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# AFJAGS Podcast: Episode 34

## Defense Personal Property Program with Mr. Rick Marsh and Mr. Bradley Richardson – Part 2

**HOST:** MAJOR RICK HANRAHAN, USAF

**GUEST:** MR. RICK MARSH AND MR. BRADLEY RICHARDSON

Part two of the Defense Personal Property Program or DP3 interview with Director Mr. Rick Marsh and USTRANSCOM attorney-advisor Mr. Bradley Richardson.

### **MAJOR RICK HANRAHAN:**

Welcome to part two of our interview on the Defense Personal Property Program, or DP3 program, with Director Mr. Rick Marsh and Mr. Bradley Richardson, an attorney-advisor for [USTRANSCOM](#).

The DP3 program is the massive enterprise that deals with the movement of household goods and POVs, non-temporary storage, and the DoD management framework. If you didn't hear part one, please consider going back to the previous episode to listen. In this part two, we continue in our discussion from where we left off in part one. Here are a few clips from part two.

[Upbeat Intro Music].

### **SHOW EXCERPT, MR. RICK MARSH:**

So, I think it's just being as inclusive as possible, being as transparent as possible, being as accessible as possible, and then making decisions and moving out and just trying to deliver results, plain and simple.

### **SHOW EXCERPT, MR. BRADLEY RICHARDSON:**

It's really continuing to provide that legal advice to be there at the planning stage, and always just trying to predict what's going to happen and how things are going to play out.

### **ANNOUNCER:**

Welcome to The Air Force Judge Advocate General's Reporter Podcast, where we interview leaders, innovators, and influencers on the law, leadership, and best practices of the day. And now to your host from [The Air Force Judge Advocate General's School](#).

## COMMUNICATION

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### **MAJ HANRAHAN:**

I'd also like to talk about communication, strategic communication, but kind of communication at large. Obviously, communication is one of the pillars of leadership. It is something that we have discussed with previous guests in all kinds of different capacities, and I know from the DP3 program, you have strategic communication. You also have communication with your customers. You have communication with Congress. You have communication when you're dealing with litigation, etc. So, maybe starting with Mr. Marsh again, could you maybe just give an overview on what the communication strategy is, and or what's your role as one of the leaders of the program?

### **MR. MARSH:**

Sure, I'll start, and we will see where we go with this. You know, I think fundamentally it's about, you know, what [General Lyons](#) did that I think was long overdue, was just acknowledging that issues existed within the program. For a lot of reasons, right, just our internal management alignment, being one of them, right, just the fractured nature of our enterprise. For a long time, you know decisions about program bubbled up from the bottom. I'm painting with a very broad brush, but the only changes that were made, were the ones that, you know, staffs, you know, across the Services could agree on. Which I mean, as you know, is just a recipe for preserving the status quo. So, while we tweaked at the margins over the years, you know, our families grew really tired of the status quo, deservedly, right? I mean, all the critiques, all the complaints levied against the program are absolutely accurate. And they got really tired of our narrative that the status quo was good enough. And Congress demanded a get-well plan from us.

So, I think fundamentally, I think where DoD has turned the corner is acknowledging that what we are, you know, no longer trying to defend what we have in place, working very closely with our customers to improve it. You know, we have a, we are very fortunate to have a very talented staff across the services, you know, not

only at the headquarters level, but personal property elements down at the installation level, I mean a lot of people who have been doing this for a really long time, which is exciting. We have a really good network of, you know, family advocate volunteers, many of them are spouses, right, that have had experiences that you and Brad mentioned, who volunteer their time to help us improve the program. I mean, we meet with them on a monthly basis, they review products we are creating, they give us insights into the program that we would never see you know from our perch at U.S. Transportation Command.

So, I think it's just being as inclusive as possible, being as transparent as possible, being as accessible as possible, and then making decisions and moving out and just trying to deliver results plain and simple.

