




INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
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DEC 23 2012

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Government Accountability Office (GAO) Weekly Activity Report

Attached for the week ending December 14, 2012, are five new GAO announcements and the highlights for four GAO final reports. There were six cases closed, terminated or transferred to Audit Follow-Up during this period.


John R. Crane
Assistant Inspector General
Communications and Congressional Liaison

Attachment:
As stated

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Electronic Distribution List

TABLE OF CONTENTS
GAO Activity Report
December 14, 2012

Primary Action Office	Subject	GAO Code and / or GAO Report Number
<u>Survey / Review</u>		
<u>New Announcements</u>		
1. USD (AT&L)	DOD Contract Bundling Date of New Announcement: 12-11-2012	121105
2. USD (AT&L)	CRH Competitive Prototyping Waiver Date of New Announcement: 12-12-2012	121113
3. USD (P&R)	Review of Social Security Administration's Death Master File (DMF) Date of New Announcement: 12-10-2012	131218
4. USD (AT&L)	DOD's Plans for Ballistic Missile Defense (BMD) European Phased Adaptive Approach Date of New Announcement: 12-11-2012	351790
5. USD (AT&L)	Review of National Nuclear Security Administration's (NNSA) Interim Plutonium Strategy Date of New Announcement: 12-11-2012	361450
<u>GAO Final Reports</u>		
1. DEPT ARMY	DOD FINANCIAL MANAGEMENT: Actions Needs to Address Deficiencies in Controls over Army Active Duty Military Payroll	GAO-13-28 198712
2. USD (P&R)	MILITARY SPOUSE EMPLOYMENT PROGRAMS: DOD Can Improve Guidance and Performance Monitoring	GAO-13-60 131155
3. USD (AT&L)	WEAPONS ACQUISITION REFORM: Reform Act Is Helping DOD Acquisition Programs Reduce Risk, but Implementation Challenges Remain	GAO-13-103 121024

4.	USD (AT&L)	FEDERAL CONTRACTING: Slow Start to Implementation of Justifications for 8(a) Sole-Source Contracts	GAO-13-118 121052
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Closed, Terminated or Transferred Cases

1.	Transferred AFU	VA AND DOD HEALTH CARE: Department-Level Actions Needed to Assess Collaboration Performance, Address Barriers, and Identify Opportunities	GAO-12-992 290974
2.	Closed	NONPROLIFERATION AND DISARMAMENT FUND: State Should Better Assure the Effective Use of Program Authorities	GAO-13-83 320899
3.	Terminated	Challenges with Military to Military and Security Force Assistance Efforts Reason: GAO briefed requestors. Data collection to be continued under 320957	320933
4.	Transferred AFU	HOMELAND SECURITY: Civil Air Patrol Involved in Certain Missions, but DHS Should Assess the Benefits of Further Involvement	GAO-13-56 441063
5.	Closed	SPECTRUM MANAGEMENT: Incentives, Opportunities, and Testing Needed to Enhance Spectrum Sharing	GAO-13-7 543292
6.	Closed	MARITIME INFRASTRUCTURE: Opportunities Exist to Improve the Effectiveness of Federal Efforts to Support the Marine Transportation System	GAO-13-80 544172

INFORMATION ON NEW GAO ENGAGEMENT

Engagement Subject: DOD Contract Bundling

Engagement Code: 121105

Source for the Work: Consistent with our *Congressional Protocols*, GAO is beginning this work in response to a congressional mandate. The National Defense Authorization Act for Fiscal Year 2012 Conference Report 112-329 directs GAO to review DOD compliance with laws and regulations addressing contract bundling and consolidation for construction and base services and address the need for training, the availability of alternative contracting approaches, and any recommendations to improve performance in this area.

Objective(s)/Key Question(s):

1. To what extent does DOD bundle contracts for base services and construction?
2. To what extent do these bundled contracts reflect compliance with contract bundling laws and regulations?
3. How do DOD and the Small Business Administration consider the impact of bundled contracts on small business?

