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Duncan Hunter
U.S. House of Representatives
50th District, California

May 1, 2014

The Honorable Chuck Hagel
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301

The Honorable James Clapper
Director of National Intelligence
Office of the DNI
Washington, DC 20511

Dear Secretary Hagel and Director Clapper:

Following the announcement that Lt. Gen. Michael Flynn is being removed as the Director of the Defense Intelligence Agency, reports now indicate that Lt. Gen. Mary Legere, Deputy Chief of Staff for U.S. Army Intelligence, is expected to be nominated for the position. The nomination of Lt. Gen. Legere presents significant concerns, due to mismanagement of the Army's failed attempts to provide a functional cloud-computing environment in response to multiple requests from theater.

It is my belief that Lt. Gen. Legere, in addition to Maj. Gen. Stephen Fogarty, Commander of U.S. Army Intelligence and Security Command, holds principal responsibility for failing to deliver urgent capabilities to the warfighter and overseeing initiatives that have repeatedly failed to meet budget and schedule requirements. These failures have manifested in several areas, including poor technical execution, a lack of response to urgent operational needs, unwarranted influence over official assessments, serious breaches of federal funding requirements, and misleading statements to Congress.

For instance, over the past four years, Congress has been led to believe that, within months, cloud capability would be operational for soldiers with urgent battlefield needs. It is now clear that Congress has received false assurances that the Army would provide cloud capability as part of the Army's Distributed Common Ground System (DCGS-A) program.

Since 2010, Congress has appropriated approximately $500 million for cloud

development as part of DCGS-A, yet a series of credible field reports and independent assessments show the DCGS-A Cloud is still not operational in theater. With the lives of soldiers on the line, the Army's cloud capabilities have proven inadequate or outright dysfunctional.

I have enclosed detailed information about the overall performance of the DCGS-A Cloud and the Red Disk Cloud. The information outlines a disconcerting pattern of failed management and oversight that must be corrected, not rewarded.

In order to prevent even more costly failures in the future, the Administration must hold leaders accountable. When it comes to the safety of our men and women in uniform, we must never reward failure with promotion. Accordingly, I believe Lt. Gen. Legere and Maj. Gen. Fogarty should not be considered for higher levels of responsibility, especially when there are several other qualified candidates from the joint community to assume senior military intelligence positions.

Now more than ever, government institutions depend on information technology to accomplish their missions. And effective management of large information technology projects is a core responsibility of senior leaders across government.

Thank you both for your attention to these important issues. If you wish to discuss this matter in further detail, please know that I am available.

Sincerely,

Duncan Hunter
Member of Congress

U.S. ARMY ACTIONS TO PROVIDE CLOUD COMPUTING CAPABILITIES
CHRONOLOGICAL NARRATIVE

Commanders began submitting urgent requests citing critical capability gaps in advanced analytics more than four years ago, starting in 2009 - including the lack of an effective cloud capability.[1][2]

In response to these urgent requests, Congress worked closely with the Army to ensure it had the funds and support necessary to close capability gaps and provide the necessary tools to deployed soldiers. The Army received a detailed Joint Urgent Operational Needs Statement in July 2010. And again, Congress worked with the Army to ensure it would fulfill operational needs in an urgent manner.

Misleading Congress

Over the past four years, Lt. Gen. Legere and other officials have provided numerous written and verbal statements to Congress (please see the enclosed table, "U.S. Army Statements to Congress"). Lt. Gen. Legere has delayed response to numerous urgent operational needs requests for advanced analytic capabilities; meanwhile, she has supported the development of the DCGS Standard Cloud, which has cost at least $350 million and failed to meet the advanced analytic requirements issued four years ago.

After receiving the July 2010 request, the Army testified to Congress that the new "DCGS-A Cloud, together with a software upgrade planned for systems already in theater provides the capabilities required," and would be fielded by November 2010, some four months after receiving the July request.[3] In a subsequent letter to Congress, the Army confirmed the DCGS-A Cloud was delivered to Afghanistan in November 2010, reached Initial Operating Condition on April 6, 2011, and was a key component of the Army's response to urgent requests from the field.[4]

Beyond these assurances, in response to an article in Politico entitled "Computer bugs hurt Army Ops," Lt. Gen. Richard Zahner informed Congress that warfighter concerns expressed in the article had been addressed by the latest iterations of the DCGS-A Cloud "resulting in an improved DCGS-A system that fully addresses the issues identified in the subject article."[5]