### **MR. RICHARDSON:**

I think something to highlight that Mr. Marsh just mentioned here, is all the different audiences that you can pick out of his comments. Commanders, and the Department of Defense, Congress, the media, service members from all five branches, including the Coast Guard. That's every E-1 to E-9, every O-1 to O-10, and maybe an O-11 if we ever go into World War III. There are different cultures within that, then we have DoD civilians, and we have spouses and families, so we have to communicate with all of those audiences on any given day, and that's really going to drive how we draft things and how we speak to these different audiences. It requires us to create differing products for each audience, rather than trying to send one message out to all of these audiences. Now, we have to constantly gear and shift how we interact with these audiences, and it is a challenge.

### **MAJ HANRAHAN:**

So, if we just pick one of the audiences, right, like a lot of our listeners might be considered customers at some point. How do you evaluate their feedback? I mean, what is the approach there?

**MR. MARSH:**

Yeah, so I think there is a couple of ways, right, is the only reason we exist, right? It's the only reason this headquarter staff has positions, right, it's the only reason that we develop IT, it's the only reason we publish information is to improve the relocation process for them, right?

So first is, you just having touch points to understand what the issues are. You know, I mentioned the, you know, the family advocate volunteers that we have that gave us really great feedback. We get really great feedback from our customer satisfaction surveys. We read every one of them, right? We react to as many of them as we can, you know, particularly the ones that highlight challenges, right, that highlight a failure of the enterprise. We get great feedback in the form of congressional inquiries. We get great feedback in the form of IG complaints, right? So, I mean we have—we get a lot of feedback, and again, you know the critiques and complaints are all accurate, right, it's all just exposing the issues that we need to tackle. I mean we have a responsibility to communicate with them when the program fails them, right, just letting them know somebody cares, somebody's trying to make it better. That when they launch their customer satisfaction survey, that it didn't just end up in org box that no one reads.

Moving forward, we also have to describe what we are doing to improve the program. We are driving a lot of change, but none of this is going to be overnight, right, I mean I talked about how the program evolved in a manner that favors industry. It's going to take, it's going to take time, you know, to tip the scales fully back in favor families. So, we have a responsibility to articulate what we are trying to do to improve the program, and then when families can see those changes. Because all of this is very exciting to me, right, I never had the dream to be the personal property guy, but it's an awesome mission. But for customers, the only thing they care about, the only move they care about, the only move they should care about is the one that they are preparing for, right, and whether it's going to go right or not, and

who's going to be there to help them. So that's how I see in organizing our communication efforts.

**MAJ HANRAHAN:**

Yes, sir, and for Mr. Richardson, obviously legal has a very important role here in all of the communication and also when you're dealing with litigation. Can you briefly discuss what that role is?

**MR. RICHARDSON:**

Sure, it's a lot different in a reform effort then what I was trained to do in law school, and then when I was a JAG, when I was on active duty. JAGs in particular were trained to write and speak in a concise, matter of fact manner. I remember mine SJA coming down with a ten-page legal review that I wrote, and said, "Make it two, Captain Richardson." So, you really have to sort of retrain yourself on how you are going to give legal advice during a reform effort.

At TRANSCOM, there are three offices that really support strategic communication: public affairs, legislative affairs, and the legal office. The various directorates are really the approving authorities, for example, Mr. Marsh is the approving authority for strategic communications that come out of DP3. But regardless, the planning starts with these three offices, and the products we create are living, breathing documents that are always being updated. You know, our styles, goals, needs are not always going to mesh, so if the work as a team to balance all those equities.

You know, the way I support strategic communication really depends upon the content. If we are communicating about ongoing litigation, or something that explains the law, I'm at the planning stage, providing inputs throughout the drafting process. Outside of that, you know, I'm primarily ensuring that the release of information complies with the law. Our policy, we are checking fact, gauging any litigation risk, and it's using my experience as a lawyer and a litigator to make sure that the language doesn't create more questions than it actually resolves. You know, a lot of times I create one

or two page documents for public affairs and legislative affairs to allow them to go into the messaging built off a particular legal review. Those will be point papers with bullets that hit major points. I'll also take a shot at drafting the message we are attempting to communicate, especially if it pertains to litigation.

It's a lot of work at the front end, but being intertwined with public affairs and legislative affairs at the planning stages is far more efficient and prevents issues being—arising on the backend, which is usually too late to correct.