Agencies and Anticipated Locations to be Contacted: We plan to contact the Office of the Secretary of Defense, including the Under Secretary for Acquisition, Technology and Logistics' Office of Small Business Programs. We also plan to contact military commands with bundled or consolidated contracts for base services and construction, which may include Army Corps of Engineers and Naval Facilities Engineering Command.

Estimated Start Date: December 17, 2012

Time Frame for Holding Entrance Conference: January 2 – 4, 2013

GAO Team Performing the Engagement: Acquisition and Sourcing Management

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INFORMATION ON NEW GAO ENGAGEMENT

Engagement Subject: CRH Competitive Prototyping Waiver

Engagement Code: 121113

Source for the Work: Consistent with our Congressional Protocols, GAO is beginning this work in response to a congressional mandate. This mandate is contained in the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111-23, Section 203). The mandated reporting date is 60 days from GAO's receipt of a notification of a waiver. GAO received notification of the waiver on November 21, 2012, which makes our mandated reporting date- January 18, 2013.

Objective(s)/Key Question(s): (1) What rationale did DOD provide for waiving the competitive prototyping requirement for the Combat Rescue Helicopter program? (2) To what extent, did the Air Force rely on realistic data and assumptions in the Cost Benefit Analysis it used to support the rationale in the waiver?

Agencies and Anticipated Locations to be Contacted: Offices of the Under Secretary of Defense for Acquisition, Technology and Logistics; Director, Cost Assessment and Program Evaluation; and Assistant Secretary of the Air Force (Acquisition); Combat Rescue Helicopter program office

Estimated Start Date: December 13, 2012

Time Frame for Holding Entrance Conference: Given GAO's 60-day reporting deadline, we are requesting an expedited entrance conference the week of December 17, 2012. If an entrance conference cannot be scheduled in this time frame, we request that the requirement to hold one be waived.

GAO Team Performing the Engagement: Acquisition and Sourcing Management

GAO Contacts:

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INFORMATION ON NEW GAO ENGAGEMENT

Engagement Subject: Review of Social Security Administration's Death Master File (DMF)

Engagement Code: 131218

Source for the Work: Consistent with our Congressional Protocols, GAO is beginning this work in response to a request made by several members of the Senate Committee on Homeland Security and Governmental Affairs.

Objective(s)/Key Question(s): (1) How SSA obtains death reports for inclusion in the DMF and how it ensures these reports are accurate, and (2) What federal agencies use the DMF and for what purposes, and what challenges, if any, they have faced in accessing or using the DMF.

Agencies and Anticipated Locations to be Contacted: This is a multi-agency effort, with the Social Security Administration being our primary focus. We also plan to contact other federal entities that use the DMF.

Estimated Start Date: December 5, 2012

Time Frame for Holding Entrance Conference: Between January 2nd, 2013 and January 11, 2013

GAO Team Performing the Engagement: Education, Workforce, and Income Security

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INFORMATION ON NEW GAO ENGAGEMENT

Engagement Subject: DOD's Plans for Ballistic Missile Defense (BMD) European Phased Adaptive Approach

Engagement Code: 351790

Source for the Work: Consistent with our Congressional Protocols, GAO is beginning this work in response to a request made by the Chairman of the Subcommittee on Strategic Forces, U.S. House of Representatives Committee on Armed Services.

Objective(s)/Key Question(s):

1) To what extent has DOD developed specific plans for each of the four EPAA phases including identifying timetables, BMDS elements and their locations, and end states?

2) To what extent have key stakeholders—DOD, State Department, combatant commands, MDA, services, and allies/host nations—integrated plans to locate and operate BMD elements for Europe, and what challenges might affect EPAA capabilities?

3) To what extent has DOD identified the resources needed for implementing the EPAA concept, (including infrastructure, personnel, training, and funding/budgeting) and identified which organizations are responsible for providing these resources?

