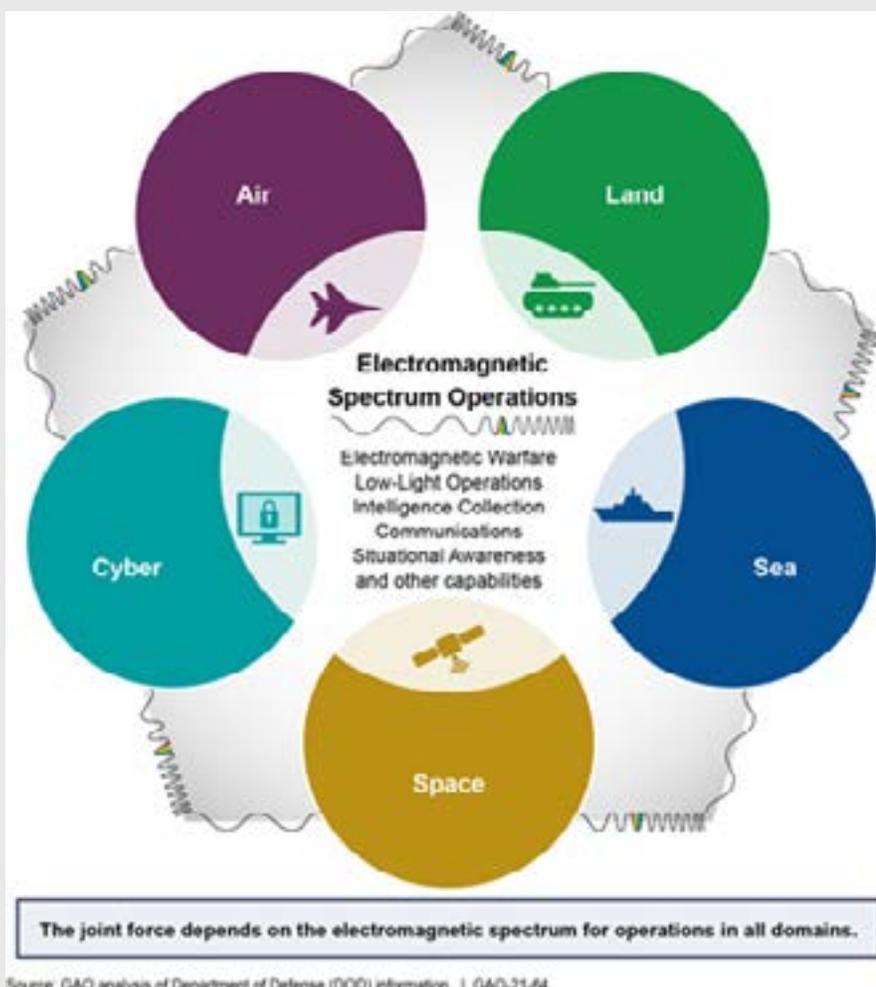


AOC ISSUE REPORT

GAO Releases Report On EMSO Governance and Oversight

OVERVIEW

On December 10, the GAO released its long-awaited **report on Electromagnetic Spectrum Operations (EMSO) governance and oversight**. The report responded to a provision by Congress in the FY 2020 National Defense Authorization Act to assess the Department of Defense (DOD) EMS Strategy. Of course, the drafting of a new EMS Superiority Strategy (EMSSS) was underway at the time through the efforts of the EMSO Cross Functional Team (EMSO CFT), which was ultimately released in October. So this new GAO report is both a comprehensive assessment of DOD efforts on EMS enterprise and a culmination of several more recent developments in 2020, including the new strategy and the EMSO Doctrine (JP 3-85).



What did we learn from the report? First, the DOD, the GAO interviewed officials and reviewed well over 100 reports, studies, policies, and other governing materials. Our community is familiar with many, if not all, of these resources and know that the same gaps continue to percolate to the top - namely leadership and governance. Therefore, the GAO report does not unearth any new revelation. Still, it does tie more than ten years of progress together to provide Congress and DOD a clear picture and vantage point to measure recent reforms on the horizon, primarily stemming from the EMSSS.