In 2012, Lt. Gen. Legere directed changes to a report by the Army Test and Evaluation

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[1] Memo from, Major, U.S. Army. "2nd BCT, 4th ID Operational Needs Statement." June 15, 2011.
[2] Memo from, Colonel, U.S. Army. "1st BCT, 101st Airborne Division Operational Needs Statement." September 5, 2012.
[3] Letter from Peter Newell, Colonel, Director of the REF, to House Appropriations Subcommittee on Defense Chairman Norm Dicks. July 28, 2010.
[4] DCGS-A Cloud Migration Efforts – Information Paper. May 25, 2011.
[5] DCGS-A Information Paper. June 30, 2011.

Command on the DCGS-A program and commercial alternatives. As recently as May 2013, the Vice Chief of the Army, General Campbell, told several members of the House Armed Service Committee that he had called theater that morning and that the DCGS-A Cloud was operational.[6]

Reports From Theater Contradict Army Claims that the DCGS-A Cloud is Operational

In February of 2012, Secretary Panetta, in response to a QFR from the House Armed Services Committee, confirmed that there were only 115 active users of the DCGS-A Cloud in Afghanistan, a small fraction of those who conduct intelligence activity within the Army.[7] These low usage figures are consistent with reports the Committee has received from soldiers who have used the Cloud in theater.[8] One soldier reported to Committee staff that the Cloud was not operational recently while troops were in combat, stating:

> *We attempted to log into the DCGS Standard Cloud here in Afghanistan. We were redirected to the GISA Cloud. We called the DCGS Help Desk in Bagram to help clarify. The gentleman that answered the phone in Bagram said that the Afghanistan Cloud was offline and users were redirected to the GISA Cloud.*[9]

In an investigative report in June 2013, the author found that the Cloud is not actually operational in theater.[10]

In 2013 Army Acknowledges Cloud Still Not Operational but New Version Coming Soon

In an interview with Inside the Army, published on May 20, 2013, Colonel Charlie Wells, the DCGS-A Program Manager, acknowledged that the DCGS-A Cloud is not currently functional because, "it's still a developmental pilot program . . . and DCGS at this time is not expected to connect to the cloud."[11] Russell Richardson, a chief science advisor for Army Intelligence stated that the plan is to "initially provide [the Cloud] to users at the end of this calendar year," with operational tests of the Cloud slated to begin in late 2015.

In effect, Army leaders seem to be promising that by 2015, the urgent needs identified by deployed commanders in 2009 would be fulfilled by a DCGS-A Cloud-based system –

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[6] Testimony on file with Committee Staff.
[7] Response to QFR from Secretary Panetta. February 9, 2012.
[8] Emails on file with Committee staff.
[9] Email on file with Committee staff.
[10] "Boondoggle Goes Boom: A demented tale of how the Army actually does business." The New Republic. June 19, 2013.
[11] "Amid Performance Complaints, Army Says DCGS Has Powerful Capability." Inside the Army. May 20, 2013.

after major combat operations will have already concluded. These statements amount to a rhetorical and literal "shell game" in which the Army promises a new functional capability after realizing the current project is not delivering the needed capability.

Building a New Cloud Off-Budget and Without Congressional Oversight

The Army promised Congress the DCGS-A Cloud would work in 2010, but as development work continued to stall, the Army began to develop a new cloud off-budget and outside the DCGS-A Program of Record.

Maj. Gen. Fogarty issued a sole source justification for a vendor to develop a pre-existing commercial capability as part of the Red Disk program. As you might know, the Red Disk program is under investigation for the misappropriation of $93 million in research and development funds, which were spent not only from the wrong account, but also to develop a duplicative capability. The action suggests the Army knew it failed to deliver a functional cloud capability, and yet acted to build a new cloud environment for DCGS-A without Congressional approval or oversight.

Specifically, after Congress appropriated more than $128 Million for RTD&E from FY2011 to FY2013 for the DCGS-A Cloud, the Army elected to build a new cloud without notifying Congress. The Army took this action rather than request $93 million more for cloud development as part of the regular budget process.

On numerous occasions over the past several years, I have requested additional information from the Army about its actions on cloud projects. The Army has not been forthcoming to these requests.