Agencies and Anticipated Locations to be Contacted: Department of State, including organizations as appropriate and necessary; Department of Defense, including Joint Staff, U.S. Strategic Command, U.S. European Command and other combatant commands as necessary, Office of the Secretary of Defense (Policy; Comptroller; Acquisition, Technology and Logistics; Director, Operational Test and Evaluation; and other offices as necessary), Missile Defense Agency, Departments of the Army, Navy and Air Force, Defense Intelligence Agency, and other DOD organizations as appropriate and necessary; and the North Atlantic Treaty Organization as appropriate and necessary. We will provide prior notice for visits to field locations.

Estimated Start Date: December 2012

Time Frame for Holding Entrance Conference: The week of January 7th, 2013

GAO Team Performing the Engagement: Defense Capabilities and Management (DCM)

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INFORMATION ON NEW GAO ENGAGEMENT

Engagement Subject: Review of National Nuclear Security Administration's (NNSA) interim plutonium strategy.

Engagement Code: 361450

Source for the Work: Consistent with our *Congressional Protocols*, GAO is beginning this work in response to a congressional mandate.

Objective(s)/Key Question(s): (1) What effect will NNSA's interim plutonium strategy have on NNSA's costs or risks to public health and safety? (2) What effect could this strategy have on the roles of other facilities and NNSA's ability to meet its plutonium mission? (3) What effect could this strategy could have on the Los Alamos National Laboratory's plutonium science mission and expertise?

Agencies and Anticipated Locations to be Contacted: We expect to work primarily with the Office of Secretary of Defense, specifically the Office of Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs/Nuclear Matters and the Office of Director Cost Assessments and Program Evaluation.

Estimated Start Date: December 6, 2012

Time Frame for Holding Entrance Conference: We expect to hold an entrance conference in the next two weeks.

GAO Team Performing the Engagement: Natural Resources and Environment

GAO Contacts:

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Why GAO Did This Study

For the past 3 years, DOD has been implementing the Reform Act requirements which are aimed at helping weapon acquisition programs establish a solid foundation from the start. This helps to prevent cost growth, thus helping the Defense dollar go further. This is the third in a series of GAO reports on the Reform Act.

GAO was asked to determine (1) DOD's progress in implementing Reform Act provisions; (2) the impact the Reform Act has had on specific acquisition programs; and (3) challenges remaining. To do this, GAO analyzed documents and interviewed officials from the four OSD offices created as a result of the Reform Act, other DOD offices, the military services, and 11 weapon acquisition programs we chose as case studies. Case study programs were selected based on their development status and interaction with the four OSD offices. Results cannot be generalized to all DOD weapon acquisition programs.

What GAO Recommends

GAO recommends DOD develop additional cost estimating and Reform Act implementation guidance; make lessons learned available to the acquisition community; and assess the adequacy of the military services' systems engineering and developmental testing workforce. DOD generally concurred with the recommendations. GAO clarified one recommendation to make it clear that DOD needs to designate an office(s) within the Acquisition, Technology and Logistics organization to provide practical Reform Act implementation guidance to program offices.

View [GAO-13-103](#). For more information, contact Michael J. Sullivan at (202) 512-4841 or sullivanm@gao.gov.

WEAPONS ACQUISITION REFORM

Reform Act Is Helping DOD Acquisition Programs Reduce Risk, but Implementation Challenges Remain

What GAO Found

The Department of Defense (DOD) has taken steps to implement fundamental Weapon Systems Acquisition Reform Act of 2009 (Reform Act) provisions, including those for approving acquisition strategies and better monitoring weapon acquisition programs. DOD is also continuing to take additional steps to strengthen policies and capabilities. Some provisions, such as issuing guidance for estimating operating and support costs, are being implemented.

GAO's analysis of 11 weapon acquisition programs showed the Reform Act has reinforced early attention to requirements, cost and schedule estimates, testing, and reliability. For example, prior to starting development, an independent review team raised concerns about the Ground Combat Vehicle program's many requirements and the risks associated with its 7-year schedule. Subsequently, the Army reduced the number of requirements by about 25 percent and prioritized them, giving contractors more flexibility in designing solutions. In addition, the developmental test and evaluation office—resulting from the Reform Act—used test results to help the Joint Light Tactical Vehicle program develop a more realistic reliability goal and a better approach to reach it. Shown below are areas where the Reform Act influenced several programs in GAO's review.

