perspective on JUONS. He wrote to I MEF G9: **"I understand your frustration on the JUONS and lack of movement. I believe that frustration has resulted in the request to submit UUNS and JUONS and for MCCDC to use whatever will get the result the quickest and the latitude to execute."** (Tomczak email dtd 8/18/2006).

Despite the push from MCCDC to submit a JUONS, I MEF continued to resist. In an email to BGen Alles this point was again established: **"Issues: There is no JUONS. Every response at JIEDDO indicated the need for a JUONS."** (Alles email dtd 10/3/2006). The failure to submit a JUONS reflected the failure to use the joint system with its available joint funding.

Despite the clear and unambiguous desire to not submit a JUONS, Gayl falsely states: **"In an effort to reinforce the initial capability, CG, I MEF (Fwd) submitted a JUONS in order to gain access to more substantial JIEDDO funding since G-BOSS helped the C-IED fight in the ITO. Due to CG, I MEF (Fwd)'s personal circumvention of Quantico combat developers, the**

initial G-BOSS tower, camera, and networked communications capabilities began arriving in MNF-W in Dec 06. CG, I MEF (Fwd)'s employment of JUONS to avoid USMC combat developers mirrored his approach to MRAP." (Gayl, p 92). It is difficult to tell if Gayl created this fabrication on his own or if he was fed false information. Quantico was pushing for the I MEF CG to submit a JUONS. I MEF refused on multiple occasions as reflected in the emails above. The similarity to MRAP did exist in that both cases demonstrated a lack of demand signal in critical venues.

15E-C-RAM AND ITS ROLE

C-RAM, in demand by the I MEF Deputy Commanding General, was not supported by the I MEF G9. The vastly superior equipment and support by C-RAM was eventually adopted/deployed by the Marine Corps.

One of the areas where I MEF/MARCENT did not see eye to eye was in the involvement of C-RAM as a program manager for elements of GBOSS.

Gayl stated: **“Specifically, the Counter Rocket, Artillery, and Mortar (C-RAM) capability did not satisfy the G-BOSS requirement. G-BOSS is an offensive, theater-wide, operationally oriented tool, while C-RAM was a tactical defensive tool for Forward Operating Bases (FOBs).”** (Gayl, p 91). C-RAM was never envisioned to be the same thing as GBOSS. There was, however, significant overlap. Gayl continued: **“Instead, MCCDC pursued a long-term business case for USMC increasing its stake in the C-RAM Program that would not fill the G-BOSS need.”** (Gayl, p 91). MCCDC did not have a stake in C-RAM. It was an Army program that fielded to the entirety of the ITO. Since Marines in Anbar were more frequently targeted by indirect fire, C-RAM had a more significant presence. C-RAM set up systems in Fallujah, Ramadi, TQ, Al Asad and Hit. They were in Anbar and well established.

C-RAM was an Army program, so the Marine Corps created an UUNS which provided an integration mechanism between the two Services. The Marine Corps UUNS was called “Expeditionary System of Systems for Base Defense” (ESSBD). This UUNS used C-RAM verbiage and was also organized similarly to C-RAM (Shape, Sense, Respond, Warn, Intercept, Protect and C2). This UUNS was signed by BGen Neller (I MEF DCG) (Watson email dtd 1/27/2006). BGen Neller understood that ESSBD and C-RAM encompassed the same efforts (Clark email dtd 12/9/2005). I MEF had already listed C-RAM under their number 2 priority (Litaker email dtd 10/20/2005). Counter to Gayl’s statements, I MEF clearly demanded C-RAM.

The supporting establishment effectively coordinated C-RAM system deployment to Anbar. C-RAM development continued and several elements were brought to Quantico and demonstrated (McDonnough email dtd 2/24/2006). The demonstration LOI included a short paragraph on the Sense pillar: **“Sense - display various sensors and the C2 nodes that integrate the sensor input. Radar feeds will be simulated.**

Sensors – (EO/IR – RAID (Rapid Aerostat Initial Deployment), Scan Eagle UAV; MSTAR (Man-portable Surveillance and Target Acquisition Radar); WSTI (Wide-area Surveillance Thermal Imager)” (McDonnough email dtd 2/24/2006)

It was clear that C-RAM had already started the work of towered sensor deployment and integration. General Mattis directed that a C-RAM surveillance capability be introduced to 29 Palms for unit training (Baczkowski email dtd 3/20/2006). The supporting establishment

effort coincided with the deployment of C-RAM into the ITO. The entirety of the above effort occurred prior to the G-BOSS UUNS submission.

ESSBD remained in the I MEF UUNS list (Ouzts email dtd 5/2/2006). Simultaneously, C-RAM continued to expand its capabilities establishing more detailed relationships with the RAID office (Adomatis email dtd 9/14/2006). The surveillance efforts of C-RAM continued to expand which provided an opportunity to the Marine Corps.

The majority of IED hot spots occurred within five kilometers of FOBs so the C-RAM RAID (over 5k range) surveillance capability was a valuable C-IED tool. The capability, however, was not restricted to COPs and FOBs. RAID towers were already being used by Marines away from COPs/FOB. C-RAM continued to develop capabilities supporting COP/FOB use as well as more mobile uses. Surveillance integration and communications into a video COP were established on a local scale (to a COP or FOB instead of theater wide). Mobile systems were integrated to include the Marine Corps Scan Eagle. Most of these efforts were underway when the GBOSS UUNS was first submitted. C-RAM capabilities were developed and well positioned to support GBOSS.

The I MEF hostility to the use of C-RAM efforts in support of GBOSS has been demonstrated in previous sections. There were also detractors in MARCENT. One senior MARCENT staff member wrote to MCCDC staff in October 2006:

"Mike,

I'd like to understand more about the following:

- **Coordinate C-RAM/G-BOSS requirements with Army C-RAM Program Office at Huntsville, AL during Oct.**

CRAM is helping, but it DOES NOT meet base defense requirements in the COIN fight. We (the Marine Corps) do not want to be committed to this program. How is CRAM related to the requirement for persistent surveillance?

Standing by for clarification." (Burkhardt email dtd 10/10/2006)

The coordination and support from the C-RAM office had been ongoing for over a year. Surveillance support was already occurring. The Marine Corps was getting C-RAM DOTMLPF support at almost no cost and with superior equipment. C-RAM was deployed into the ITO and was already executing their combat mission. C-RAM was requested by I MEF. Only after the GBOSS UUNS was submitted was the C-RAM effort questioned.

C-RAM was not the same program as GBOSS but the Marine Corps was fortunate that the GBOSS program could source support from C-RAM. Maj Charboneau, tasked with establishing the GBOSS program, relied on C-RAM. An outline of the MCCDC approach was provided by Maj Charboneau:

"The MOA with the C-RAM program office is being drafted as we speak...it's homework for me to night...and it will be between the "1 Stars" here at MCCDC [CDD] and MCSC [PG12] and their Army "counter parts." I do not see a direct roll for the Lab in this MOA...other than the fact that that "WE"... [MCWL & MCCDC] are one in the same.

However...I can understand the confusion from the Warfighting Lab point of view...that stems from a statement the was made during the G-BOSS Decision meeting last week; i.e., LTGEN Amos...asking BGEN Allis to look into the integration piece of the G-BOSS way-ahead...I heard it as well...and did not understand.

To clear things up in simple terms...what was proposed and was accepted to LTGEN Amos was that the C-RAM folks would be brought "on board" to not only become our contracting agent...but would take on the entire responsibilities as the integrator of G-BOSS. CDD would continue to define/refine the G-BOSS concept...to identify the requirements...and PG12 would work with the C-RAM office...to ensure that suitable solution are identified...to deliver the G-BOSS capability to the warfighter. This effort [responsibility] would include the integration effort of the different locations...FOB-TO-FOB...COP-TO-COP...FOB/COP-TO-MOBILE STATION.

ect. Hence the confusion...because...if I hear you correctly...the Lab believes they have been tasked to take on "this" integration effort.

In my opinion...the only roll that the Lab is on tap for is...the development of the Master station prototype...and "potentially" any follow-on integration of this capability into the G-BOSS system architecture...but even that "integration effort" [if desired] could be contracted out to the C-RAM office..."in a nut shell"...we are hiring on the C-RAM office to get us a G-BOSS capability ASAP in theater...from "soup-to-nuts."

And...in regards to the Master Station [itself]...in my opinion...the G-BOSS system architecture will provide everything that the Master Station was envisioned to provide...and its developmental effort [itself]...should be brought back to the table...to re-evaluate its "value-added" investment???

Specifically, here's what the C-RAM Office will be required to do...under the MOA...[in its current draft state (here's my first dry run)]:

- Take direction from the USMC on all aspects of the G-BOSS effort**
- Establish site survey teams**
- conduct site surveys**
- Establish install teams**
- Install the tower systems**
- Locally network the tower systems**
- Integrate the locally netted systems to other locations [if directed]**
- Conduct initial training to operator/maintainers**

- Provide full time training support at each location
 - Provide full time maintenance support at each location
 - Provide full time operator support at each location [if desired]
 - Establish comprehensive training package [KP&I, NET] for CONUS support
 - Establish comprehensive sustainment/logistics/maintenance packages for the entire G-BOSS sys
 - Establish the contract vehicles to support this entire effort
 - Be prepared to/react to the changing "requirements" environment
 - Contract any follow-on system-of-systems procurement effort [if desired]
 - Integrate any follow-on system-of-systems procurement effort [if desired]"
- (Charboneau email dtd 12/10/2006)

C-RAM brought a true "turn-key" support package that would cater to the Marine Corps. C-RAM was even ready to work with the I MEF G9 technical solution.

I MEF G9 continued to object to the presence of C-RAM in the GBOSS effort. Some of the objection was due to ignorance of the capability of C-RAM. I MEF G9 stated: **"The G-BOSS system cannot depend on the type of infrastructure that is found at Forward Operation Bases (FOB) like Camp Fallujah, TQ and Al Asad. G-BOSS is intended to be expeditionary. C-RAM is not intended to be expeditionary because it depends on a large fixed data center at each FOB."** (Lapierre email dtd 1/24/2007). The entire C-RAM package, with Phalanx systems, networked counterbattery and response options did require a fixed data center. The GBOSS elements, however, were a fraction of the full C-RAM capability. C-RAM had already developed fixed base packages as well as mobile or expeditionary packages (both without phalanx).

C-RAM debate continued as LtCol Jankowski reported the I MEF G9 position on C-RAM (echoed by others in I MEF and MARCENT): **"FPD has been headed strongly toward C-RAM as a G-BOSS component supplier, but I MEF FWD feels key requirements in the G-BOSS UUNS (and now JUON) are not support by the C-RAM office, and are not being addressed by MCCDC. I MEF FWD, having observed C-RAM in combat, reiterated Gen Zilmer's position that C-RAM program of record components are not G-BOSS, specifically with regard to tower mobility, also generally for a broader array of very important reasons. Col Oltman said he had gotten MROC approval of C-RAM-sourced acquisition. I MEF FWD countered with the list of G-BOSS requirements that C-RAM office does not support (G-BOSS networking, two cameras, Comm gear on the towers, UAV & Angel Fire integration, master station, etc)."** (Jankowski email dtd 1/31/2007). Not only was I MEF, in combat, developing the material solution (contracts, assembly, engineering etc.), but they also were screening the support effort. This would have been beneficial if they understood the support effort before commenting. In fact, C-RAM had demonstrated tower mobility, tower networking with comm gear on the towers, UAV integration, etc. The I MEF G9 concept of networking was not technically feasible and the GBOSS networking conops was abandoned a month later when II MEF rotated into Anbar. I MEF G9 continued to fabricate objections to C-RAM.

C-RAM supported the Marine Corps when the I MEF G9 thought “self-assembly, no parts and no FSRs” was a good idea. The C-RAM support package started in earnest after I MEF rotated. Gayl stated of GBOSS: **“It was this CG, I MEF (Fwd)-led technological initiative, combined with local cooperation and new alliances in Al Anbar, that began to turn the tide in MNF-W.”** (Gayl, p 92). That I MEF technical initiative, GBOSS, was quickly fixed, organized and supported by C-RAM during the “Anbar Awakening”. The Marine Corps soon established its own program office and support functions shifted back to MCSC. C-RAM bridged the gap for the Corps.

15F-GBOSS PROCESS FOULS

Despite its flaws, the USMC combat development process was demonstrated as far superior to the I MEF G9 combat development process. Gayl compliments MCCDC GO decisions in emails and later condemns them in testimony. I MEF started with the correct process when they identified a need. Subsequent I MEF G9 efforts displayed incompetence in several areas to include understanding their own contracts after they were signed. MCCDC continued to support despite the I MEF G9 incompetence.

The process of GBOSS combat development was violated multiple times and in multiple ways. The following process fouls are highlights.

Process foul: Gayl states that the Generals were supportive but their staffs were not...untrue.

Gayl sent the following to I MEF G9 who shared it with Jankowski: **"All of this troubles me, but the VTC was excellent in displaying the curious remaining contrasts for all to see. The General Officers at MCCDC and the entire SYSCOM have been extraordinarily supportive of G-BOSS and the MEF. Still, the real power is the CDIB and action level which is expected to carry this through to completion, even after RIP/TOA."** (King email dtd 1/24/2007). The CDIB was largely comprised of O5/O6 level officers who answered to General Officers. Most were in the DC area. Any General Officer at MCCDC/HQMC could have walked into the CDIB at any time and controlled the meeting. Any CDIB member who published this kind of email (questioning GO authority) would have promptly been counselled and/or relieved. Had any CDIB member expressed this kind of sentiment, the remainder of the CDIB would have turned on him immediately. Gayl, as seen in this quote and in several previous chapters, did not understand the chain of command.

Process foul: I MEF shifted from need development to material solution development

The UUNS process is designed to capture the need for the operating force. The material solution should not be mandated in the UUNS (it is often illegal to mandate the implementation of an UUNS suggestion). I MEF started the GBOSS UUNS process correctly: **"I updated Col Lapierre on our activities here...and I also had a series of question [prepared] for him to answer...most importantly...who is the manufacture of G-BOSS. His response...was that there is no manufacture...G-BOSS is a concept...that defines [describes] the required need. In fact, Col Lapierre stated that it was his design...[based off of his civilian background] and that there was a lot of research put into the G-BOSS concept [UUNS]."** (Johnson email dtd 8/3/2006). The MCCDC action officer then transitioned to the correct subsequent action. That action was to take I MEF opinion and incorporate it into the development process: **"Gentleman, I recommend we immediately begin the market research to identify potential solutions to this required capability...and use "the ground based operational surveillance system concept" as the base line approach going into this effort. Col Lapierre was concerned with this recommendation and cautioned that we should not ignore his efforts.**

Regarding the specific range requirements of the cameras...it was driven by the solution [T-3000] and not by the requirement. The same goes for the height of the towers...solution driven...not based off of any analysis....as well as the VSWAN...same response.” (Johnson email dtd 8/3/2006). It was clear in this exchange that I MEF G9 was describing capability and material solution development would be left to MCCDC. This was how the process was supposed to work. Unfortunately, I MEF G9 changed their approach and started to ignore their Commanders and MCCDC.

Process foul: I MEF G9 (Fwd) ignored their parent commands and senior officers

Subsequent conferences/meetings were scheduled to establish the GBOSS capability. I MEF (Fwd) remained under the command of I MEF. MCCDC personnel assumed that I MEF staff maintained the same command relationship for staff work. This was an incorrect assumption. I MEF G9 (Fwd) was asked about I MEF participation in simply providing an overview brief: **“Col LaPierre: Sir, I need to understand - you do not wish LtCol Scheiern to "Set the Scene" on behalf of I MEF? V/r, Maj J”** (Lapierre email dtd 8/4/2006). I MEF G9 responded: **“No! We do not! We will represent ourselves at this conference. We have to ensure that this conference stays focused on finding material solutions to our requirements.”** (Lapierre email dtd 8/4/2006).