U.S. ARMY STATEMENTS TO CONGRESS
ON CLOUD COMPUTING CAPABILITY

Date	Evidence	Source
JUL 2010	"The DCGS-A Cloud, together with a software upgrade planned for systems already in theater, provides the capabilities required."	Memo to House Appropriations Committee - Defense
25 MAY 2011	In response to requests for information regarding DCGS-A Cloud efforts in Afghanistan: " In November 2010, the Joint Staff directed the Army identify a solution to satisfy JUONS CC-0419 and provide USFOR-A/ISAF with a theater-wide advanced analytical platform to store, organize, access, retrieve, and enable full understanding of intelligence and information from multiple larger disparate data sets. Following theater acceptance of the solution, the DCGS-A Program Manager (PM) expedited the accelerated delivery programmed capability. Key components of the solution include DCGS-A SIPRNet cloud (DSC), and DCGS-A CENTRIX-ISAF (CX-I) Cloud" "The initial capabilities provides rapid query access to all CY11 data (7M messages) at 1.0 second or faster, two INSCOM developed indexing tools that expose and analyze data in unprecedented ways, and twenty analytical "widgets" (applications and tools)."	U.S. Army Information Paper to the House Armed Services Committee
30 SEP 2011	" The DCGS-A Cloud node at Bagram, Afghanistan (the first Tactical Cloud Node in the DoD) currently has over 53 million records – all fully accessible and sharable via lightweight, browser-based "widget" applications"	U.S. Army information paper to the House Armed Services Committee
MAY 2011	"DCGS-A OEF Cloud: operational" "SIPR and CX-I clouds are operational in-theater, making a positive impact with advanced analytics"	U.S. Army Status Report to the U.S. Congress
9 FEB 2012	"Specific to the JUON in question, the Army established one Secret Internet Protocol Router Network (SIPRNet) and one Afghan Mission Network (AMN) Cloud node in Afghanistan, with Initial Operational Capability (IOC) achieved in April and May 2011, respectively" " The Secret Internet Protocol Router Network (SIPRNet) Cloud equipment shipped to theater in November 2010. The SIPRNet Cloud achieved Initial Operating Capability (IOC) in April 2011. The Afghan Mission Network (AMN) Cloud reached IOC in May 2011. Thus, the clouds have been available for use for five-to-six months. In the DCGS-A architecture in Afghanistan, there are 6,128 unique accounts (users) operational in Afghanistan. As of November 2011, there are over 115 regularly active users of the cloud widgets supported by the cloud capabilities in Afghanistan. These users are supporting the intelligence requirements for the commanders of seven (7) Brigade Combat Teams and 14 Brigade sized combat enablers."	U.S. Army Response to a Congressional Question for the Record

25 JUL 2012	"CENTCOM and ISAF designated DCGS-A as the solution for AFG. Their theater decision stressed the requirement for a theater-wide integrated solution. To meet the JUONS for Advanced Analytics, DCGS-A fielded the DCGS-A Cloud in March 2011 for SIPRNET and also met an added new requirement for coalition by fielding a CXI DCGS-A Cloud node ~30 days later. Both Clouds were upgraded in January 2012 with new advanced analytics" "Fielded operational SIPR and CX-I cloud nodes exist in Afghanistan and Fort Bragg. "	U.S. Army Information Paper to the Senate Armed Services Committee, House Armed Services Committee, and Senate Appropriations Committee - Defense
1 NOV 2012	"The Distributed Common Ground System-Army (DCGS-A) Standard Cloud (DSC) is the first tactically deployed cloud computing system in the Department of Defense (DoD). DSC provides access to advanced analytical Intelligence, Surveillance, and Reconnaissance (ISR) capabilities to intelligence analysts through Joint Worldwide Intel Communications System (JWICS), Secure Internet Protocol Router (SIPR) and Circuit Exchange International (CX-1) connected instances "The DSC system is 100% web browser-based, substantially reducing fielding and sustainment costs, and enables much broader access to DCGS-A data, analytics and Information Assurance" "DSC achieved initial operating capability in Afghanistan on 6 Apr 2011 on SIPRNET and 10 May 2011 on CX-1. This initial release, version 1.5.1 provided data ingestion, analytics and 30+ widgets. The vision was to use the same applications ("apps") as store models from the commercial market place to provide Soldiers an abundance of choices for individual functions including a selection of map viewers and search tools. Since then version 1.5.3 has been released with over 70 user widgets"	U.S. Army Information Paper to the House Appropriations Committee - Defense
3 MAY 2013	"Today we had a Troops In Contact (TIC) here in our Brigade operating environment. To potentially help us analyze the situation, we attempted to log into the DCGS Standard Cloud here in Afghanistan. We were redirected to the GISA Cloud. We called the DCGS Help Desk in Bagram to help clarify. The gentleman that answered the phone in Bagram said that the Afghanistan Cloud was offline and users were redirected to the GISA Cloud. We asked if the Cloud had ever been operational in Afghanistan, he said in 2011 it had been	Letter from a U.S. Army Intelligence Officer to Representative Duncan Hunter
8 MAY 2013	"The Army currently uses a common Cloud capability shared by government stakeholders, including the CIA, FBI, NSA, and DIA. In fact the Army uses core Cloud technologies that were originally developed and matured by the CIA and NSA in collaboration with industry. The IC common Cloud allows the Army to add unique functions and capabilities in addition to the original NSA architecture to support Army-specific missions."	Joint Letter from GEN Ray Odierno and Secretary John McHugh to Representative Duncan Hunter