Reform Act Influence on Select Case Study Programs

Program	Requirements	Cost and schedule	Testing	Reliability
Ohio Class Replacement	✓	✓	✓	✓
Ground Combat Vehicle	✓	✓	✓	✓
Joint Light Tactical Vehicle	✓	✓	✓	✓
Ship to Shore Connector			✓	✓
KC-46 Tanker			✓	✓

Source: GAO analysis of DOD data.

While DOD has taken steps to implement most of the fundamental Reform Act provisions, some key efforts to date have been primarily focused on DOD's largest weapon acquisition programs. DOD faces five challenges—organizational capability constraints, the need for additional guidance on cost estimating and Reform Act implementation, the uncertainty about the sufficiency of systems engineering and developmental testing resources, limited dissemination of lessons learned, and cultural barriers between the Office of the Secretary of Defense (OSD) and the military services—that limit its ability to broaden the Reform Act's influence to more programs. Service officials believe additional guidance is needed to improve their cost estimates and other implementation efforts. They also believe that lessons learned from programs that experience significant cost and schedule increases should be shared more broadly within the acquisition community. These challenges seem straightforward to address, but they may require more resources, which have been difficult to obtain. Ensuring the services have key leaders and staff dedicated to systems engineering and developmental testing activities, such as chief engineers at the service level and technical leads on programs, as well as breaking down cultural barriers are more difficult to address. They will require continued monitoring and attention by the Under Secretary for Acquisition, Technology and Logistics, service acquisition executives, and offices established as a result of the Reform Act to address.

Highlights of [GAO-13-118](#), a report to the Chairman, Subcommittee on Contracting Oversight, Committee on Homeland Security and Governmental Affairs, United States Senate

Why GAO Did This Study

SBA's 8(a) program is the government's primary means of developing small businesses owned by socially and economically disadvantaged individuals, including firms owned by Alaska Native Corporations and Indian tribes. The NDAA for Fiscal Year 2010, enacted on October 28, 2009, called for revisions to the FAR to provide for a written justification for sole-source 8(a) contracts over \$20 million, where previously justifications were not required. GAO determined (1) the timeliness with which this new justification requirement was incorporated in the FAR; (2) the number of 8(a) sole-source contracts valued over \$20 million that have been awarded since October 2009 and trends over time; and (3) the extent to which agencies have implemented this new justification requirement. GAO analyzed federal procurement data, reviewed the 14 contracts subject to the requirement across five federal agencies, and interviewed officials from OFPP, SBA, the Department of Defense, and other agencies.

What GAO Recommends

GAO recommends that OFPP issue guidance to clarify the circumstances in which an 8(a) justification is required. GAO also recommends that the General Services Administration—which operates FPDS-NG—implement controls in FPDS-NG to help ensure that contract values are accurately recorded, and that SBA take steps to ensure that its staff confirm the presence of justifications. OFPP and GSA generally agreed with the recommendations. SBA indicated it would take some actions but did not fully address the recommendations.

View [GAO-13-118](#). For more information, contact Michele Mackin at (202) 512-4841 or mackinm@gao.gov.

FEDERAL CONTRACTING

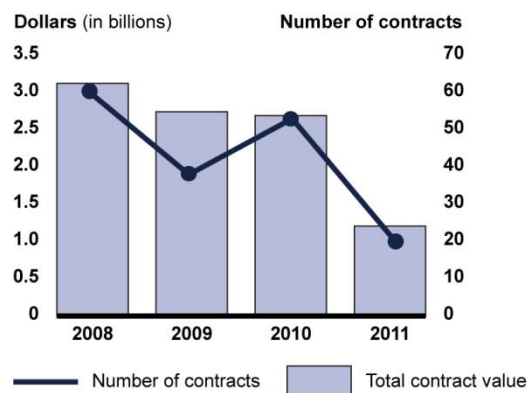
Slow Start to Implementation of Justifications for 8(a) Sole-Source Contracts