In addition to ignoring their parent HQ, I MEF G9 ignored their own officers. Feedback from the I MEF (Fwd) Commanding Officer and subordinate commanders was ignored by the I MEF G9. CG MCWL stated after a trip to Al Anbar: **“Just came out of Iraq on CMC trip. Resounding call for more JLENS/RAID towers from Gen Zilmer to every Bn cmdr we saw. We will work this with JIEDDO.”** (Alles email dtd 10/3/2006). Despite the large demand, Gayl and the I MEF G9 continued to lobby against RAID.

I MEF G9 continued to state that RAID and those programs that could provide RAID (e.g. C-RAM) was not desired. The I MEF G9 configuration was the only tower configuration that I MEF G9 would accept. This was a violation of common sense as well as a violation of the earlier expressed opinion of I MEF G9.

The process became so fouled that LtGen Amos (MCCDC) and LtGen Mattis (now MARCENT) had to call a halt to GBOSS in order to reestablish an orderly process (Alles emails dtd 10/15/2006). It was clearly not the CDIB calling the shots. Nor was it the CDIB making the decisions. This was flag level direction from both CG MARCENT and CG MCCDC.

Process foul: MARCENT action officer expected MCCDC staff to carry out MROC functions

Once proper coordination was reestablished, the decision was made to attempt to support the I MEF G9 configuration. Jankowski, however, continued to make demands demonstrating an ignorance of who had what authorities. To Col Oltman (FPID): **Sir, The contract vehicle is provided in the attachment. As decided at today's CDIB: please authorize the immediate (PMC) purchase of**

- 1) **58 additional cameras for “phase 0” towers.** (Jankowski email dtd 11/2/2006).

Col Oltman had no authority to authorize the expenditure of PMC based on a CDIB recommendation. These functions were MROC and P&R functions. Once again, authority was attributed to the CDIB which it did not have.

Process foul: MCCDC bowed to I MEF G9 material solution demands

MCCDC and Col Oltman continued to process information for a large T3000 buy and abandoned plans for any more RAID purchases. He wrote to Jankowski:

“Currently, our plan is to procure the following items:

172 additional FLIR T3000 MS Cameras

57 additional ITS MCS-NCSR8106 Trailers

57 additional ITS 15KW Generators

57 additional 66 gal fuel cells”

(Charboneau email dtd 11/2/2006).

This was a full embrace of the I MEF G9 tower despite its inferiority.

Less than five days later, I MEF G9 was asking the vendor what exactly they had ordered. They did not know (Crouse email dtd 11/8/2006). By acquiescing to the I MEF G9 material solution, MCCDC had commenced involvement in one of the most inept contracting efforts known to the Marine Corps. I MEF G9 did not know what they had contracted for, but they were going to get another 172 of them. This process foul can be attributed to MCCDC. MCCDC should not have allowed I MEF to become involved in material solution development.

Process foul: I MEF G9 contracting incompetence

The following email is excerpted in-full in order to provide a crystal clear lesson to those who believe the forces in combat have the wherewithal to develop material solutions. This email and others were known in MCCDC, yet the final sentiment expressed by BGen Alles (support the warfighter) remained foremost in MCCDC combat developers' minds (email string chronology starts at the bottom):

Brad,

They don't understand. The problem is everyone is viewed as an adversary. Steve Chill can give you more. Bottom line continue to press forward, do your very best to support the warfighter and don't get into fights with the MEF (Fwd), bend over backwards to work with them.

V/R

BGen "Tex" Alles, MCWL, Phone # deleted

-----Original Message-----

From: Stillabower GS14 Bradley R

Sent: Friday, November 10, 2006 09:34

To: Alles BGen Randolph D; Chill LtCol Stephen A; Clubb Col Timothy L; Packard LT Deborah E; Tomczak Col Jeffrey P

Subject: Re: Messages

General,

Thank you, this is good background for us.

There seems to be a lot of heartache at I MEF over what they (Mr. Gayl) MIS-characterize as a "wind-tunnel" test. Do they understand that we will in fact be testing the cameras on their tower-mounted configuration?

V/r

**Brad Stillabower
Deputy Director
MCWL Tech Division**

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Alles BGen Randolph D

**To: Chill LtCol Stephen A; Clubb Col Timothy L; Packard LT Deborah E; Tomczak Col Jeffrey P;
Stillabower GS14 Bradley R**

Sent: Fri Nov 10 09:24:25 2006

Subject: FW: Messages

Steve,

Thanks for this info. Tech please note (need to read entire e-mail chain and view attachment), continue to press forward with the side by side.

V/R

BGen "Tex" Alles, MCWL, Phone # deleted

-----Original Message-----

From: Chill LtCol Stephen A

Sent: Thursday, November 09, 2006 09:18

To: Alles BGen Randolph D

Cc: Tomczak Col Jeffrey P

Subject: FW: Messages

Sir

Attached is the email stream where the MEF guys learn that the T3000 needs some sort of stabilization.

Respectfully Submitted

LtCol S A Chill

Director, Operations, MCWL
Email address deleted
Phone # deleted

-----Original Message-----

From: Crouse, Gary [Email address deleted]
Sent: Wednesday, November 08, 2006 18:04
To: Chill LtCol Stephen A
Subject: RE: Messages

Here they are. The slides go with the e-mail to Major Casserly, if they make it through NMCI.

From: Crouse, Gary
Sent: Tuesday, November 07, 2006 9:14 PM
To: 'Casserly Maj Lawrence A (CE IMEF G3 ATPF)'
Subject: RE: [U] RE: SSIII/T3K Comparison

Attachments: Thermovision 3000MS & Star SAFIRE III.LC.ppt; TV3000_Data Sheet.pdf;
3209560 Prod Specification StarIII.doc

Major Casserly,

Sorry this has taken so long. The first slide highlights the significant system level differences between a T3000MS in the MEF configuration and a Star SAFIRE III in the Army RAID configuration. The second and third charts illustrate the performance, or operational impact of those differences. I have also attached detailed product descriptions for both items in the event you need more in-depth information regarding either system. Please let me know if you need different or additional information.

Much of the information contained in the attachments is proprietary and competition sensitive.

V/R

Gary Crouse

From: Casserly Maj Lawrence A (CE IMEF G3 ATPF) [Email address deleted]
]

Sent: Tuesday, November 07, 2006 3:18 PM
To: Casserly Maj Lawrence A (CE IMEF G3 ATPF); Crouse, Gary
Subject: RE: [U] RE: SSIII/T3K Comparison
Classification: UNCLASSIFIED

Sir,

You had mentioned that you might be able to aid me with some information for a brief. I had not heard from you and it is coming time that I really could use the information. If you are unable to help me please let me know so I can go another route to finish this project off.

Anything you could do would be appreciated.

Respectfully

Major Casserly
Major L.A. Casserly

Address deleted
Address deleted
DSN: Phone # deleted

From: Crouse, Gary
Sent: Tuesday, November 07, 2006 7:39 PM
To: I MEF G9
Subject: Answers to Stab Questions

Tom,
Here are the answers to your gyro stabilization questions.

Did we order that in our buy?

No. There is a stabilized pan/tilt available for the T3000 but it is expensive (an additional \$30K +/-). It only works at about 1Hz, and I am not certain it would provide an operationally significant improvement over the planned configuration.

What does it do?

Gyro stabilization takes the motion out of the images. In the case of mast-mounted systems, the motion is caused by shaking or jitter in the mast, from wind, etc. The motion is both low frequency (sway) and high frequency (jitter). The high frequency motion (up to 50-60Hz or more) will make the image look blurry, and the low frequency motion will make it hard to stay on target. Stability not only affects the image (reducing detection, recognition and identification range and making it hard to stay on target) but also affects the laser. Without stabilization of all payloads, you can't keep the laser on target.

Why would we need it?

To provide maximum target detection, recognition and identification range, to allow the system to stay on target (don't want to lose the target in a gust of wind), and to keep the laser on target (to get accurate target range and location).

Can we add it to our cameras?

Not really. Stabilization has to be done at the system level. You want all cameras and lasers pointing at the same target at the same time (boresight retention), and you have to account for all the masses and dynamic motions. To get maximum performance, the stabilization has to be on the order of 10 microradians. This is equivalent to 1 meter at a range of 100,000 meters.

Hope this is helpful; let me know if you require additional information.

S/F

Gary

From: IMEF FWD G-9

Sent: Tuesday, November 07, 2006 11:01 AM

To: Crouse, Gary

Subject: [U] FLIR T3000 MS ?s

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Gary, I just left a voice mail. We are looking at Gyro Stbilization in our cameras.

Did we order that in our buy?

What does it do?

Why would we need it?

Can we add it to our cameras?

How much is it?

As you know, we have fiscal constraints.

I MEF G9

From: Crouse, Gary

Sent: Wednesday, November 08, 2006 2:02 PM

To: 'Gayl GS-15 Franz J (I MEF FWD Science Advisor)'

Subject: RE: [U] T3000

Franz,

I am aware of the T3000/Star SAFIRE III issue, half the Marine Corps seems to be mixed up in this, including CMC.

My understanding is that MCWL is planning a side-by-side comparison of the two systems, mounted on towers, at Quantico. We have been asked to provide a T3000 for the comparison. I believe the Star SAFIRE III, in the RAID configuration, is coming from the Army. I have not been told anything about a wind tunnel test, and it is not clear to me how wind tunnel testing would provide any meaningful or relevant information. I have asked MCWL for a written explanation of what they intend to do with T3000, but have not yet received that.

I don't know if this is helpful, but please don't hesitate to let me know if I can provide anything further.

V/R

Gary

From: Gayl GS-15 Franz J (I MEF FWD Science Advisor) [Email address deleted]
]

Sent: Wednesday, November 08, 2006 9:21 AM

To: Crouse, Gary

Subject: [U] T3000

Classification: UNCLASSIFIED

Gary,

As you may already be aware, there are many at Quantico and elsewhere that insist our T3000s will be unstablized and therefore are unsuited to G-BOSS. These other folks would rather insist that the Star Sapphire is what is needed for G-BOSS due to gyro stabilization. The fact is that if we could afford gyro stabilization like that on Star Sapphire we would include it. Unfortunately, we are stuck with a spending cap. I saw your response to Tom on the limited value added of adding in gyro stabilization for the T3000 at this point. I also saw that it is cost prohibitive for us, even at just \$30k per camera, based on the cap. Bottom line is, as you are already aware, we cannot afford it. If the voices at Quantico continue to doubt the unstablized T3000 our ability to buy our additional cameras is in jeopardy.

But they are driving their point home, and have apparently scheduled a wind tunnel test at Dahlgren, VA to compare the T3000 to the Star Sapphire in coming weeks, causing more delay. How representative can such a test be? Clearly, they will not be tower mounted during such a test and that will effect all manner of things regarding frequencies, etc. Please provide me some technological insight on this. If we could afford \$600k - \$900k for each SS we would throw it down for speed, but in this case "perfection" is the enemy of "good enough." I need technological insight on this, especially WRT the value (or lack of value) of wind tunnel testing. Further doubts will bring even further delays, and if I MEF Fwd turns over before this is resolved, it is in great jeopardy of not happening at all.

Thanks in advance for providing me insight,

V/R Franz

(Alles email dtd 11/10/2006)

Once the process was reestablished with II MEF (after I MEF RIP/TOA), the coordination became quicker, Marines and vendors understood the contracts, capability was fielded, and GBOSS succeeded.

15G-GBOSS CONCLUSION

Any student of the MRAP events quickly realized that MRAP was not a contentious issue with I MEF (Fwd). The initial MRAP request was resolved satisfactorily for the I MEF Commander in 2005. Once I MEF requested MRAP in 2006, MCCDC and the rest of the Marine Corps worked to get them MRAP. GBOSS, on the other hand, was a more contentious system. It is instructive to review the coordination on MRAP as compared to the coordination for GBOSS. This GBOSS chapter reflects GBOSS combat development. The laser dazzler chapter was equally as contentious as GBOSS. There were other systems that were more contentious. This author was involved in the development of the IED Detector Dogs (IDD) where senior officers in the Marine Corps were told that use of these dogs would actually cause Marine casualties. As with GBOSS and Dazzler, the IDD emails and briefs were opinionated, vocal, contentious and plentiful...not the case with MRAP. This author has hundreds of emails with General Officers discussing all elements of GBOSS...not the case with MRAP until the 185 JUONS submission.

This author actually tasked a staff member to find any documents that could help increase the size of the MRAP buy. The action officer, despite Marine Corps-wide coordination, was not able to produce anything (reflecting the total absence of coordination, debate or opinion). This GBOSS chapter reflects the not-so-clean aspects of combat development that would have occurred for MRAP if it was in demand. There is no corresponding body of work for MRAP between June of 2005 and June of 2006. This GBOSS Chapter allows for a simple conclusion: If this is what contentious combat development looks like, then where is Gayl's proof of contentious MRAP development? There is none because MRAP was not in demand. That is why there was only MRAP silence for over a year.

G-BOSS demonstrated the Gayl and I MEF G9 approach to combat development. One additional thing is clearly demonstrated: Gayl successfully duped the press and politicians who believed his story. GBOSS alone should have called into question the veracity of his MRAP story.

Gayl stated: **"The author has been told that in 2007 OSD, Congressional, and press pressure finally began to yield the delivery of a number of additional COTS SE systems to MNF-W to assist in the G-BOSS-centric C-IED fight (Reference r.26.)."** (Gayl, p 95). This is factually incorrect. COTS equipment was avoided. C-RAM and the RAID program supported the Marine Corps with program management until the Marine Corps could stand up its own full GBOSS program office. FSRs were used. Spare parts were ordered and used. Maintenance and every other form of equipment support was provided for the Marines in the field. Assembly and engineering was accomplished in CONUS or, if needed at logistics bases in the ITO. Marines did not have to weld the equipment together. The communications concept and equipment was refined. This was the technical solution that made the GBOSS program successful in Iraq and then Afghanistan. It bore little resemblance to the I MEF G9 material proposal.

16-LASER DAZZLER-I MEF G9 DISASTER NUMBER 2

The conflict in the selection of a material solution for the laser dazzler prompted a second DODIG. Gayl's conclusions and the conclusions of the Dazzler DODIG were once again in conflict. The DODIG found MCCDC at fault for listening to the I MEF G9 material proposal.

ISSUE OVERVIEW

II MEF submitted an UUNS for laser dazzlers while deployed in Iraq in June 2005. By November, 2005 CG II MEF accepted the proposed material solution pending the safety certifications. The safety certifications were performed, however, RIP/TOA occurred with I MEF taking command in Anbar. Under the auspices of the I MEF G9, I MEF decided that they preferred a different uncertified system and rejected the system that II MEF accepted. In this occasion, MCCDC did not have the authority to violate the law and provide the I MEF preferred system. I MEF decided that it would rather have no system than have the II MEF system. The II MEF system was eventually provided and performed well in the ITO.

A DODIG was performed on the above sequence. This chapter will juxtapose elements of the DODIG and Gayl's statements. This technique will be sufficient to demonstrate the flawed I MEF G9 effort but it will also demonstrate how flawed Gayl's story is. Once again the main lesson is to not let the combat forces become overly involved in making bad material solution decisions. They should focus on combat.

Gayl pointed to the pending DODIG laser investigation during testimony to Congress: **"Another example pertains to a non-lethal laser known as the "dazzler" that was repeatedly requested by Marines in Iraq. The capability was needed to non-lethally mitigate escalation of force (EOF) confrontations at check points, incidents that frequently ended in the tragic injury, and often the deaths, of innocent Iraqis due to the absence of non-lethal alternatives. The device requested was safe and commercially available. Instead of providing the requested capability promptly, combat developers at Quantico waited 18 months, only to field of different device that had been rejected by the Marines in theater due to its more hazardous configuration. As a result of the delay many unnecessary innocent Iraqis injured or killed during week on engagement, again unnecessarily.**

As with that MRAP, I and other Marines first brought this issue to the attention of my chain of command in the Pentagon while I was still in Iraq. My concerns with many aspects of the dazzler issue as well as my broader concerns with the Joint Non-Lethal Weapons Program (JNLWP) have again been overwhelmingly validated in the course of the Government Accountability Office (GAO) audit of the JNLWP published in April 2009. The DOD IG is currently conducting a separate audit of the laser dazzler issue in particular." (Gayl Testimony, p 4). Gayl continued to reference the DODIG: **"Without projecting the findings of the DOD IG audit of the laser dazzler issue, the GAO report is a significant data point seems to confirm many of my observations."** (Gayl Testimony, p 10). The DODIG would refute many of Gayl's falsehoods.