20 MAY 2013	Colonel Charlie Wells, DCGS-A Program Manager, Interview, *Inside the Army*, Col Wells acknowledged that the DCGS-A Cloud is not currently functional because, *"it's still a developmental pilot program . . . and DCGS at this time is not expected to connect to the cloud."* Russell Richardson, a chief science advisor for Army Intelligence stated that the plan is to *"initially provide [the cloud] to users at the end of this calendar year,"* with operational tests of the Cloud slated to begin in late 2015	Interview, COL Charlie Wells, *Inside the Army*
JUNE 2013	LT. Gen. Legere stated that the DCGS-A Cloud was "an experimental cloud" and that the Army had "already shifted" to a new cloud called Red Disk. She also stated that Red Disk would be operational by the end of 2013.	Interview, LTG Mary Legere, *The New Republic*
8 OCT 2013	"Traditional tactical intelligence systems might have given a soldier data for only the past 12 months, or only for the region in which he or she was deployed, said Col. Charles Wells, DCGS-A's project manager. But the cloud takes away those limitations, Wells said. "You might have been missing a piece of the puzzle before. Maybe there was a piece of intelligence that was out of your sector in Afghanistan or that happened three years ago and you just didn't go back that far," he said. "Cloud eliminates those traditional boundaries, and you are just able to look at everything with a very powerful tool." " "In its present state, DSC indexes and stores text and visual information on upwards of 75 million intelligence records from as many as 600 hundred source feeds, such as unmanned aerial vehicles, satellite imagery and ground sensors, Army officials said. The information is routinely used to plan route-clearing operations, track and engage prominent al-Qaida and Taliban operatives and conduct information warfare operations. " "DCGS-A drew heavily on the experience of the National Security Agency and other intelligence agencies to design, build and deploy cloud technology in its standard cloud build out, Wells said. "We were able to take some of these initiatives from the three-letter agencies and actually deploy them to a tactical environment — and they worked well in that environment," he said. "	Interview, COL Charlie Wells and William Welsh
11 NOV 2013	"The cloud for DCGS-A he is referring to was an earlier effort that we did also as a quick-reaction capability," he said. "And we used it as a learning tool in preparation for the eventual migration of DCGS-A to a cloud architecture in release 3. We have stopped that effort for the time being. We did learn a lot of lessons, and eventually in release 3 — we're on release 1 now in use in the field — two releases down the road we will go to a cloud architecture."	Quote, MG Harold Greene, *Washington Times*
28 APR 2014	The PM DCGS–A team has deployed a system known as the "Cloud," which leverages best industry practices using commercial hardware. This is the first ever deployment of a	U.S. Army Statement, DCGS-A

	Cloud system in the Department of Defense. The system provides analysts with a tremendous processing and storage capacity, along with advanced analytical capabilities. Traditionally, analysis has often been limited in scope because the analyst could only examine only a subset of all available data; this Cloud system eliminates that constraint and allows the analyst to conduct precision search and analysis on the entire set of data in near-real time. Soldiers are now able to make new connections and draw new conclusions that were previously not possible, resulting in better intelligence analysis to support the Commander.	Program Management Office Website