Second, the report rightfully highlighted that unless DOD addresses governance issues, most importantly the need to identify clear

senior leadership with authority and resources to “compel action and oversee long-term implementation” of EMS reforms, it risks assigning the same fate to the EMSSS as previous strategies and reform efforts. Interestingly, GAO noted that DOD only completed three (3) of twenty-three (23) recommendations from the 2013 EMS Strategy and similar “limited progress” from the 2017 DOD Electronic Warfare Strategy, the latter due primarily to the lack of any formal implementation plan. As the EMSO CFT, in cooperation with the Office of the Chief Information Officer (CIO), embarks on an aggressive timeline to produce an implementation plan within 180 days (only about 90 days left) of the EMS release date, the DOD must address governance to finally and successfully close this gap. The US cannot achieve enduring EMS Superiority by continuing to avoid governance and oversight reforms.

Finally, the GAO report reiterated that China and Russia have spent decades building their respective EMS capabilities and organizations. However, the threat goes beyond simply two peer competitors. Their global influence around that world - both militarily and commercially - presents a complex threat matrix that risks US advantage in the EMS. GAO wrote that “DOD has also reported that loss of EMS superiority *could* [emphasis added] result in the department losing control of the battlefield, as its EMSO supports many warfighting functions across all domains.” It is the view from here that EMSO is more than an enabler providing support to other warfighting functions. Rather, every warfighting function relies on the EMS. Simply put, EMSO is required for battlefield control. The ability to win decisively in future conflict will be determined by our ability to project, achieve, and sustain control of both Space and the EMS. For EMSO, the GAO report confirms that there is no longer an excuse for inertia on persistent governance and oversight gaps. The US must solve these issues now. The next conflict will not allow us to learn from our mistakes.

RECOMMENDATIONS

The GAO provided five recommendations. The DOD concurred with the first two and partially concurred with the last three. They are as follows:

- Ensure that the Vice Chairman of the Joint Chiefs of Staff, as Senior Designated Official of the CFT, identifies the procedures and processes necessary to provide integrated defense-wide strategy, planning, and budgeting concerning joint electromagnetic spectrum operations, as required by the FY19 NDAA.
- Ensure that the Vice Chairman of the Joint Chiefs of Staff as Senior Designated Official of the CFT proposes EMS governance, management, organizational, and operational reforms to the Secretary.
- Assign clear responsibility to a senior official with authority and resources necessary to compel action for the long-term implementation of the 2020 strategy in time to oversee the execution of the 2020 strategy implementation plan.
- Ensure that the designated senior official for long-term strategy implementation issues an actionable implementation plan within 180 days following the 2020 strategy issuance.

- Ensure that the designated senior official for long-term strategy implementation creates oversight processes that would facilitate the department's implementation of the 2020 strategy.

AOC has long supported each of these recommendations and agrees with the GAO that governance and oversight must be addressed for DOD to “capitalize on progress that it has already made and better support ensuring EMS superiority.” Specifically, recommendation three needs to be highlighted - a senior official's requirement with authority and resources. The DOD partially concurred with the recommendation. They agree that the implementation of the EMSSS requires “clear authorities and proper resourcing;” however, they do not concur that a single, senior official should be responsible to implement all reforms until the Secretary of Defense reviews all options stemming from the implementation plan. On the surface this seems reasonable, but can DOD successfully design and execute an implementation plan without leadership and oversight in place to compel change? It's an issue that, if left unresolved, will likely risk the effectiveness of the EMSSS.

A ROLE FOR CONGRESS

An important benefit of the GAO report is that it gives Congress a consolidated look at a decade with its share of progress and inertia in pursuit of EMS Superiority. Congress has played a quiet, steady, but influential role in advancing the leadership, resourcing and process reform necessary to build an EMS Enterprise. Congress has an obligation to intervene legislatively if it concludes that DOD has not effectively addressed necessary reforms; thus, the importance of **Section 152** in this year's FY 2021 National Defense Authorization Act (NDAA). Congress will undoubtedly take steps to hold DOD accountable for implementing the EMSSS and the Transfer of EMSO provision in the NDAA, but what that looks like with a new incoming Congress and Administration remains to be seen. Congressional efforts to push reform will likely extend beyond governance and include more of a focus on delivering capability.

AOC will continue to work with its allies on Capitol Hill, including the EW Working Group, to educate and advance EMS-related issues and keep our community informed as developments warrant.