Gayl also referenced several other irrelevant investigations by a vendor (who did not get the contract) and his acolytes in the press: **“Today, middle managers and SMEs at MCCDC and JNLWD are the subject of a private investigation by Oracle International Inc, in addition to being investigated by several journalists.”** (Gayl, p 107). It is unclear what weight, if any, Gayl attributed to these investigations. This study will not address the investigation conducted by the losing vendor.

The Dazzler DODIG

The DODIG stated: **“At the request of the Assistant Commandant of the Marine Corps, we reviewed the Marine Corps decision making process for responding to the urgent request of deployed Marines for a nonlethal laser dazzler capability.”** (Laser DODIG, Cover letter). This investigation was in response to Gayl’s charges of criminal negligence. Specifically, the Assistant Commandant stated that: **“allegations surfaced that the Marine Corps had not acted with alacrity in responding to the needs of deployed units, and specifically that mismanagement on the part of the Marine officials cost Marine lives by not acquiring Mine Resistant Ambush Protected (MRAP) vehicles or laser dazzlers in a timely fashion.”** (Laser DODIG, p 1).

The DODIG continued: **“We did not find any evidence of criminal negligence in Marine Corps processing of the July 2005 laser dazzler urgent request. However, Marine Corps Combat Development Command did not respond to the II Marine Expeditionary Force (Forward) urgent request for a nonlethal laser dazzler capability in a timely manner. Marine Corps officials took 15 months to process this urgent request that could have been fulfilled 6 months earlier had Marine Corps leadership at two commands exercised sufficient oversight and effectively monitored the progress of the urgent request.”** (Laser DODIG, p i). On the surface, this finding would appear to criticize MCCDC. However, the reason MCCDC was not timely, according to the DODIG, was that MCCDC was listening to complaints from I MEF (Fwd)(represented by the I MEF G9). MCCDC **“failed to ignore”** I MEF (Fwd) and field the II MEF Dazzler. The DODIG stated: **“We determined that MCCDC did not respond to the II MEF (Forward) urgent request for a nonlethal laser dazzler capability in a timely manner. MCCDC allowed the I MEF (Forward) insistence for an unapproved laser dazzler and an ineffective administrative processing to delay the fielding of the laser dazzler capability.”** (Laser DODIG, p 3). The ineffective administrative process can also be tied to the I MEF G9 insistence for an unapproved dazzler.

The DODIG provided additional specifics: **“With the rotation of MEFs, progress stalled in fulfilling the urgent request for laser dazzlers. MCCDC did not follow the urgent needs process outlined by the Marine Administrative Message (MARADMIN) 424/04, “OIF III Urgent Universal Need Statement (UNS) Process,” September 28, 2004. MARADMIN states once MCCDC identifies a proposed solution, the Chairman, CDIB, should immediately review the proposed solution to determine whether it is a viable option and ready for MROC approval. Instead, the Chairman, CDIB, deferred the processing of the urgent request and directed MCCDC’s Non-Lethal Weapons Branch to seek I MEF (Forward) agreement of the GBD-IIIC**

laser solution because the I MEF (Forward) replaced the II MEF (Forward). However, after 4 months of deliberation, the I MEF (Forward) did not agree with MCCDC on the laser solution.” (Laser DODIG, p 5). The delay of the MROC approved, laser safety reviewed, II MEF approved solution was held up by I MEF (Fwd). The DODIG blamed this delay on MCCDC for listening to I MEF (Fwd). According to the DOD, MCCDC should not have done so: **“Conclusion: MCCDC did not respond to the II MEF (Forward) urgent request for a nonlethal laser dazzler capability in a timely manner. MCCDC allowed I MEF (Forward) insistence for an unapproved laser dazzler and inefficient administrative processing to cause unnecessary delays. These delays left the Marines deployed to Iraq in 2006 without a critical nonlethal weapon to more effectively perform security missions for nearly 6 months. The Chairman, CDIB, should not have delayed the processing of the GBD-IIIC laser dazzler to seek agreement from I MEF (Forward).”** (Laser DODIG, p 9).

The DODIG did not view the delay as the major violation in their investigation. The entirety of the DODIG (page i) recommendation stated: **“What We Recommend: We recommend that the Commandant of the Marine Corps perform a review of the circumstances that led to the purchase of the 28 unapproved lasers and, if appropriate, initiate administrative action.”** (Laser DODIG, p i). The recommendation was not focused on MCCDC, but it instead focused on the separate actions of I MEF in purchasing unapproved lasers. Had these lasers been used, I MEF (forward) would have violated the law: **“In instances of nonlethal weapons and lasers, additional approvals are needed. Legal and treaty reviews are needed to ensure that the proposed solution and concept of employment meets statutory laws and treaties. The Navy Laser Safety Review Board (LSRB) evaluates the potential hazards of using the laser and renders an opinion on its safety and use.”** (Laser DODIG, page 3). The MCCDC response to the DODIG stated:

3. Context. The simple conflict presented to HQMC by this Urgent UNS submission was to meet directives written to prevent violations of the Law of Armed Conflict while also rapidly meeting the distinct needs of successive commanders. The laser system that the Commanding General (CG) II MEF (Fwd) initially selected and that HQMC was prepared to provide was later explicitly rejected by CG I MEF (Fwd) after he assumed command in Iraq. However, the alternative laser system desired, and later purchased, by the staff at I MEF (Fwd) had not been approved by the Navy Laser Safety Review Board (LSRB), and therefore could not legally have been delivered by HQMC.

(Laser DODIG, Marine Corps Comments addendum)

This safety issue should have stopped debate. It did not. Left unconsidered was the potential tactical and even strategic impact of blinded Iraqis due to the I MEF G9 buy (US violations of United Nations Conventional Weapons Convention protocols).

The Process for determining the material solution was also incorrectly portrayed by Gayl.

Gayl stated: **“MCCDC and JNLWD middle managers were fully cognizant of the superiority of the COTS CHPLD since the AFRL test report of 2005. Instead they waited 18 months to deliver the less safe GBD III to operators. This common foreknowledge eliminates**

simple negligence as a possibility, and highlights the blatancy of the inaction and misinformation of MCCDC and JNLWD regarding MEF needs (Reference r.22.)." (Gayl, p 107). Gayl was not present, nor was he allowed to interview these personnel. Despite Gayl's "less safe" fabrication, MCCDC personnel did not believe that CHPLD was superior, and rightly so. The CHPLD did not pass laser safety reviews.

Gayl, in addition to accusing MCCDC of criminal negligence, criticized Dahlgren and the Laser Safety Review Board: **"On a separate front, independent testing of the CHPLD by Laser Compliance Inc. has determined the CHPLD's NOHD (minimum safe range) to be less than half that reported by Dahlgren, and is comparable to the original AFRL report. The CHPLD is 2X-3X safer than the GBD-IIIC that has been deployed to MNF-W. This independent testing invalidates flawed Dahlgren tests which the LSRB endorsed. The CHPLD was also the subject of a GCE Advocate case study that was submitted to DC, PP&O previously."** (Gayl, p 107-108).

The DODIG captured the review and selection process. The initial tactical considerations fully involved Marines in Anbar: **"The Air Force Research Laboratory test results indicated that both the CHPLD and the GBD-IIIC laser met or exceeded the performance parameters specified by the II MEF (Forward). In addition, MARCORSYSCOM considered additional factors such as cost, ruggedization,4 production capability, and battery type to rank the possible laser dazzler solutions. The Commander, MARCORSYSCOM, presented both lasers, CHPLD and GBD-IIIC laser, as possible alternatives to the Commanding General, II MEF (Forward), but considered the GBD-IIIC laser a more viable option. The Commanding General, II MEF (Forward), accepted the GBD-IIIC laser option."** (Laser DODIG, p 4-5).

MCCDC then initiated the safety reviews for the II MEF/MCCDC solution: **"MCCDC and MARCORSYSCOM then sought the nonlethal systems and laser weapons reviews for the GBD-IIIC laser, to ensure that the proposed solution and concept of employment met the statutory laws and treaties. These reviews helped to ensure that the Marines would employ the laser dazzler in a way that did not cause serious eye injury or permanent blindness:**

- **Naval Surface Warfare Center – Dahlgren Division (Dahlgren) evaluated the GBD-IIIC laser for safety and radiation hazard. Dahlgren also evaluated the GBD-IIIC laser for compliance with Navy and Marine Corps laser policy.**
- **Naval Judge Advocate General determined that the GBD-IIIC laser complied with treaty obligations, Federal laws, and international laws of armed conflicts.**
- **The Director, Naval Treaty Implementation Program, determined that the GBD-IIIC laser complied with arms control treaties and international agreements.**
- **The Chairman, Navy LSRB, temporarily approved the safety and use of the GBD-IIIC laser.**

(Laser DODIG, p 5). These steps are spelled out in more detail in the DODIG.

Despite the acceptability for the mission, the progress through the safety wickets, and the constant coordination with the Marines in Anbar, the material solution "became"

unacceptable. I MEF (forward) wanted something else and MCCDC worked their preference: **“Concurrently, MCCDC accommodated the I MEF (Forward) preference and began obtaining the additional testing needed for the Navy LSRB approval of the CHPLD. However, the CHPLD did not pass the Dahlgren laser hazard evaluation, and the Navy LSRB did not approve the safety and use of the CHPLD.”** (Laser DODIG, p 7). There were few courses of action available to Marines at this point, nevertheless, I MEF decided to purchase a material solution on their own.

I MEF's Botched Laser Purchase

Despite the purchase of the accepted lasers, I MEF decided to purchase CHPLD: **“Further, after the approved lasers were procured, the I MEF (Forward) purchased 28 unapproved lasers, costing \$323,324, which were not fielded in Iraq.”** (Laser DODIG, p 4).

Gayl characterized this action as follows: **“As with G-BOSS and other delayed capabilities, I MEF Fwd frustration with MCCDC middle management inaction on delivery of CHPLD led to the CG's authorization to open purchase of 28 CHPLD s using O&M funds. The CHPLD s were delivered to Iraq on cost and ahead of schedule, and long before the arrival of even the first GBD III. Instead of supporting I MEF Fwd's initiative, MCCDC and JNLWD insured that the MEFs were prohibited from employing CHPLD s, an effective middle management inaction that directly caused further harm to Iraqis during EOF incidents.”** (Gayl, p 107). In the case of both GBOSS and Dazzler, MCCDC middle management had to compensate for I MEF (Fwd) decisions. In this case, however, MCCDC middle management and JNLWD did not prevent I MEF from using their illegal dazzlers...MARCENT did.

The DODIG interviewed the DCG I MEF (Fwd): **“The former Deputy Commanding General, I MEF (Forward), stated that I MEF (Forward) purchased 28 CHPLDs because MCCDC took too long to fulfill the urgent request and believed that the CHPLD was a better and less expensive laser. In December 2006, the Commander of United State Marine Forces Central Command put an immediate halt on the use of the CHPLD because Navy LSRB had not provided a positive safety recommendation for these lasers. Because the I MEF (Forward) acquired the CHPLDs without obtaining the necessary legal and safety approvals, the Commandant of the Marine Corps should review the circumstances that led to the purchase of the 28 CHPLDs and, if appropriate, initiate administrative action.”** (Laser DODIG, p 8). It was not the MCCDC middle management that put an immediate halt on the use of CHPLD. It was the Commanding General of MARCENT. The DODIG further recommended to the CMC that he investigate these actions as there were potential actions worthy of “administrative actions”.

In addition to the safety and legality issues of the 28 CHPLD, there were reliability issues with the systems that I MEF (forward) had purchased: **“The report concluded that 9 of the 28 CHPLDs were not operable and removal of the battery was difficult. In addition, 16 of the 28 CHPLDs did not have appropriate hazard distance labels in accordance with Navy and Marine laser safety requirements. Engineers from the DoD Office of Inspector General confirmed the program manager's findings in their August 2009 evaluation.”** (Laser DODIG, p 8). The

purchase by I MEF (forward) provided substandard equipment. Once again, this equipment was not forced on Marines due to the intervention of senior officers.

The MCCDC response to the DODIG summed up the safety issues and their impact:

Corps concurs with the recommendation. Actions by the Marine Corps Combat Development Command (MCCDC) regarding the 2005 Urgent UNS at issue were dominated by legal obligations to meet U.S. policy and directives observing Protocol IV to the United Nations Conventional Weapons Convention. Although Headquarters Marine Corps (HQMC) and the Commander, U.S. Marine Forces Central Command were able to direct that these lasers not be employed, the Marine Corps will review the circumstances relating to their purchase.
(Laser DODIG, Marine Corps Comments addendum)

Gayl's third order in his MRAP study deals with the Marine Corps Safety Program: **"MCCDC and MCSC officials may have acted in violation of MCO 5100.29A, Marine Corps Safety Program. This MCO states in part: *"Commanders at all levels are responsible for ensuring that the Marine Corps Total Force is maintained at the highest level of readiness possible by incorporating operational risk management (ORM) in all operations assuring controls are in place for any hazard that cannot be eliminated and providing appropriate safe and healthful facilities for all their personnel,"* and *"This order is applicable to all Marine Corps personnel, to include...military personnel and civilian Marines,"* and *"This order applies to all Marine Corps facilities, equipment, training facilities and materiel; and is in effect ashore, on or off Marine Corps installations, or while embarked in aircraft of vessels."*** (Gayl, p 123). MCO 5100.29A also deals with the inherent safety associated with any individual piece of equipment. For example, a laser dazzler that does not meet safety standards is prohibited from being used by order. This is relevant in the discussion of the Laser Dazzler. It is not as relevant in the MRAP discussion as MRAP-type vehicles, m1114s and all HMMWVs were safety certified. The purchase of unapproved lasers put the CG and DCG of I MEF (Fwd) at risk. Fortunately, the dazzlers were not used.

Conclusion

From the Marine Corps response to the DODIG:

c. The recommendation later made by CG MCCDC, and approved by the Assistant Commandant of the Marine Corps, to procure the laser system rejected by I MEF (Fwd) was based on a judgment that the systems could be rapidly acquired and safely-employed, after deployment of dedicated New Equipment Training Teams. While this decision risked expending resources on equipment commanders would not use, it was proven correct as forces in Iraq requested additional quantities of the lasers. Meanwhile, numerous injuries have been reported by members of other Services using the systems preferred by the I MEF (Fwd) staff. The conclusion of the Draft Report that delays were simply "unnecessary" ignores the due diligence required to develop a solution that observed the Law of Armed Conflict, minimized the possibility of wasting resources, and met the operational needs of commanders in the field.

(Laser DODIG, Marine Corps Comments addendum). The fielded systems worked and more were requested. They were safe and accomplished the mission. They were coordinated and

approved throughout the Marine Corps chain of command, joint commands and safety “overwatchers”. They did not violate international treaty or cause international incidents. Once again, the lesson is that the forces in contact should be severely curtailed in their ability to provide material solutions to needs. The safety of the force demands no less.

Before the results of the DODIG were published Gayl stated: **“While the dazzler issue is in the hands of the DOD IG auditors at this time, concerns have also been documented by other organizations. It is noteworthy that my case studies addressed my observed failings of the Joint Non-Lethal Weapons Program (JNLWP) with respect to several systems requested by operators in Iraq. These examples were included in both the MRAP and dazzler case studies to show evidence of a trend of mismanagement at Quantico, especially in as much as it related directly to the laser dazzler issue.”** (Gayl Testimony, p 9). The DODIG clearly showed Gayl wrong on substance and content, yet the DODIG result garnered little of the press coverage given to Gayl’s initial charges. Perhaps it is because the Gayl press did not understand the military, or perhaps the Gayl press risked losing credibility when their “poster child” was proven wrong. A simple question answers Gayl and the Gayl press, “If you were the CG MNF-W, which laser dazzler would you have selected?”