What GAO Found

The National Defense Authorization Act (NDAA) for Fiscal Year 2010 required that the Federal Acquisition Regulation (FAR) be amended within 180 days after enactment to require justifications for 8(a) sole-source contracts over \$20 million. These justifications bring more attention to large 8(a) sole source contracts. The FAR Council, which updates the FAR, missed this mandatory deadline by almost 325 days. During this delay, based on data in the Federal Procurement Data System-Next Generation (FPDS-NG), 42 sole-source 8(a) contracts with reported values over \$20 million, totaling over \$2.3 billion, were awarded without being subject to a justification. Office of Federal Procurement Policy (OFPP) representatives involved with the FAR Council's implementation of this rule attributed the delay primarily to the time required to establish a process for consulting with Indian Tribes and Alaska Native Corporations.

From October 28, 2009, through March 31, 2012, agencies reported awarding 72 sole-source 8(a) contracts over \$20 million. GAO also analyzed trend information in FPDS-NG from fiscal year 2008 through fiscal year 2011 (the most current available information), which showed that the number and value of these contracts declined significantly in 2011. While GAO determined that FPDS-NG data was sufficiently reliable for the purposes of this review, GAO found errors, such as contracts with an implausible reported value of zero.

Number and Value of New 8(a) Sole-Source Contracts with Reported Values over \$20 Million in Fiscal Years 2008 through 2011



Source: GAO analysis of FPDS-NG data.

GAO found a slow start to implementation of the new justification requirement. Of the 14 sole-source 8(a) contracts awarded since the FAR was revised, only three included an 8(a) justification. The agencies awarding the remaining 11 contracts did not comply, either because contracting officials were not aware of the justification requirement or because they were confused about what the FAR required. For example, contracting officials were confused in one instance where another justification was already in place that covered multiple contracts. Further, the Small Business Administration (SBA) cannot accept a contract over \$20 million for negotiation under the 8(a) program unless the procuring agency has completed a justification, but GAO found that SBA did not have a process in place to confirm the presence of a justification.

Why GAO Did This Study

For the past 3 years, DOD has been implementing the Reform Act requirements which are aimed at helping weapon acquisition programs establish a solid foundation from the start. This helps to prevent cost growth, thus helping the Defense dollar go further. This is the third in a series of GAO reports on the Reform Act.

GAO was asked to determine (1) DOD's progress in implementing Reform Act provisions; (2) the impact the Reform Act has had on specific acquisition programs; and (3) challenges remaining. To do this, GAO analyzed documents and interviewed officials from the four OSD offices created as a result of the Reform Act, other DOD offices, the military services, and 11 weapon acquisition programs we chose as case studies. Case study programs were selected based on their development status and interaction with the four OSD offices. Results cannot be generalized to all DOD weapon acquisition programs.

What GAO Recommends

GAO recommends DOD develop additional cost estimating and Reform Act implementation guidance; make lessons learned available to the acquisition community; and assess the adequacy of the military services' systems engineering and developmental testing workforce. DOD generally concurred with the recommendations. GAO clarified one recommendation to make it clear that DOD needs to designate an office(s) within the Acquisition, Technology and Logistics organization to provide practical Reform Act implementation guidance to program offices.

View [GAO-13-103](#). For more information, contact Michael J. Sullivan at (202) 512-4841 or sullivanm@gao.gov.

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GAO's analysis of 11 weapon acquisition programs showed the Reform Act has reinforced early attention to requirements, cost and schedule estimates, testing, and reliability. For example, prior to starting development, an independent review team raised concerns about the Ground Combat Vehicle program's many requirements and the risks associated with its 7-year schedule. Subsequently, the Army reduced the number of requirements by about 25 percent and prioritized them, giving contractors more flexibility in designing solutions. In addition, the developmental test and evaluation office—resulting from the Reform Act—used test results to help the Joint Light Tactical Vehicle program develop a more realistic reliability goal and a better approach to reach it. Shown below are areas where the Reform Act influenced several programs in GAO's review.

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Ship to Shore Connector			✓	✓
KC-46 Tanker			✓	✓

Source: GAO analysis of DOD data.