17- REPORT CARD ON PEOPLE TAKING CREDIT AND PEOPLE ASSIGNED BLAME

Biden

“On 28 Jun 07 Senator Biden and Senator Bond sent SECDEF a jointly signed letter expressing their concerns with slow procurement in response to urgent operational needs. CMC and CoS Army were copied on the letter (Reference c.6.).” (Gayl, p 56)

“The emergency grew to such an extent that Congressional and SECDEF oversight was needed to compel USMC from the outside to field an “80% operationally effective and suitable” MRAP solution en masse, in support of multiple validated needs for MRAP.” (Gayl, p 84)

“The staffs of Senator Bond and Senator Rockefeller invited me to share my concerns as well. Senator Biden then wrote a letter of concern to President Bush, and he jointly signed a separate letter with Senator Bond to the Secretary of Defense. In addition, I shared with the staffs of Senator Biden, Senator Bond, and Senator Rockefeller my case studies on the procurement of MRAP, non-lethal laser dazzler, and a micro terrain camera surveillance system, all capabilities requested by warfighters and delayed or denied by Quantico.” (Gayl Testimony, p 6)

The Commandant of the Marine Corps and multiple flag officers testified and made public the Marine Corps’ need for MRAP well before Senators Biden, Bond and Rockefeller decided to become involved. These men did not compel the Marine Corps. The timeline clearly shows the entirety of the Marine Corps was behind MRAP before these Senators got involved. Their support was welcome, but late. Their criticism of the Marine Corps was unwarranted.

Gates

“Some critics have recently stated incorrectly that the Marine Corps and Army were thereby forced to accept equipment they did not want. Actually, SECDEF and Congress guaranteed that Marines and Soldiers in harm’s way received equipment they had repeatedly requested, i.e. wanted. Similarly, if MRAP is perceived as coming late in OIF this is an indictment of Service combat developers, and also constitutes evidence of conscientious leadership by SECDEF and Congress.” (Gayl, p xiii)

Secretary Gates was new to the Pentagon so perhaps he was totally unaware of the need for MRAPs. CMC, SECNAV and other Service Secretaries, the Under Secretary of Defense for AT&L, and various other high ranking officials were actioning on the Marine Corps request for MRAPs. Perhaps the SECDEF was unaware of the Marine Corps’ top priority for Marines in combat and had to rely on a news story to gain some situational awareness. If Gates first learned about Marine MRAP needs from the press, then he was ill served by his staff. Gates erroneously gave Gayl some credit. Gates also presided over the MRAP DODIG which was flawed.

Gayl

“While in Iraq, my responsibility as the MEF Forward Science Advisor was to support the Commanding General by helping to initiate and accelerate the delivery of those urgently needed capabilities.” (Gayl Testimony, p 4)

“Officials must be held accountable for their past willful blindness to known threats that have caused tragic consequences. Similarly, the General Officers who 1) failed to supervise those officials then and 2) continue to defend their past actions today should be held accountable as well.” (Gayl, Testimony, p 15)

Gayl was largely uninvolved until after the fact. Only the ignorant give him credit for providing MRAP. More importantly, Gayl was in a position to do everything that he criticized MCCDC for not doing. If his position allowed him to write an MRAP study, then his position allowed him to Advocate for and supervise the Hejlik UUNS. He did not do so. Either his study is massively flawed or he was supremely incompetent in his job. As a member of the Advocate, one or the other must be true.

General Mattis (unjustly assigned blame)

“In the case of urgent needs, the will of the warfighter must prevail in any case where there is a split in the voting outcome. This default outcome would also appear to meet the spirit, intent, and operational commitment of DC, CDI. As evidence, on the topic of the fulfillment of a separate need, in an e-mail to CG, I MEF (Fwd) on 13 Sep 06 LtGen Amos wrote: *“...I will never...repeat NEVER deny our forces forward what they need to fight this fight if I can in any way provide it for them.”* Today’s DC, CDI defaulted to the urgent needs of the CG of the MEF (Fwd) and his need for speed. MCCDC’s focus and priorities were evidently different in 2005.” (Gayl, p 75)

“As a direct consequence of competing priorities, the MRAP UUNS did not gain traction with MCCDC staff during LtGen Mattis’ tour as DC, CDI.” (Gayl, p 32)

The CMC made the decision on the 2005 Hejlik UUNS. No LtGen in the Marine Corps has the authority to contradict the Service Chief for these types of decisions. This is a simple “chain of command” point that any new Marine should know. LtGen Mattis was in full support of the 185 JUONS and subsequent MRAP JUONS as CG MARCENT. Once again, Gayl was wrong.

Bureaucrats/Quantico/MCCDC

“In the end, it appears that the USMC leadership decision not to commit resources to MRAP earlier was based on support establishment budgetary priorities, not industry, technical, or operational realities. Being composed of uniformed generalists, the leadership was beholden to the parochial interests of SMEs resident at Quantico, and likely MCWL and ONR as well as any organization having a big stake in the success of the JLTV. The advice originated with fully informed officers and civilian SMEs at Quantico who were presumably aware of the consequences of their advice. 2 Yet many, if not most of those mid level officers and civilians are still working in influential positions today, making parochially-based

decisions that have similar negative impacts on current and future combat capabilities.”
(Gayl, p 72)

“Based upon the research provided in this case study the author suggests I MEF JUONS was not fulfilled because individuals throughout the EFDS perceived the MRAP as a threat, as it would compete for limited funding against other existing programs and combat vehicle initiatives.” (Gayl, p vii)

Individuals throughout the EFDS saw MRAP as a needed capability and encouraged additional submissions for more. Once the MRAP JUONS was submitted in 2006, every Command officially supported the effort. There were individuals who did not and Gayl managed to search out several, but they did not speak for their commands. Gayl used the age old technique of finding the one individual in an organization who disagreed, then castigated the entire unit for that one individual’s opinion. Once again, the MCCDC staff was filled with veterans, Marines decorated for valor, parents of Marines in the ITO, Marines about to deploy and friends and neighbors of deployed Marines. Gayl’s perceptions of MCCDC are erroneously given weight despite their absurdity.

MNCI, MNFI and CENTCOM

“They describe the call for MRAPs as having originated with *“some members of congress and at least one senior U.S. Commander.”* Yet, several U.S. Commanders have approved them. This case study has shown that Commanders of MNF-W, MNC-I, MNF-I, MARCENT, ARCENT, NAVCENT, and CENTCOM have all approved large MRAP requirements. What lacked was the support of Service combat developers to fulfill those valid requirements. As a conscientious board of directors, SECDEF and Congress came to the assistance of underserved warfighters. Leading with *“some members of congress”* in his paper suggested that Congress is initiating the MRAP requirement, when in fact Congress is merely advocating existing urgent warfighter needs for MRAP.” (Gayl, p 82)

Gayl lists the Commands that approved the Marine JUONSs for MRAPs in 2006. Of note is the wording Gayl used to mislead the reader into believing that these commands all requested MRAPs apart from the Marine request. They did not. Gayl’s study points to no requests other than Marine requests. The above listed commands merely signed off on the Marine request per their JUONS responsibility.

18-THE DUPED AND COMPLICIT PRESS

The press failed in its duties to present an impartial MRAP narrative. It has also largely failed to present an accurate MRAP narrative. The press should be impartial, or at least equally partial. In the case of MRAP, the story has been one-sided and incorrect and has been so across the spectrum. News organizations such as FOX, CNN, CBS, NY Times, Washington Post, Huffington Post, USA Today, numerous blogs and many others have been presenting Gayl's story with little investigative journalism. MRAP journalism has been a failure of the fourth estate. The failures are too numerous to cover, however, some of the most egregious failures are provided below.



(Wong, p 1)

Senator Reid is holding a front page USA Today article describing the issues disproven in this study. An excerpt states: **“In February 2005, two months after Nadeau solicited ideas for better armor for the Iraqis and was told MRAPs were an answer, an urgent-need request for the same type of vehicle came from embattled Marines in Anbar province. The request, signed by then-brigadier general Dennis Hejlik, said the Marines "cannot continue to lose ... serious and grave casualties to IEDs ... at current rates when a commercial off-the-shelf capability exists to mitigate" them. Officials at Marine headquarters in Quantico, Va., shelved the request for 1,169 vehicles.”** (Eisler, P., Morrison, B., Vanden Brook, T., p 1)

NBC news article 2/15/2008

“Hundreds of U.S. Marines have been killed or injured by roadside bombs in Iraq because Marine Corps bureaucrats refused an urgent request in 2005 from battlefield commanders for blast-resistant vehicles, an internal military study concludes.” (Associated Press 1, p 1)

NY Times 2008

“WASHINGTON (AP) — Hundreds of United States Marines may have been killed or wounded by roadside bombs in Iraq because Marine Corps officials refused an urgent request in 2005 from battlefield commanders for blast-resistant vehicles, an internal military study concludes.” (Associated Press 2, p 1)

CNN 2008

"Casualties could have been reduced by half among Marines in Iraq if specially armored vehicles had been deployed more quickly in some cases, a report to the Pentagon says. Marine Corps spokesman Col. David Lapan said the Defense Department's inspector general wants to investigate the report's claims that bureaucratic delays undermined the program to develop the armored vehicles." (Starr, p 1)

Huffington Post 2008

"Hundreds of U.S. Marines have been killed or injured by roadside bombs in Iraq because Marine Corps bureaucrats refused an urgent request in 2005 from battlefield commanders for blast-resistant vehicles, an internal military study concludes." (Lardner, p 1)

FOXNews 2008

"Hundreds of U.S. Marines have been killed or injured by roadside bombs in Iraq because Marine Corps bureaucrats refused an urgent request in 2005 from battlefield commanders for blast-resistant vehicles, an internal military study concludes." (Lardner, p 1)

FOXNews 2008

"An urgent February 2005 request for MRAPs got lost in bureaucracy. It was signed by then-Brig. Gen. Dennis Hejlik, who asked for 1,169 of the vehicles. The Marines could not continue to take "serious and grave casualties" caused by IEDs when a solution was commercially available, wrote Hejlik, who was a commander in western Iraq from June 2004 to February 2005." (Lardner, p 1)

CBS News 2008

"The Marine Corps has asked the Pentagon's inspector general to examine allegations that a nearly two-year delay in the fielding of blast-resistant vehicles led to hundreds of combat casualties in Iraq." (Associated Press 3, p 1)

Washington Post 2010

"Gayl and some former colleagues say that these charges were trumped up, the culmination of a three-year pattern of retaliation by the Corps' leadership for the embarrassment that he caused and his continued efforts to hold officials accountable for ignoring an urgent request for help by soldiers under fire. His offense, Gayl says, is continuing to say "that Marines did not take care of Marines in harm's way," a sacrilege inside a service that prides itself on protecting individual soldiers. Last week, his confrontation accelerated." (Smith, p 1)

Washington Monthly 2011

"Nor could Gayl claim to be surprised. "I'd been expecting something like this for years, but they finally found a way to make it happen," he said. The flash drive is a red herring, he believes—another in a series of reprisals against him by the Marines for revealing what he calls unconscionable mismanagement in the high command. After returning from a tour in Iraq, Gayl

went public with an account of how Pentagon delays in sending protective equipment there may have cost troops their lives. He appeared on PBS's *NewsHour* and testified before Congress, and in doing so crossed many people more powerful than himself, including General James Mattis, now the chief of U.S. Central Command and one of the most important men in the military." (Verini, p 1)

Small Wars Journal Series 2012

"When a recalcitrant Pentagon Establishment continued to refuse to put sufficient emphasis on MRAPs, GS-15 Franz Gayl and others drove home the importance of rapidly fielding toolsets to support the war effort in 2007-2010. This helped existing MRAP requirements get noticed, and it then helped field a variety of other toolsets useful for COIN. Everyone who *really* initiated MRAPs over the opposition of the Establishment has been scrupulous to avoid attention (with perhaps one exception)." (Jankowski, p 1).

Marine Corps Times 2014

"A Marine Corps civilian who wrote a scathing internal report arguing that the Corps could have saved hundreds of lives by approving a 2005 request for Mine Resistant Ambush Protected vehicles in Iraq has won his whistleblower complaint." (Schogol, 2014)

Newsweek article 2/27/2014

"Early on, Biden wrote President George W. Bush to express concern about the 2005 failed response," Gayl recalled recently in *Defense News*, a closely read Beltway publication. "Biden and Bond also wrote Gates, citing a study attributing hundreds of preventable deaths to the failed service response to that request." (Stein, 2014)

USA TODAY 2014

"One thing has puzzled me about the MRAP story: Why nobody, so far as we know, has been held accountable for the delays in having them fielded...Yet as far as we know — and it's likely we would — no senior official was ever fired for failing to provide troops in combat with equipment proven to save their lives. We do know that a lower-level whistle-blower who called attention to the delays, Marine Corps science adviser Franz Gayl, suffered for it. The Marine Corps tried for years to have him fired. He still works there. Ultimately, the Pentagon — only because of Gates' persistence — embarked on a \$40 billion program to build 27,000 of the trucks for troops in Iraq and Afghanistan." (Vanden Brook, p 1)

Newsweek 2014

"In fact, the Marines in Iraq had been begging for the life-and-limb-saving MRAPs since 2005, Gayl discovered there, but bureaucrats at Marines headquarters in Quantico, Va. - some, perhaps, with an eye on future employment with contractors developing competing vehicles - had buried their request. And it wasn't Gates who first clambered to rescue the beleaguered troops - but none other than Joseph Biden, the Democratic senator from Delaware at the time....Procurement? Contractors? As it turns out, the MRAP was developed by South Africa, not one of the hardy Pentagon contractors who constantly provide soft landings for retiring

generals. And guess where two of the top Marine generals who resisted the MRAP deployments are today?

Former Marine Corps commandant James T. Conway, who tried (and failed) to cut the acquisition of MRAPS by over a third in 2007, now sits on the board of Textron, which joined with Boeing that same year to develop a competitor to the MRAP. Retired Marine Corps General James N. Mattis, who commanded the Marine Corps Combat Development Command when it deep-sixed the troops' desperate request for MRAPS for 19 months during 2005 and 2006, now sits on the board of General Dynamics, producer of another competing vehicle. One can only guess where Mattis' successor at the MCCDC, Gen. James F. Amos, who has overseen the Gayl case as the current Marine Corps Commandant, will land. (Conway did not respond to a request for comment; Mattis declined to comment.)” (Stein, p 1)

Marine Corps Gazette 2014

“During OIF/OEF a stark contrast existed between the performances of Marine Corps combat units and the Supporting Establishment organizations that equip them. Operating units were rightly praised for physical courage, adaptability, and foresight, while several very important Supporting Establishment decisions resulted in repeated, withering criticism for misplaced priorities and inertia. Repeated excoriations for lack of moral courage also came from the highest levels of the U.S. Government. Throughout OIF we witnessed several high-profile cases where MCCDC/MCSC collectively failed to adequately prepare for or respond to capability gaps in the field. For example, the Marine Corps’ foreknowledge that the up-armored HMMWV would be a “deathtrap” when encountering landmines comes to mind. Alerted by experts in the 1990s who foresaw the tragic carnage that landmines would cause, MCCDC planners had no contingency plans for those vehicles.” (Jankowski, p 78)

GAP Whistleblower Summit 2015

“At the National Whistleblower Appreciation Day luncheon, hosted by National Whistleblower Center, congressional leaders transcended party lines to honor whistleblowing. Congresswoman Speier kicked off the event by recognizing Tom Drake and Marine safety whistleblower Franz Gayl for personifying true public servants.” (Devine, p 1)

Wikipedia “Iraq War in Anbar Province” (6/3/2016)

“On 17 February, Brigadier General Dennis Hejlik filed an urgent request with the Marine Corps for 1,200 Mine Resistant Ambush Protected (MRAP) vehicles, specifically designed to withstand IED attacks, for use in Anbar Province. In his request, General Hejlik added, “The [Marines] cannot continue to lose ... serious and grave casualties to IED[s].” The Marine Corps did not formally act on the request for 21 months. Hejlik later claimed that he was referring to IEDs which “tore into the sides of vehicles”, and that the Marine Corps had determined that simply adding more armored Humvees would provide adequate protection. Whistleblower Franz Gayl disagreed, and wrote a report for Congress claiming that the request was shelved because the Marine Corps wanted to use the funds to develop the Joint Light Tactical Vehicle, a replacement for the Humvee not scheduled to become operational until 2012. Some Army personnel complained that the Marines took an almost casual attitude towards IEDs. One Army officer in Ramadi complained that, after warning about the large

number of IEDs on a particular route, he was told, "Unless there are people melting inside of Humvees, then it's not a real problem." (Wikipedia, 2016)

Congressional Testimony 2016

"Franz Gayl, a Marine Corps civilian scientist, blew the whistle about delays in the military's procurement of blast-resistant trucks known as Mine Resistant Ambush Protected vehicles. Mr. Gayl raised congressional awareness of the problem at a time when U.S. troops were increasingly vulnerable to death and injury from improvised explosive devices in Iraq. Mr. Gayl alleged retaliation for his whistleblowing. OSC investigated his claims, and Mr. Gayl and the Marine Corps successfully resolved his complaints through OSC's alternative dispute resolution program." (Lerner, p 2)

In addition to the written press, Gayl was given a starring role in the Movie "War on Whistleblowers" (available on Amazon and reviewed by major news organizations).

Sharon Weinberger qualifies as one of the more duplicitous members of the press. She has been Gayl's mouthpiece since the MRAP became a controversial issue. Her blind support for Gayl causes her to ignore basic research required for accurate reporting. For example, Weinberger's commentary on the Laser Dazzler is guided by Gayl's perspective. Weinberger states, **"The military needlessly delayed by six months an urgently needed, nonlethal laser weapon that could have saved the lives of U.S. Marines and Iraqi civilians, according to a report released today by the Pentagon's inspector general."** (Weinberger, p1). Weinberger then quotes Gayl and his opinions about the Dazzler, **"Franz Gayl, a Marine Corps science adviser whose concerns about the delay in procuring the laser dazzler prompted the initial investigation, criticized the final report as "weak." He said it failed to include many key details."** (Weinberger, p1). Gayl was one of the participants in the Dazzler development process (see Dazzler Chapter). Weinberger fails to understand or to mention that Gayl was a member of the I MEF G9 which caused the delay. Weinberger blindly accepted Gayl's point of view without the basic research that would have shown Gayl was one of the causes of the delay. The blind obedience to Gayl's point of view is not uncommon for Weinberger.

One of the failures of the press was an inability to understand Marine Corps combat development. The failure of the press to research lead to a default acceptance of Gayl's viewpoints without even the simplest questions. Unasked questions (to Gayl) that should have been asked:

- If you were an Advocate, as seen on your cover page for your study, why did you do nothing with the 2005 Hejlik UUNS until 2007?
- Is it a realistic course of action for the Marine Corps to buy MRAPs and m1114s simultaneously for the same forces?
- If MRAP was so obvious, why did you not exercise your responsibility as an Advocate and submit an UNS prior to 2005?

- You submitted one UUNS for a futuristic airship. Did you submit any other UNS for surveillance capabilities? Was the airship intended to solve persistent surveillance?
- Why did you attribute a laser dazzler delay to MCCDC when MCCDC was ready to send dazzlers, but I MEF (Fwd) refused them?
- Why does the Hejlik UUNS number of 1,169 never figure into the I MEF MRAP request numbers of 185 or 1000 or 1,185 or 805?
- If, as you say in your study, I MEF (Fwd) rejected MRAPs (Gayl, p 50), how can you say that there was constant demand for MRAPs?
- Why did the MRAP DODIG recommendations not match your recommendations?

This list could go on and on. Simple questions, not requiring military knowledge, were not asked. Simple questions about Gayl's study were not asked. Simple questions about the DODIGs were not asked. Instead, the press simply accepted Gayl's points. Gayl as a whistleblower was a far more attractive story than Gayl as an MRAP critic. One, however, did not come without the other. As a result, the value of the whistleblower angle trumped any flaws in Gayl's MRAP story. In order to have the whistleblower, one had to have MRAP. Therefore the MRAP story was simply accepted.

There are members of the press that assisted in orchestrating the MRAP story. USA TODAY journalist Tom Vanden Brook was contacted by Joe Biden's office specifically to promulgate the story. In conjunction with Biden's office, USA TODAY started working on their preconceived MRAP whistleblower story while Biden was still questioning the Marine Corps. Later interviews showed Vanden Brook's excitement at the availability of a whistleblower. MRAP was a secondary issue. At the time, Gayl was not focused on MRAP. That focus came after the Biden-Gayl-Vanden Brook linkage (see Chapter 8).

In addition to USA Today, the whistleblower press and the government oversight press advocated for Gayl at every turn. It was "Wired: Danger Room" that initially published Gayl's charges. Years later (2010), they continued to advocate for Gayl: **"The Marine Corps higher-ups didn't like how Gayl called 'em out for dragging their feet on his MRAP request. They didn't appreciate Gayl's assessment that their 'gross mismanagement' kept non-lethal laser 'dazzlers' from getting to Iraq and Afghanistan – risking both civilians' and soldiers' lives."** (Shachtman, p 1). Gayl never requested MRAPs. It was not "his request". The dazzlers were approved prior to Gayl's deployment to Iraq. The DODIG specifically rejected Gayl's charges of "gross mismanagement". The article calls Gayl an "iconoclastic civilian scientist". The adulation is not backed by fact.

Other organizations such as the Government Accountability Project (GAP) and Project On Government Oversight (POGO) are complicit in spreading the false MRAP narrative. POGO and

GAP are not organizations with any expertise in Marine Corps combat development, MRAP, or any element of the substance of Gayl's study. GAP and POGO are focused on government oversight and view Gayl as an "oversight hero". The fact that he is blowing the whistle on the Marine Corps establishes their credentials for backing him. The MRAP facts are not the focus for these organizations. As whistleblower organizations, they publish in the blogosphere and their published works often contain false comments about the Marine Corps and Marine equipment.

Finally, the majority of the press has simply accepted Gayl's statements as fact. When a whistleblower event occurs, mainstream media trots out Gayl, mentions a few lines about him being a whistleblower, and then promulgates Gayl's falsehoods. For example, FOX News presented a story on Benghazi whistleblowers on national TV. The first 20 seconds was on the Benghazi whistleblowers, the remaining two minutes was on Franz Gayl and MRAP (FOXNEWS, video). Gayl can be expected to maintain his position, but FOX shouldn't simply parrot Gayl's accusations. The FOXNEWS video was used as it was the first result on a Google search. There are thousands of examples of the press blindly quoting Gayl. This study is not focused on the press, but simple searches will show thousands of similar examples.

In addition to the writings in the press writ large, Gayl references press clippings in his MRAP study. These press clippings faithfully report Gayl's position. Gayl's study also references "the press which is referencing Gayl". He is quoting himself. As a result, the image (presented as fact) reflects Gayl's position. Several examples follow:

"Officials at Marine headquarters in Quantico, Va., shelved the request for 1,169 vehicles." (Gayl, p 57) Gayl quotes a USATODAY article that occurred before any investigation and is contrary to the Marine Corps position. The article simply parrots Gayl's accusation without providing any facts. Unasked questions about the accused delay include: Who shelved it? Where was it held? Is there any documentation? Are there any alternative explanations? Instead, Gayl quotes USA TODAY in his study as they quote him.

"Jim Hampton, now a retired colonel, questions why the Pentagon and Congress didn't do more to keep the troops safe. 'I have colleagues who say people need to go to jail over this, and in my mind they do...' This well-researched USA TODAY article revealed a history of wider DoD awareness of and pushback on MRAP that was occurring concurrently with the Marine Corps' own MRAP experience." (Gayl, p 58) Once again, USA TODAY does not do the research. They did not ask what Gayl, a Pentagon employee, did about MRAP after the Hejlik UUNS submission in 2005. They did not link Hampton's experience with the Marine Corps' requests. It is portrayed as simply a given that Hampton agreed with all of Gayl's accusations. If that was the case, then the absence of any research by Hampton (Army) on the Marine Corps is highly suspect.

"On 25 May an article titled "Marines Fail to Get Gear to Troops" authored by Richard Lardner appeared on the Associated Press wire. It captures well the scope and concern of the unfulfilled urgent needs documented above, including MRAP. This article came on the heels

of press revelations that the I MEF (Fwd) MRAP UUNS of 17 Feb 05 had not been fulfilled (Reference a.12.). The article stated in part: *"The system for delivering badly needed gear to Marines in Iraq has failed to meet many urgent requests for equipment from troops in the field, according to an internal document obtained by The Associated Press. Of more than 100 requests from deployed Marine units between February 2006 and February 2007, less than 10 percent have been fulfilled...It blamed the bureaucracy and a 'risk-averse' approach by acquisition officials. Among the items held up were a mine resistant vehicle and a handheld laser system. 'Process worship cripples operating forces,' according to the document. 'Civilian middle management lacks technical and operational currency.'...The document's claims run counter to the public description of a process intended to cut through the layers of red tape that frequently slow the military's procurement process..."* This draft brief accurately reflected the lack of faith, and often trust, that the operating forces felt with regards to USMC combat developers." (Gayl, p 115). The document is Gayl's DDR&E presentation. Gayl does not mention that he is quoting his own brief as quoted by the reporter. The comment **"This draft brief accurately reflected the lack of faith, and often trust, that the operating forces felt with regards to USMC combat developers."** was stated by Gayl about Gayl's brief and Gayl's opinion. Lardner was simply a conduit for Gayl's self-quotation.

The press is not the only organization to be duped by Gayl. It should have, however, exercised some journalistic responsibility and discovered the facts.

19-AN EVALUATION OF THE MRAP DODIG

The MRAP DODIG did a disservice to the Marine Corps. Its findings were skewed and its investigation was insufficient in finding facts, examining evidence and drawing conclusions. In fairness, the DODIG was pointed in the wrong direction by senior leaders. The DODIG, however, should have found the evidence of I MEF's completion of the Hejlik UUNS.

The Marine Corps relied on the DODIG to present the truth and the DODIG failed. The DODIG failed to discover evidence that would have reshaped their conclusions. The DODIG expanded the scope of their investigation to encompass issues outside of their investigative purview. The DODIG did not comment on prominent decision makers who actually made decisions or failed to make decisions. The DODIG used misleading language in order to justify their conclusions. The DODIG did not comment on Gayl's study. The DODIG had many flaws which will be discussed, but it also got a few things correct. This portion of the study will point out flaws (and some strengths) in the MRAP DODIG.

The DODIG report was issued December 8, 2008 three years and nine months after the submission of the 2005 Hejlik UUNS which they were investigating. The DODIG commenced their investigation in March of 2008 (DODIG, p 19), three years and one month after the submission of the 2005 Hejlik UUNS. The DODIG did not caveat that the information that they were seeking was over three years old. Generals and staff had changed. Relevant emails had been deleted. Memories had faded. The DODIG did not caveat that their investigation was seriously hobbled by this time lag. The following critiques of the DODIG are offered:

DODIG Page i

“At the request of the Assistant Commandant of the Marine Corps, we reviewed the MarineCorps decision making process to determine whether the decision makers responded appropriately and timely to the February 2005 Urgent Universal Need Statement (UUNS) submitted by field commanders for Mine Resistant Ambush Protected (MRAP)-type vehicles.”

- The DODIG did not make determinations on all of the decision makers and left several of the critical decision makers out of the investigation. LtGen Sattler was never interviewed despite his position as MARCENT and the original CG for the UUNS. LtGen Gardner (P&R) was not interviewed despite his critical role in the process. Other Generals were not cited in the context of their responsibilities. The decision making process, as described in Chapter 4-6, discusses the process yet “the MCCDC” is the only command cited. The process involved Advocates and Commanders across the Marine Corps as decision makers (addressed (by name) in this study in Chapters 4-11). Their “appropriate and timely” response was not investigated.
- The DODIG, in a fit of self-interest, coined the term MRAP-type. This term creates linkages that did not exist. The DODIG, with the creation of this term, could link disparate events (that used any form/meaning of the word MRAP) and draw conclusions without having to determine if events were truly linked. For example, if the 2005 Hejlik

UUNS asked for MRAPs as they are depicted in the pictures in the DODIG (after the TOC), then many of the suite of vehicles analyzed by MCSC in 2005 would have been irrelevant (e.g. Casspir). As another example, if the term MRAP meant the same thing as the vehicles depicted in the DODIG, then there would have been no need to discuss why so many different terms were used. A legitimate conclusion to that discussion was that the terms used reflected the fact that MRAP was a capability description, not a vehicle name. The DODIG could avoid the naming confusion (which also included HMMWV-like as a descriptor in the Hejlik UUNS) and link events and requests that were not linked. The DODIG took a short-cut and simply lumped all vehicles and vehicle requests under the same naming convention of "MRAP-type".

"Shortly after the June 2005 decision by the Commandant of the Marine Corps to replace all High Mobility Multi-Purpose Wheeled Vehicles (HMMWV) in theater with the M1114 up-armored HMMWV, the Deputy Commandant of the Marine Corps for Installations and Logistics advised MarineCorps generals that the M1114 up-armored HMMWV was the best available, most survivable asset to protect Marine Corps forces."

Four months after the submission of the Hejlik UUNS, the Commandant decided to replace all HMMWVs with m1114s. This statement links that decision to the advice of the DC I&L. CMC attended the EOS which was attended by ACMC, DC P&R, DC CD, DC I&L, CG I MEF, CG II MEF, CG MARFPRPAC and DC PP&O. All of these executives were aware of the Hejlik UUNS. With full knowledge of the assembled executives of the Marine Corps and with full knowledge of the Hejlik request, CMC decided to equip the force with m1114s. In the above statement, then DC I&L renders an opinion on the already established CMC decision. The DODIG failed to explain the relevance of DC I&L's opinion about a decision already made by CMC with the advice of his assembled Executives (Tomczak email dtd 5/23/2007). This material solution decision by CMC renders much of the remainder of the MRAP DODIG irrelevant and incorrect.

"In reaction, the Marine Corps Combat Development Command (MCCDC) stopped processing the UUNS for MRAP-type vehicle capability in August 2005."

- The CMC, with full knowledge of MRAP-type vehicles, made a decision to equip the entirety of the force with m1114s. The DODIG failed to explain a legitimate reason for MCCDC to continue processing the Hejlik UUNS in the face of the CMC decision. The decision on the vehicle type was made which should have been, and was, the end of the discussion. The Hejlik UUNS had been processed to a point where executive decision was required. That decision came in the form of a selection of the m1114. Hence, MCCDC stopped processing the Hejlik UUNS. Given the selection of the m1114, the DODIG failed to acknowledge the resolution of the Hejlik UUNS. The DODIG presented a picture where the Hejlik UUNS remained active. For some reason, the purchase of 1,169 MRAP-type vehicles (Hejlik UUNS), simultaneously with the purchase of the m1114 fleet, remained a reasonable option in the eyes of the DODIG. The rational actor does not see the purchase of the MRAP simultaneously with the m1114 as a possibility.
- The processing of an UUNS is not the sole responsibility of MCCDC. The DODIG failed to acknowledge the process roles of:

- The Advocates (who represented the GCE and other elements of the MEF) who owned steps in the process. The DODIG would have us believe that the Advocates did not advocate for the UUNS even though it was active.
- MARFORPAC and MARCENT who submitted the UUNS and owned it. The DODIG would have us believe that the MARFORs forgot about or lost interest in their \$1 Bil UUNS and failed to ask where in the process it was.
- DC P&R who received an initial copy of the UUNS and was responsible for the funding of UUNSSs. The DODIG would have us believe that DC P&R did not query anyone when he had a “pending” UUNS with a cost of approximately \$1 Bil.
- DC CD and MCSC who were responsible for establishing programs and were notified early on in the process in order to start planning. The DODIG IG would have us believe that the remainder of MCCDC not tasked with the UUNS processing would stop preparing for a program impacting everything from fuel to jammers to ammunition.
- The MROC and all of its members who saw MRAP briefed several times. The DODIG would have us believe that the removal of MRAP from the MROC briefs occurred without reason or without MROC notice.