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Why GAO Did This Study

The approximately 725,000 spouses of active duty servicemembers face challenges to maintaining a career, including having to move frequently. Their employment is often important to the financial well-being of their families. For these reasons, DOD has taken steps in recent years to help military spouses obtain employment. Moreover, the federal government has hiring mechanisms to help military spouses obtain federal jobs.

The National Defense Authorization Act for Fiscal Year 2012 requires GAO to report on the programs that help military spouses obtain jobs. This report examines: (1) DOD's recent efforts to help military spouses obtain employment, (2) DOD's steps to assess effectiveness of these efforts, and (3) the hiring mechanisms to help military spouses obtain federal jobs. GAO conducted interviews with DOD, the Office of Personnel Management, and two advocacy groups; conducted site visits; analyzed relevant data; and reviewed relevant documents, laws, and regulations.

GAO Recommends

GAO recommends that DOD consider incorporating (1) key collaboration practices as it develops its spouse employment guidance, and (2) key attributes of successful performance measures as it develops and finalizes its performance measures. DOD partially concurred with the two recommendations, citing steps it has already taken. GAO recognizes DOD's efforts, but given their preliminary nature, GAO continues to believe DOD would benefit from further incorporating key practices and attributes.

View [GAO-13-60](#). For more information, contact Andrew Sherrill at (202) 512-7215 or sherrilla@gao.gov.

MILITARY SPOUSE EMPLOYMENT PROGRAMS

DOD Can Improve Guidance and Performance Monitoring

What GAO Found

The Department of Defense (DOD) has recently created three new programs to help military spouses obtain employment: (1) the Military Spouse Career Advancement Accounts (MyCAA) tuition assistance program, (2) the Military Spouse Employment Partnership (MSEP), which connects military spouses with employers, (3) and the Military Spouse Career Center, consisting of a call center and a website for military spouses to obtain counseling and information. DOD's goals for these programs are to reduce unemployment among military spouses and close their wage gap with civilian spouses. Aside from these new programs, military spouses can also use employment assistance programs that the military services have long operated on DOD installations. However, GAO's site visits and interviews indicate that there may be gaps in coordination across the various programs that result in confusion for military spouses. Currently, DOD does not have guidance describing its overall strategy and how all of its programs should coordinate to help military spouses obtain employment, but DOD is in the process of developing such guidance.

DOD is not yet able to measure the overall effectiveness of its military spouse employment programs and its performance monitoring is limited, but DOD is taking steps to improve its monitoring and evaluation. To determine whether its programs have been effective in reducing unemployment among military spouses and closing their wage gap with civilian spouses, DOD is planning to contract with a research organization for a long-term evaluation. With regard to its performance monitoring for these programs, DOD has performance measures for MSEP and MyCAA, but has no measures for the Career Center. In addition, reliability of the data is questionable on the MSEP performance measure because DOD's data are derived from an informal and inconsistent process. DOD's other measure—the percentage of courses funded by MyCAA tuition assistance that military spouses complete with a passing grade—is a useful interim measure for monitoring how the funds are being used, but it does not provide information on whether the funds help military spouses obtain employment. DOD has efforts underway to improve its performance monitoring, including identifying additional measures it would like to track and collecting additional data on participants' employment and educational outcomes.

The federal government has two hiring mechanisms that can provide military spouses who meet the eligibility criteria with some advantages in the federal hiring process. The first mechanism—a non-competitive authority—allows federal agencies the option of hiring qualified military spouses without going through the competitive process. The second mechanism—DOD's Military Spouse Preference program—provides military spouses priority in selection for certain DOD jobs. These hiring mechanisms can increase a military spouse's chances of obtaining federal employment, but they do not guarantee that military spouses will obtain the job they apply for. In fiscal year 2011, agencies used the noncompetitive authority to hire about 1,200 military spouses, which represented approximately 0.5 percent of all federal hires that year. Military spouses represented 0.4 percent of the working-age population in 2010. With regard to the Military Spouse Preference program, DOD has placed about 12,500 military spouses into civil service jobs in the past 10 years, which includes both new hires and conversions of DOD employees.