“Specifically, MCCDC officials did not develop a course of action for the UUNS, attempt to obtain funding for it, or present it to the Marine Corps Requirements Oversight Council for a decision on acquiring an MRAP-type vehicle capability.”

- The course of action for the UUNS was established by the Commandant of the Marine Corps and the EOS. The DODIG failed to explain any legitimate alternative COAs. For example, had the DODIG been able to rationalize a COA where the Hejlik UUNS was fully funded (e.g. 1,169 Cougars) and fielded simultaneously with the m1114s, then this critique may have some legitimacy. Then the DODIG could establish a convincing rationale “to obtain funding for it”. The CMC m1114 decision made most other COAs irrelevant.
- The DODIG uses carefully crafted verbiage when it states **“or present it to the Marine Corps Requirements Oversight Council for a decision on acquiring an MRAP-type vehicle capability.”** Every member of the MROC was aware of the UUNS and had received briefs at the EOS and/or the ESB. MRAP was briefed at the MROC in update slides and on the MROCDM. The DODIG stated that MCCDC did not present the UUNS to the MROC “for a decision”. The DODIG did not say that MROC members were ignorant of MRAP (they were not). The DODIG did not say that MRAP was not briefed to the members of the MROC (which it was). The DODIG did not say that the MRAP was not briefed in the MROC (it was). They said MCCDC did not brief the MROC “for a decision” ...which it didn’t. The DODIG misleads the readers into thinking that this was an important issue. The MROC regularly made decisions electronically without ever receiving a “presentation from MCCDC”. This lawyerly statement is technically correct, but misleading.
- The Advocates did not present the UUNS or any UUNS issue to the MROC. The DODIG failed to note the responsibility of the Advocates and their presence on the MROC.

“Further, the MCCDC did not, as it could and should have in July 2005, request that the Deputy Commanding General, I Marine Expeditionary Force (Forward) take advantage of new Joint Staff processes available to address an immediate and apparent joint warfighter need for an MRAP-type vehicle capability.”

- It is not MCCDCs responsibility to request the DCG to take advantage of joint processes. As stated in the JUONS vs UUNS chapter, the responsibility for joint funding flows through the joint chain of command. It was incumbent on the Joint Commander to understand the process and use it. Even when the joint force was aware of the processes, they often decided not to use them (see JUONS vs UUNS chapter). MCCDC was also learning about the new joint paradigm and assisted MNF-W once the joint picture became clear. Responsibility for joint requests, however, rested with the Commander MNF-W.
- The DODIG assumed that the Commander MNF-W did not request MRAPs through joint channels because MCCDC did not request Commander MNF-W to do so. In reality, Commander MNF-W did not use the joint process because the 2005 request was satisfied through Service Channels. There is no legitimate reason to submit a request through joint channels if it has been addressed in Service channels.

“DoD was aware of the threat posed by mines and improvised explosive devices (IEDs) in low-intensity conflicts and of the availability of mine-resistant vehicles years before insurgent actions began in Iraq in 2003. Yet DoD did not develop requirements for, fund, or acquire MRAP-type vehicles for low-intensity conflicts that involved mines and IEDs.”

- Previous chapters deal with the awareness of the Marine Corps which paralleled the awareness of the DOD. The DODIG misleads the reader into thinking that IEDs were a common topic before 2003. They were not.
- The DODIG was to review **“the MarineCorps decision making process to determine whether the decision makers responded appropriately and timely to the February 2005 Urgent Universal Need Statement (UUNS) submitted by field commanders for Mine Resistant Ambush Protected (MRAP)-typevehicles.”** The DODIG was tasked with reviewing the “Marine Corps”, yet decided to comment on the “DOD”. This breach of investigative authority can be viewed many ways. It is clear, however, that the DODIG decided to criticize the DOD for some purpose other than that for which it was created (MRAP investigation). That purpose remains unknown. The result of this breach also has adverse impact on the investigation into the Marine Corps. This criticism, if applied only to the Marine Corps, would have shown that the entirety of the Marine Corps, to include the Advocates, did not develop requirements for MRAP-type vehicles. This included Gayl, PP&O, MARCENT and I MEF etc. (every member of the combat development community). MCCDC was one of the elements of this broader combat development community.

“What We Recommend”

The DODIG recommendation was centered on the Marine Corps’ use of joint resourcing. The original DODIG recommendation was flawed and then adjusted with comments from the Joint Staff and the Marine Corps. The DODIG recommendation remained flawed despite the

adjustment. The Joint Staff recommended that Service needs flow through the COCOMs instead of directly to the Joint Staff. The COCOMs could therefore put a halt to parochial Service interests that were not AOR focused. The COCOM could also solicit input from subordinate JTF Commanders such as MNC-I. The problem, however, remains in that I MEF could submit through the Marine Corps chain, then the Marine Corps would submit it to CENTCOM where it might be staffed to MNCI. Then it would be sent to the Joint Staff. The alternative is to not staff it to MNCI at all in which case MNCI's subordinate units would have the authority to bypass their MNCI Commanding Officer. Either way, the DODIG recommendation was convoluted and violates the chain of command.

DODIG Page 1

“This audit was initiated at the request of the Assistant Commandant of the Marine Corps in response to allegations of mismanagement regarding the identification and fulfillment of a requirement for MRAP-type vehicles made in the “Mine Resistant Ambush Protected Vehicle (MRAP) Ground Combat Element (GCE) Advocate Science and Technology (S&T) Advisor Case Study,” January 22, 2008.”

- The DODIG notes that the prompt for the investigation was based on the Gayl study, but it was not chartered to comment on the Gayl study. The DODIG did not come to the same conclusions that Gayl came to. It was not in the DODIG charter to examine all of Gayl's study, else the DODIG would have been overwhelmed. The lack of mention of Gayl's study reflects its lack of credibility as a source. The DODIG did not establish the same recommendations as Gayl's study despite having ample access to it. Not only were Gayl's and the DODIG's recommendations dissimilar, they were not even close. This reflects positively on the DODIG.

“Specifically, the allegations stated that the Marine Corps did not promptly respond to the needs of deployed units, and that inaction by Marine Corps officials on acquiring MRAP-type vehicles cost Marines their lives.”

- The “Marine Corps officials” appears to only cover MCCDC officials despite the responsibilities of officials across the Marine Corps. The DODIG fails to address many of the responsible officials and therefore presents misleading information and conclusions.

DODIG Page 2

“On February 17, 2005, the Deputy Commanding General, I Marine Expeditionary Force, through the Commanding General, Marine Corps Forces, Pacific, submitted an UUNS for 1,169 MRAP-type vehicles to the MCCDC.”

- The UUNS was not for MRAP-type vehicles. The UUNS was for MRAP vehicles.

“On May 21, 2006, the Commanding General, Multi-National Force-West submitted a¹ Joint Staff Rapid Validation and Resourcing Request for 185 MRAP-type vehicles to the Joint Requirements Oversight Council (JROC).”

- The Request was not for MRAP-type vehicles. It was for “JERRVs”. In using the same term, the DODIG misleads readers into thinking that the requests were consistent.

“In July 2006, the Commanding General, Multi-National Force-West submitted a second Joint Staff Rapid Validation and Resourcing Request for 1,000 MRAP-type vehicles to the JROC.”

- The Request was not for MRAP-type vehicles. I MEF discovered the old resolved Hejlik UUNS and started using the old term “MRAP” despite using the term JERRV in the interim.
- The DODIG never explains why I MEF was not consistently asking for their MRAPs if the Hejlik UUNS remained in effect. The obvious conclusion was that the new requests were for equipment that was not already in demand.

DODIG Page 3

Before insurgent activities began in Iraq in 2003, DoD knew that:

- the primary threat to tactical wheeled vehicles in low-intensity conflicts is from mines;
- unarmored HMMWVs, retrofitted HMMWVs, and those with armor improvised in the field were vulnerable to mines because of the vehicles’ flat bottom, low weight, low ground clearance, and aluminum body;
- V-hull and monocoque² V-hull mine-resistant vehicle technology was available that could greatly reduce injuries caused by mines by as much as 70 percent while virtually eliminating fatalities; and
- Third- and fourth-generation mine-resistant vehicle designs were available.

Accordingly, the Department had time to develop requirements for, fund, and acquire MRAP-type vehicles to be prepared for potential low-intensity conflicts before insurgency actions began in Iraq in 2003.

- The DODIG failed to identify who or what office failed to **“develop requirements for, fund, or acquire MRAP-type vehicles”** (DODIG, p i). For example, did the DODIG (as a DOD entity) fail in their responsibilities to identify the lack of MRAPs despite having the ability to do so? The DODIG failed to examine their own culpability. The DODIG had opportunity and responsibility to recommend the purchase of MRAP prior to “insurgency actions began in Iraq in 2003”. They did not do so.

DODIG Page 5

“The MCCDC did not fulfill the requirements of the UUNS process or the Joint Urgent Operational Need (JUON) process in determining whether an acquisition program should be initiated in response to the MRAP UUNS submitted on February 17, 2005.”

- The MCCDC is not the only organization responsible for the steps in the UUNS process (see Chapter 4-6). The DODIG failed to discuss the Hejlik UUNS responsibilities outside of MCCDC.

- No JUONS was submitted in 2005. If there had been a JUONS submitted, MCCDC would have had absolutely no responsibility or authority for any step of the process (unless the Marine Corps became the program office after the JUONS was fully processed).

Specifically, the MCCDC did not: develop a course of action document in response to the February MRAP UUNS and submit it to the Marine Corps Requirements Oversight Council (MROC) to determine whether to initiate an acquisition program

- The formal submission process to the MROC was overcome by events as the entirety of the MROC was briefed at the EOS including the various options available for hardened vehicles. The DODIG focused on a formal brief despite the widespread knowledge that decisions on the vehicle fleet were made with the knowledge of every MROC member.

Specifically, the MCCDC did not: request that the Commander, I Marine Expeditionary Force (Forward) submit the urgent requirement through the JUON process, which was established while the MCCDC was reviewing the MRAP UUNS, to determine whether to initiate a joint acquisition program to meet the urgent warfighter need.

- It is not a MCCDC responsibility to request Commander I MEF to submit needs through the JUONS process. MCCDC can only recommend. As seen with GBOSS, I MEF G9 was actively against submitting a joint requests despite MCCDC recommendations. In this case, the UUNS was resolved within the Service so a joint request was not necessary.

“As a consequence, the MROC was not afforded the opportunity to evaluate the need to acquire MRAPs to mitigate the risk to the lives of Marines in theater.”

- This DODIG point is incorrect. The MROC was afforded the opportunity to evaluate the need to acquire MRAPs. The MROC members were briefed in several forums. The entirety of the MROC was briefed in the MROC and received the MROCDM where MRAP was updated: MROCDM 55-2005 (Dasch email dtd 10/20/2005). The absence of a full brief does not obviate the fact that there were update briefs on a regular basis. The MROC members were capable of evaluating the need to acquire MRAP.

DODIG Page 6

“The Order also supports the combat requirement-generating role of the advocates and the requirement-validating role of MROC, and enables the monitoring of emerging areas like expeditionary maneuver warfare and science and technology development.”

- The DODIG was able to identify orders and directives associated with responsibilities for UUNS processing. Despite the knowledge of these orders and directives, the DODIG did not attribute the flaws it assigned to MCCDC to the rest of the “by order responsible” parties in the UUNS process (see Chapter 4-6).

DODIG Page 7

“Earlier, the Marine Corps issued administrative messages that established procedures for the operating forces to use to submit and staff an UUNS and defined the roles and responsibilities at each level of the staffing process.”

- The DODIG failed to discuss many of the roles and responsibilities in these messages. See Chapter 4-6.

DODIG Page 8

“In an interview with the audit team, the former Commanding General, Marine Corps Forces Pacific⁷ stated that in 2005, MRAP-type vehicles needed to be fielded in theater in addition to the M1114 up-armored HMMWV in some numbers for operations in high-risk areas. He stated that he did not know what action was taken on his recommendation for a mixed-vehicle fleet.”

- The DODIG failed to provide the documentation for this recommendation. The “mixed-vehicle fleet” was already in existence as route clearance teams were getting Cougars and Buffalos. There was no discussion about the numbers in this or any mix, and the CG MARFORPAC understood that his recommendation required a need statement to get accomplished. As CG MARFORPAC actually owned the 2005 Hejlik UUNS, more detail should have been provided about MARFORPAC actions.
- The DODIG failed to find and document the MARFORPAC decision to complete the 2005 Hejlik UUNS and change it into an UNS (see Chapters 9-11).

“In a separate interview with the audit team, the former Commandant of the Marine Corps⁸ stated that he did direct the 100-percent replacement of HMMWVs in theater with M1114 up-armored HMMWVs. However, he stated that his direction was not intended to preclude the Marine Corps from procuring MRAP-type vehicles or to stop MCCDC from completing the requirements of the UUNS process for considering the acquisition of MRAP-type vehicles in response to the February 17, 2005, UUNS.”

- This DODIG assertion is misleading in that the UUNS was changed into an UNS. Once the UUNS was changed into an UNS, MCCDC responsibilities changed (as did the responsibilities of the rest of the combat developers). The I MEF UUNS tracker clearly indicates the change and completion of the 2005 Hejlik UUNS (Ouzts email dtd 5/2/2006).

DODIG Page 9

“The Marine Corps also procured the G-BOSS to provide a continuous ground-based surveillance capability. The Marine Corps uses the G-BOSS to track insurgent movements and activities and to document insurgent cross-border activities. The system was not fielded until February 2007 because the G-BOSS capability had to be developed. As of July 2008, the Marine Corps had fielded 120 G-BOSSs in theater.”

- The GBOSS capability was never fully developed as described in the UUNS. The technical request in the UUNS and JUONS were beyond the technical capabilities of industry (see GBOSS Chapter).
- Elements of the GBOSS capability were fielded in 2005 (see GBOSS Chapter). If one were to consider the towers as “G-BOSSs”, then the RAID towers and the homemade I MEF towers were fielded prior to February 2007. The DODIG mistakenly identifies the I MEF G9 tower design as the only GBOSS tower available. The RAID tower would eventually be the material solution for GBOSS and those towers were available and fielded in 2005.

“In April 2005, the Joint IED Task Force approved the release of \$92.14 million from the Iraq Freedom Fund for the procurement of 122 Joint Explosive Ordnance Disposal Rapid Response Vehicles (JERRVs), the joint-Service version of the Hardened Engineer Vehicle. Of the 122 JERRVs, 38 were for the Marine Corps. The first JERRV was fielded in August 2005.”

- The DODIG fails to conform to its own naming convention in the above statement. The “Hardened Engineer Vehicle” and the “JERRV” are not referred to as “MRAP-type vehicles”.

DODIG Page 9-10

“On March 29, 2005, midlevel Marine Corps officers briefed the Marine Corps Executive Safety Board on mine-resistant vehicles and proposed introducing MRAP-type vehicles in theater on a large scale. The Assistant Commandant of the Marine Corps chaired the Executive Safety Board briefing, attended by several Marine Corps General Officers, including the Deputy Commandant for Combat Development and Integration. The briefers proposed using the MAK and Medium Tactical Vehicle Replacement Armor System to bridge the gap between the HMMWV and a commercial off-the-shelf MRAP-type vehicle, with the MRAP-type vehicle becoming the standard.”

- The DODIG failed to pursue the responsibilities of General Officers at the ESB and instead focused on the actions of MCCDC officials. The attendance at the ESB included approximately twenty flag officers to include the ACMC (full list in Chapter 9). The responsibilities of these flag officers is discussed in other chapters.
- If the DODIG believed the Hejlik UUNS remained active:
 - They should have found negligence by ACMC. ACMC presided over the ESB, and it was his responsibility to ensure that his directives were carried out. The ACMC directed a review and **“the MCCDC could not provide us with any evidence that the requested review was performed.”** There was no subsequent ACMC action.
 - The actions of the rest of the ESB Generals and Command Representatives should have been examined. Many had combat development responsibilities. The DODIG failed to report on their actions.
- The alternative to negligence by ACMC, the ESB flag officers and staffs, is that the UUNS was resolved several months later by the decision of the CMC. Either way, the DODIG failed in that their investigation did not pursue relevant ESB officials, or their conclusion was misleading.

DODIG Page 10

“After the Deputy Commanding General, I Marine Expeditionary Force (Forward) submitted the February 17, 2005, UUNS for 1,169 MRAP type-vehicles, the MCCDC and the MCSC began processing the requirement and working to identify a materiel solution.”

- The DODIG failed to investigate the Commanding General, I MEF and instead focused on the Deputy Commanding General. The DODIG report showed that the CG was not interviewed despite his ownership of the 2005 Hejlik UUNS.

DODIG Page 11

“More than 2 years later, on July 16, 2007, the former Deputy Commanding General issued a memorandum to the Director, Marine Corps Public Affairs, stating that the 2005 decision to field M1114 up-armored HMMWVs was the correct Marine Corps decision in response to the threat in 2005. The former Deputy Commanding General told the audit team that he issued the memorandum to clarify that his intent in signing the UUNS was for the Marine Corps to acquire and field the MRAP within 2 to 5 years, as stated earlier. However, as shown in Appendix C, the UUNS clearly indicated that the requirement for MRAP-type vehicles was priority 1 and urgently needed—not a capability desired in 2 to 5 years.”

- The DODIG failed to correctly analyze the DCG statement. The timeframe “2 to 5 years” is associated with an UNS not an UUNS. The DODIG failed to establish the UNS/UUNS change as seen in the I MEF UUNS trackers. The change is consistent with the DCG statements. The implication of untruth on the part of the DCG is misplaced, incorrect, and warrants retraction. This pivotal flaw in the DODIG MRAP investigation renders the investigation fatally flawed. The clear and restated fate of the 2005 Hejlik UUNS was a reduction to an UNS. The notional UNS timeline was 2-5 years. The DODIG would have come out with correct conclusions had it considered the I MEF UUNS trackers.

DODIG Page 12

“In an interview with the audit team, the former Deputy Commandant, Combat Development and Integration acknowledged that he received an information paper and stated that he directed that work continue on a solution to the UUNS. He also stated that he did not know why the DOTMLPF Working Group did not develop a course of action for MROC review.”

- As discussed, the EOS was briefed on the vehicle options available to equip the force in the ITO. The DC, CDI received MRAP-type vehicle briefs at the ESB and the EOS. The entire MROC was briefed on MRAP and had MRAP updates in the MROC forum. All MROC members were issued MROCDM that contained MRAP updates. The MROC members were presented courses of action, just not in the MROC room. The DODIG selected and portrayed a largely irrelevant issue: whether or not the DC, CDI remembered if the DWG developed a COA for MROC review.

“The Chairman DOTMLPF Working Group provided status briefs on the MRAP UUNS to the MROC on March 25, 2005; June 10, 2005; and August 8, 2005.”

- The DODIG inexplicably relegated this critical fact to a footnote. The DODIG uncovered three occasions where the MROC was briefed but they were update briefs. Any suggestion of MROC ignorance is therefore totally unfounded. The DODIG made several misleading statements:
 - **“Specifically, the MCCDC did not: develop a course of action document in response to the February MRAP UUNS and submit it to the Marine Corps Requirements Oversight Council (MROC) to determine whether to initiate an acquisition program”** (DODIG, p 5)
 - **“As a consequence, the MROC was not afforded the opportunity to evaluate the need to acquire MRAPs to mitigate the risk to the lives of Marines in theater.”** (DODIG, p 5)
 - **“He also stated that he did not know why the DOTMLPF Working Group did not develop a course of action for MROC review.”** (DODIG, p 12)

The MROC was well aware of MRAP through update briefs in the MROC. Excluding the EOS and the ESB, the MROC members had a wealth of MRAP information and opportunities to render judgement within the MROC process.

DODIG Page 13

“The MCCDC was unable to provide documentation showing that after August 8, 2005, DOTMLPF Working Group fulfilled remaining actions for processing the UUNS as required in Marine Corps Order 3900.15A.”

- The DODIG was unable to provide any documentation that the UUNS was changed into an UNS rendering the UUNS process irrelevant. This author was able to provide this documentation.
- The remaining actions for the Hejlik UUNS were addressed in the decision to buy m1114s. Once the m1114 decision was made, remaining actions on the UUNS were unnecessary.

“The Combat Development Tracking System, which collects information on the processing of UUNS, did not include any information on the processing of the MRAP UUNS after March 22, 2005, until an information technology specialist closed the UUNS on November 7, 2006.”

- The DODIG presents this piece of information yet does not draw the obvious conclusion from it. The obvious conclusion is that the CDTS failed to track MRAP events. The DODIG uncovered three instances of MROC briefs unmentioned in the CDTS. The CDTS failed to mention the reduction of the UUNS to an UNS despite this author finding documentation showing so. The CDTS fails to note the EOS decision, the JERRV JUONS or the 2006 MRAP JUONS. CDTS annotated nothing between March of 2005 and November of 2007 despite identifiable actions occurring. The obvious conclusion is that CDTS did not provide an accurate portrayal of UUNS actions. The DODIG instead portrayed the lack of CDTS entries as lack of action instead of poor administration.

“Representatives from MCCDC stated that they believed that Marine Corps Forces Pacific downgraded the MRAP UUNS to a universal need statement. We contacted representatives from Marine Corps Forces Pacific, including the universal need statement coordinator assigned to the MRAP UUNS, who did not have any documentation regarding changing the MRAP UUNS to a universal need statement. In addition, the representatives stated that they did not believe Marine Corps Forces Pacific had the authority to downgrade an UUNS that they had sent to the MCCDC.”

- MARFORPAC downgraded the MRAP UUNS to an UNS. The DODIG failed to uncover documentation verifying this fact. This author uncovered documentation in the I MEF UUNS tracker. The UUNS tracker was created as an official document tasked in MARADMINs. While not a MARFORPAC document, the document was provided by I MEF, the submitter of the MRAP UUNS. Other events discussed in Chapters 6-11 provide validation of the UUNS change to UNS.
- The DODIG presents the “beliefs” of MCCDC representatives instead of conducting the research required to determine the facts.
- Chapter 4-6 explains UUNS responsibilities and identifies official documentation stating that the Advocate is the UNS champion but does not assume ownership. MARADMIN officially designates the owner in MARADMIN 045/06 as the Component Commander. This MARADMIN was issued within the MRAP issue timeframe but it also reflects the ownership previous to MARADMIN 045/06. The question prior to MARADMIN 045/06 was whether the Component or the MEF/MSC owned the UUNS. Pre or post MARADMIN, the Component had the authority as owner or senior command of the UUNS submitter.
- The DODIG failed to identify who might be the owner of the 2005 Hejlik UUNS if it was not the Component or a subordinate. Any offerance of a different owner could be easily dismissed as incorrect.

DODIG Page 14

“As a consequence, the MROC was not afforded an opportunity to evaluate the need to acquire MRAP-type vehicles. In addition, because the MCCDC did not develop a statement of need or a concept of employment, submit to the MROC a recommended course of action on acquiring MRAP-type vehicles, or obtain assurance of program funding, the MCSC also discontinued its efforts to implement an acquisition strategy for MRAP-type vehicles.”

- The DODIG is incorrect when it states the MROC did not have the opportunity to evaluate the need for MRAP vehicles. The MROC, by the DODIG’s own admission, was briefed three times in the MROC and several times outside of the MROC. Opportunity was rampant.
- The Marine Corps did not implement an acquisition strategy because they were not tasked to do so. They were not tasked to do so because the CMC decided to purchase m1114s.

The DODIG did an investigation that would have been reasonable had their baseline facts been correct. The facts, however, point towards different conclusions. Gayl had several noteworthy quotes about the DODIG in his congressional testimony:

- **“The DOD IG MRAP UUNS audit overwhelmingly validated my MRAP case study”** (Gayl Testimony, p 9) The DODIG did not overwhelmingly validate Gayl’s MRAP study. Even the flawed DODIG made none of the same recommendations that Gayl offered. Zero.
- **“It was significant that the audit did not refute my case study finding that “gross mismanagement” of the MRAP requirement was evident, and that inaction by MCCDC officials on acquiring MRAP vehicles cost many Marines their lives.”**(Gayl Testimony, p 9) The DODIG did not find “gross mismanagement”. DODIG was not commenting on the flaws of the Gayl study so they did not specifically reject Gayl’s points. That task remained unaddressed until this study.
- **“DOD IG audit title Marine Corps Implementation of the Urgent Universal Needs Process for Mine Resistant Ambush Protected Vehicles published on 8 December 2008 found that MCCDC stopped processing the UUNS for MRAP-type vehicle capabilities in August 2005. Specifically, MCCDC officials did not develop a course of action for the UUNS, obtain funding for it, or present it to the Marine Corps Requirements Oversight Council (MROC) for a decision. Furthermore, the Marine Corps and others were aware of the threat posed by mines and IEDs in low-intensity conflicts and of the availability of mine-resistant vehicles years before insurgent actions began in Iraq in 2003. Yet, Marine combat developers at Quantico did not develop requirements for, fund, or acquire MRAP-type vehicles for low-intensity conflicts. As a result, the Marines entered into operations in Iraq without having taken available steps to acquire technology to mitigate the known mine and IED risk.”** (Gayl Testimony, p 8-9) These accusations are discussed throughout this study and disproven.

Had the DODIG performed adequately, Gayl would not have been able to quote the DODIG’s erroneous and misleading comments. Instead, the DODIG failed, leading to the unwarranted criticism of many Marines.

20-GAYL'S FLAWED CONCLUSIONS AND RECOMMENDATIONS

Many of Gayl's recommendations are OBE (overcome by events).

This chapter will comment on Gayl's conclusions which are reflected in the press. All of Gayl's conclusions are bolded and sourced from pages 118-126 of his MRAP study.

5. Conclusions. The information relied on for formulating the conclusions below was limited to what could be reliably documented and was made available to the author for the chronology of events discussed above. There may be more documented information that either reinforces or contradicts the author's conclusions below. Capturing and including such additional information can only be achieved if the scope of the total GCE study is expanded, the MRAP Case Study is turned over to the IGMC, or a combination of both actions. In general, it can be concluded that a combination of flawed actions and inactions by combat developers pertaining to MRAP generally and the MEF (Fwd) urgent needs for MRAPs created a significant adverse impact on the GCE's ability to accomplish its mission. Gayl's documented information was insufficient for an adequate study. This study presents documented information that renders most of Gayl's conclusions inaccurate. This study amplifies the Gayl study, just not in the way Gayl imagined.

A detailed list of specific conclusions follows:

a. MRAP Chronology Conclusions

(1) The underbelly IED technique had appeared in the MNF-W AOR as a known threat to HMMWVs in February of 2005. The side attack remained the most prevalent type of attack.

(2) CG, I MEF (Fwd) was aware that the M1114 and MAK up-armored HMMWVs remained vulnerable to the known underbelly IED threat, as well as to EFPs. MRAP type vehicles also remained vulnerable to EFPs.

(3) CG, I MEF (Fwd) was aware in 2005 that MRAP could protect troops better than M1114 and MAK up-armored HMMWVs. CG, I MEF was also aware that m1114 could defeat most side-attacks as well as SAF. MRAP was a capability in 2005, not a designated vehicle.

(4) CG, I MEF (Fwd) knowingly signed the UUNS that stated in parts: *"The MEF cannot continue to lose Level III and IV serious and grave casualties to IED and MVA at current rates when a commercial-off-the-shelf [COTS] capability exists to mitigate...these particular threats..."* The m1114 also mitigated the primary IED threat at the time: side attacks.

(5) CG, I MEF (Fwd) knowingly signed an UUNS that stated: *"Operating forces see fleeting opportunities to utilize supplemental funding to replace 1st/2nd generation vehicles by skipping a generation and procuring 4th generation MRAP vehicles...4th generation (designed and built from the ground up to withstand IED/RPG/SAF) MRAP vehicles...represent a significant increase in their survivability baseline over existing motor vehicle equipment... UUNS must be submitted immediately...for consideration in the supplemental funding*

available for FY05.” Neither the MRAP nor the m1114 fully defeated RPG. Both defeated SAF. M1114 was available faster and could defeat the major threat of side attack IED.

(6) CG, I MEF (Fwd) knowingly signed an UUNS that stated: “Operational experience dictates current and anticipated missions in theater are better supported by a family of MRAP vehicles...MRAP vehicles are inherently robust with modern safety features that include NASCAR style multi-point seat harnesses, crashworthy seats, ballistic armor and monocoque hulls and heavy-duty parts that are designed to withstand and react to IEDs, SAF and RPGs in such a way that reduces traumatic injury to the occupants...a vehicle that enables us to survive the first blow and then counter attack... MRAP-designed vehicles [must include] multi-mission...troop carrying... cargo..., ambulance and EOD/Eng mission platform with Buffalo-like 50ft investigating arm... transparent armor with rifle firing ports on all four sides...similar to the Cougar or Casspir...integrated V-shaped monocoque hull designed specifically to disperse explosive blast and fragmentary effects...blast protection against contact-detonated anti-personnel and anti-tank mines...360 degree rollover protection... capable of having additional armor/standoff screens attached to increase the protection to predestinate and defeat the primary kill mechanisms of EFPs...” Gayl first omits the I MEF CG description of the proposed vehicle after “family of MRAP vehicles” in line 3 of this finding. The omission reads “family of MRAP vehicles: multi-mission (HMMWV-like)”. In addition he omits it again after the term “multi-mission” is used again. The term is used again on the summary page addition provided at the end (by either MARFORPAC or I MEF). The presence of the term “HMMWV-like” clearly includes the HMMWV as an option.

Several of these “HMMWV-like” characteristics are available on both the m1114 and the MRAP.

(7) CG, I MEF (Fwd) was aware that the candidate COTS material solutions sought in the UUNS were specifically U.S. MRAP products from Force Protection, from other known foreign COTS MRAP manufacturers, and from potential industry partnerships. CG I MEF used the term MRAP to describe the capability, not the product. CG I MEF was aware that the specific material solution would be developed through the combat development process as described on the cover page of the UUNS that he signed. CG I MEF was also aware that MARADMIN directed him not to submit specific material solutions (Chapter 4). CG I MEF was also aware that he could not specifically designate a civilian company with which he desired the Marine Corps to do business with. Gayl’s perception of LtGen Sattler’s (I MEF (Fwd) CG) desire for Force Protection vehicles is unsubstantiated.

(8) CG, I MEF (Fwd) was aware in 2005 that an UUNS was the prerequisite to gaining 05 supplemental funding required to increase production and accelerated fielding of MRAPs from any and all manufacturing sources. The UUNS was not the prerequisite to gain supplemental funding. The approval of a need by the MROC or a Joint Command was the prerequisite for attempted supplemental funding. A JUONS could also initiate a process leading towards supplemental funding (Chapter 14). Neither the submission of an UUNS nor JUONS guaranteed approval.

(9) Serving as the DC, CDI in 2005, LtGen Mattis was aware that the candidate COTS material solutions sought in the UUNS were specifically U.S. MRAP products from Force Protection, from other known foreign COTS MRAP manufacturers, and from potential industry partnerships. LtGen Mattis was briefed that these vehicles were candidate vehicles to answer the UUNS. He was also briefed that the m1114 was a candidate vehicle to answer the UUNS.

(10) At the Mar 05 Safety Conference LtGen Mattis as DC, CDI expressed his concurrence with the MRAP way-ahead presented by Maj Roy McGriff, which included the immediate purchase of as many COTS MRAPs as possible. Maj McGriff presented a slide containing a recommendation in a forum where LtGen Mattis was not the senior officer. ACMC was. The ACMC AAR did not echo McGriff's recommendation. LtGen Mattis knew he did not have the authority to unilaterally decide to purchase MRAP.

(11) The IGMC Readiness Assessment of 2005 probably did not consider the I MEF (Fwd) MRAP UUNS during the conduct of its assessment, as I MEF (Fwd) was not in theater during the IGMC visit and there is no mention of MRAP in the report. The IGMC did not consider a MRAP UUNS because it had been, according to I MEF, completed. The IGMC was not considering completed UUNS.

(12) MCCDC and MCSC combat developers were aware that MRAP provided better protect than the M1114 and MAK up-armored HMMWVs as a result of the EFDC Vehicle Survivability Study. The Advocate combat developers were also aware of the superior protection of MRAP-type vehicles against underbody attacks.

(13) Between Mar and Jun 05, MCCDC and MCSC combat developers pushed back on the I MEF (Fwd) MRAP UUNS to avoid reprogramming resources from favored STOM, MV-22/CH-53 transportable, and legacy HMMWV/MAK vehicle programs. MRAP considerations were out of the hands of the MCCDC and MCSC combat developers. The ESB considered MRAP in Mar 2005 with approximately 20 Flag Officers. The CMC decided on the m1114 as the vehicle solution in the May 2005 EOS. The MROC considered MRAP. MCCDC and MCSC combat developers were irrelevant. Even so, MCCDC and MCSC combat developers were not surveyed for their opinions.

(14) Between Mar and Jun 05, MCCDC and MCSC combat developers effectively undermined DC, CDI's MRAP-procurement intent by raising MRAP concerns that were transmitted via DC, CDI to CMC. The DC CDI did not undermine his own intent. This comment may have been misworded.

(15) MCCDC and SYSCOM officials did not initiate Commercial-Off-The-Shelf MRAP combat vehicle development when the UUNS was received in 2005. MCCDC and SYSCOM officials initiated combat vehicle development within the UUNS process. Further development and funding would have to be approved through the MROC. "COTS MRAP combat vehicle development" upon need reception makes no sense. For example, there is no funding identified at this point.

(16) MCCDC and MCWL officials did to initiate research and development of EFP protection for MRAPs when the MRAP UUNS was received in 2005. This comment is misworded. MCCDC and MCWL were involved in multiple EFP development forums.

(17) MCCDC officials did not fulfill DC, CDI's intent that he stated before the Safety Conference, namely to continue to field the M1114 while buying as many MRAPs as possible as a bridge to JLTV, and then phase out the HMMWVs. DC, CDI does not make these decisions. He has a vote on the MROC where these decisions are made.

(18) MCCDC officials falsely informed the CMC that the I MEF (Fwd) MRAP JUONS from May 2006 was the 1st USMC operator request for MRAPs, as CMC prepared to sign a letter to the CJCS. MCCDC officials, and the Marine Corps, used the term MRAP as a capability and a product name. The DODIG had to use the term MRAP-type, not MRAP. Only later was MRAP widely recognized as a specific vehicle.

(19) MCCDC officials kept the I MEF (Fwd) MRAP UUNS out of the proper MROC UUNS vetting process resulting in the MRAP UUNS not being considered by the MROC. The MROC was briefed on MRAP. MROC members were briefed on the UUNS at the EOS.

(20) USMC officials provided incorrect and incomplete information to Senate Armed Services Committee staffers with regards to the content of the I MEF (Fwd) MRAPUUNS. This comment lacks detail.

(21) MCCDC officials provided incomplete and inaccurate information to CMC as he prepared to sign letters to Sen. Biden and Sen. Bond providing the USMC position on MRAP. This comment lacks detail.

(22) MCCDC maintains that its decision not to fulfill the I MEF (Fwd) MRAP UUNS in 2005 was justified, even in the face of contravening information in an apparent effort to defend programmatic decisions and minimize concerns regarding delays and consequences. The CMC resolved the 2005 Hejlik UUNS, not MCCDC.

(23) MCCDC and MCSC officials disregarded MCWP 5-1, Marine Corps Planning Process, PCN 143 000068 00, the replacement MCWP 5-1. MCCDC and MCSC did not disregard MCWP 5-1. The correct process for UNS development is outlined on the cover page of the UNS. MCWP 5-1 has minimal relevance.

(24) While the possibility of individual corruption remains undetermined, the existence of corrupted MRAP processes is likely, and worthy of IGMC investigation. There was no instance of corruption in MCCDC as determined by the DODIG.

(25) The issue might come down to long-term planning v. short term urgency, and whether the MCCDC staff has the ability, as currently structured, to grant an *effective* hearing to

wartime urgent issues, or analyzing an urgent need when a long-term plan has been initiated. **The Cold War orientation of spreading out systems acquisitions, over multiple years, seemed to hold sway as the primary option of serious discourse for the MCCDC staff.** The MCCDC staff was not a final decision-making body for UUNS. The CDIB had representation from all of the Advocates who had direct access to the Commandant. The Advocates, to include Gayl, were tasked with representation during combat development. An effective hearing could be achieved at will by an Advocate. UUNS issues were never deliberately planned to be drawn out. MCCDC staff focused on rapid development of UUNS solutions.

(26) If the 17 Feb 05 UUNS signed by CG, I MEF (Fwd) had been approved by the CDIB, DC, CDI, and the MROC in early 2005 it would have quickly evolved into a program like today's with a significant prevention of IED-related casualties. Correct pending funding.

(27) The delay in the delivery of the urgently requested MRAP capability has had measurable operational consequences, and has created a significant adverse impact on the ability of the MEF (Fwd) GCEs to accomplish their missions. "Delay" implies that the UUNS remained active. It did not. The capability as defined in 2005 was provided.

(28) Gross mismanagement of the MRAP may have created a significant adverse impact on the GCE's ability to accomplish its mission, with measurable operational consequences, and several Marine Corps Orders (MCOs) may be applicable. There was no gross mismanagement. If the GCE capability to accomplish its mission was adversely impacted by mismanagement, then the Advocate and Components would have addressed the issue. There was no Advocate/Component action. The UUNS had been resolved.

(29) MCCDC and MCSC officials may have acted in violation of MCO 3500.27B, Operational Risk Management (ORM). This MCO states in part: *"ORM is an integral part of the decision making process for both Marine Corps military and civilian personnel in all operational and non-operational activities,"* and *"The primary objective of ORM is to avoid unnecessary risk. Successful implementation of the ORM process will increase mission effectiveness while minimizing unnecessary loss of assets, both personnel and materiel."* There were no MCCDC violations of MCO 3500.27B for MRAP.

(30) MCCDC and MCSC officials may have acted in violation of MCO 5100.8, Marine Corps Occupational Safety and Health (OSH) Policy. This MCO states in part: *"Commanders/commanding officers shall implement this Order...This Order promulgates Marine Corps Occupational Safety and Health (OSH) policy to eliminate or minimize the probability of mishaps occurring in training, industrial, U.S. Government and tactical vehicle, other operational, and off-duty environments..."* There were no MCCDC violations of MCO 5100.8 for MRAP.

(31) MCCDC and MCSC officials may have acted in violation of MCO 5100.29A, Marine Corps Safety Program. This MCO states in part: *"Commanders at all levels are responsible for ensuring that the Marine Corps Total Force is maintained at the highest level of readiness"*

possible by incorporating operational risk management (ORM) in all operations assuring controls are in place for any hazard that cannot be eliminated and providing appropriate safe and healthful facilities for all their personnel,” and “This order is applicable to all Marine Corps personnel, to include...military personnel and civilian Marines,” and “This order applies to all Marine Corps facilities, equipment, training facilities, and materiel; and is in effect ashore, on or off Marine Corps installations, or while embarked in aircraft of vessels.” There were no MCCDC violations of MCO 5100.29a for MRAP.

(32) MCCDC and MCSC officials may have acted in violation of MCO 7510.5A, Marine Corps Fraud, Waste, and Abuse (FWA) Oversight, Awareness, Prevention and Remedies. This MCO states in part: *“The Marine Corps is committed to an aggressive program of oversight, awareness, prevention, and remedies of FWA. Our goal is to preclude even the slightest impression of impropriety in the handling of our manpower, material, and money,”* and Commanding Generals are responsible for *“Requiring economy within their commands and strict compliance with regulations governing the receipt, accounting and expenditure of manpower, money and materials.”* There were no MCCDC violations of MCO 7510.5a for MRAP.

(33) MCCDC and MCSC officials may have acted in violation of MCO 5800.13A Investigations of Allegations Against Senior Officials. The fact that these acts occurred at least in part due to priorities connected to programmatic agendas and rigid process conformance for its own sake, and the fact that General Officer decision makers were impacted, may also make MCO 5800.13A applicable here. There were no MCCDC violations of MCO 5800.13a for MRAP.

5. Recommendations Many of Gayl’s recommendations have been overcome by events. The following recommendations merit comment.

a. Immediate USMC change recommendations

(1) That DC, PP&O provide this case study to the Inspector General of the Marine Corps (IGMC) for consideration so that appropriate lessons learned can be gathered. Gayl’s case study was provided to the DODIG for investigation. Further distribution by DC PP&O should only be as a case study of poor staff work.

(11) That USMC enforce rapid acquisition practices for urgent needs signed in theater by requiring that an operationally current BGen to preside over every meeting of the CDIB, and that this critical meeting presence cannot be delegated. The presence of an operationally current BGen at the CDIB is not required. CDIB briefs are provided to hundreds of staff officers. Results are briefed to at least a dozen Brigadier Generals. They can interject themselves into the CDIB at will. Manpower rotation ensures that many of these officers are operationally current.

(15) That DC, CDI insure that the perspective of the operational command forward should dominate the CDIB voting influence over urgent needs, with 51(+) % of influence in the outcome of any CDIB decision on any need submitted from in-theater. The CDIB makes

recommendations, not decisions. There is no need for the operational commands to dictate the CDIB recommendations. The operational command can be assumed to be in favor of the submitted UUNS as they signed it in the first place. The operational command derives its influence through the submission of UUNS in the first place. The operational commands are then represented by Advocates. The rest of the combat development process is based on the operational command's submission of UUNS. It is the most important step in the process. The MROC is the final decision making body.

(16) Extend 51(+) % warfighter voting influence to all urgent needs submitted by predecessor MEF (Fwd)s. The Advocate exercised 100% voting influence during portions of the UUNS process. The warfighter exercised influence by submitting the UUNS in the first place, then through the Advocate, and finally through the use of the equipment. Oftentimes the warfighter is intimately involved in the process (See GBOSS and Dazzler Chapters). The warfighter is, by definition, engaged in combat operations. Competent combat development while in combat is asking too much of the warfighter. The understanding of MRAP, GBOSS and Dazzler by the warfighter in the Gayl study demonstrates a lack of technical understanding, process understanding and legal understanding. The warfighter influence demonstrated by I MEF G9 should have been minimized, not increased. Of note is the rejection by II MEF of many of the I MEF UUNS ideas.

(17) Extend 51(+) % warfighter voting influence to authorize the cutting off of all further analysis, testing, etc. if such activities slow fulfillment, and the warfighter is prepared to accept the risk. The warfighter is able to influence the speed of development through the Advocate or through direct coordination. Once again, the warfighter should never have 51% authority (see #16).

(18) Require a mix of graduate-level physics, engineering, and CS MS qualified civilians as voting CDIB members – USMC experience is desired, but not required. A Master's Degree should not be the guiding qualification to evaluate Marine equipment. Oftentimes technology focused individuals are disassociated from realistic solutions. The CDIB, and Quantico, rotate all uniformed personnel back and forth to the operating forces. This rotation ensures that the CDIB remains grounded in combat reality. This recommendation contradicts earlier demands for operational currency.

(19) Require a mix of Naval Postgraduate School MS qualified physics, engineering, and CS MS qualified in physics, engineering and CS uniformed CDIB members. In several cases, Naval Postgraduate School MS qualified personnel have demonstrated extreme incompetence in combat development. It would be a mistake to excessively value these qualifications.

23) Terminate transient MCCDC LNOs in the MEFs; rather require full-length tour assignments of MCCDC personnel with MEF HQ rotations Full length tours make the LNO a part of the staff and no longer a liaison. The rotation of LNOs provides fresh perspective to the warfighter as well as the command from which they originated.

(24) Reduce the civilian headcount at MCCDC to minimize management by committee, such as within the CDD. There was no management by committee. Civilians are hired based on experience and availability of uniformed personnel.

(25) That DC, PP&O approve the hiring of a qualified Contractor to assist with the execution of an expanded GCE Advocate study and to participate in the writing of the new UUNS MCO under the lead of MCCDC.

b. Concurrent DoD change recommendations

(1) Eliminate all Service-specific needs statements, i.e. UNS, UUNS, ONS, etc. This recommendation reflects a lack of understanding of combat development and is in sync with Gayl's previous "Master of Science" recommendations. Services have specific needs. A joint approach for all needs places decision making authority in the hands of unexperienced combat developers. A joint staff approach has limits. Oftentimes, elements of the staff are not capable of even entering certain equipment discussions. For example, few to no Marines can discuss Navy submarine propulsion (therefore there is no adequate contribution by Marines to submarine propulsion needs). Scientists are even more restricted in their breadth of knowledge.

c. Proposed supporting legislation

(2) Permit commanders to balance enemy threats against system maturity, testing, cost, etc., instead of CONUS officials. Raise funding cap on warfighter procurement from \$250k per system (currently) to \$1M or more per system. This is a Congressional restriction. There is some merit in this recommendation, however, the I MEF GBOSS effort should give pause to anyone suggesting more authority for the Warfighter. Oftentimes, the combat mission of the warfighter prohibits competent combat development.

(3) In conjunction with an increase in discretionary warfighter spending authority, authorize corresponding rapid prototyping and operational experimentation in-theater.

Note: The technical expertise within the MEF (Fwd) CE, Seabee, Communications, and Engineer units is consistently high. Given this in-house expertise the MEF (Fwd)s have created 'Monster Garage' concepts that provide in-theater developmental capabilities for the limited scale production of some urgently needed capabilities. There have been many documented material successes, including but not limited to mine rollers, G-BOSS ISR IOC, and TCVS power-life extension improvements. This should be institutionalized and provided significant resources under control of the warfighter, including S&T. Rapid prototyping for material efforts like the mine-roller were very successful. GBOSS and TCVS were disasters. Once again, the forces in combat should be focused on combat missions.

21-CONCLUSIONS

The following recommendations from this author are provided:

- Gayl's study should be removed from the Congressional Record as a flawed document not meeting standards for accuracy.
- The MRAP "story" should be used as an example of organizational crises response. There are two lessons:
 - The Marine Corps responded well in that no one was incorrectly punished
 - The Marine Corps responded poorly in that MRAP was (and is) poorly portrayed in the press and Congress
- One of the Marine Corps' first steps in crises response should be to determine applicable orders and directives.
- The Marine Corps should not solely rely on the DODIG to investigate Marine Corps issues. Some issues require specific knowledge that the DODIG does not possess.
- Combat development documentation was flawed during the processing of the Hejlik UUNS. This includes MCCDC, MARCENT, MARFORPAC, MARFORLANT, I MEF, II MEF, the MROC and its member commands, the Advocates and others. The UUNS tracking system has been improved, and should continue to take advantage of new technologies.
- The inability of forces in combat to perform most combat development functions should guide the assignment of combat development responsibilities. Marine Commands in combat should be limited in their assumption of these responsibilities.

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