The important thing for lawyers to remember is that public affairs and legislative affairs can't speak like a lawyer when responding to these inquiries. Reporters and Congress will see right through that and wonder why a lawyer is writing a press release or a congressional response. They need to have a conversational style. Have a unified narrative that's not mired in jargon and long-winded descriptions that lawyers are notorious for giving.

For at least public affairs and the media, we really need a twenty-four hour turn on responses to media inquiries. You know, first we gotta get our response in before reporter's editorial deadline. And then second, we don't want to create the perception that we are hiding something by delaying a response. So that's why we are always planning and updating our public affairs guidance and our legislative affairs guidance on all the issues that we confront at TRANSCOM.

**MR. MARSH:**

Hey, Rick, and I think you know, just add one stakeholder in this. While my priority is, and will always be our customers, right, there is a—you know, industry is an important stakeholder when it comes to, you know, communication audiences as well. You know, when we are talking reform efforts, right, I mean, you see it within DoD, right, within the DoD workforce. You know, change can be hard. Change is similarly hard for our industry partners. So, it's important that they understand what

we are trying to do. Bust myths on what we are not trying to do.

I mean, the example of the Global Household Goods Contract, there are many players in industry that are excited for this, right. I'm surprised you haven't asked us about the protests on the Global Household Goods Contract yet. I anticipate is coming, but there are companies that are fighting to be our provider in the Global Household Goods Contract. And it's important that we articulate, you know, how we envision the future operating environment for our industry, you know, because right now we are talking, you know, billions of dollars, right, this is a big program. But the majority of our capacity comes from small businesses, right, agents, packers, and truckers. And that capacity is going to be critical under the new construct, I mean, we need them in the program.

So, it's really important that folks understand that, particularly on the industry side, hey, if you are part of the program today and you are delivering a quality product, there's always going to be room for you in the program. This isn't a matter of one giant company coming in and handling everything, right, I mean this is integrating all the activities that are currently being accomplished by these, in many cases, small businesses in and around military installations, who again, we are going to need them for the long haul.

## **GLOBAL HOUSEHOLD GOODS CONTRACT**

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**MAJ HANRAHAN:**

Yes, sir, and if you are willing to opine a little bit on the Global Household Goods Contract, or Mr. Richardson, we would be interested to hear your thoughts on that, as well.

**MR. RICHARDSON:**

Sure, I'll take it just to give an overview for listeners who may not be familiar with litigation of government contracts. So, you have a solicitation. During the solicitation, you are accepting proposals, you are

evaluating and you are trying to pick what is going to be the best value for the government. And then after that, you make an award. After a contract is awarded, the disappointed offerors, meaning the companies or people who did not get the contract, can go to one of two places to protest, which means litigate. Number one, they can go to the Government Accountability Office, known as the [GAO](#). Two, they can go to the [Court of Federal Claims](#).

At the GAO, the protesters receive a nonbinding opinion in about 100 days, and they also receive an automatic stay of a contract while the protest is pending, meaning the government has to stop work on the contract.

At the Court of Federal Claims, the protesters essentially go to court. The Court Federal Claims will issue an order that is binding, however this process usually takes more time than the GAO, and the protesters don't get that automatic stay. They have to request an injunction, which is a whole separate motion that they have to litigate. Most protesters, they go to the Government Accountability Office, like the two protesters that filed their protest for the GHC contract.

So, in that one, while the protesters lodged numerous allegations, the Government Accountability Office only sustained five allegations, which applied to both protests. That means they found errors that they recommended that we correct. A company that was awarded the contract, American Roll-On Roll-off, known as ARC, had some sister companies who had some legal troubles. We considered those issues during a process known as responsibility determination, which is required by the Federal Acquisition Regulation. And ARC clarified that those sister companies were not going to perform any part of the GHC contract. However, those statements conflicted with ARC's proposal that they submitted, which were not remedied while we awarded the contract and through the protest.

The GAO also recommended that our documentation of our evaluations be more robust, such as recording live demonstrations that the offerors presented. How we used market research negotiations with the offerors. And some of the technical analysis that we did of the offerors' proposals. Their final recommendation is that we take corrective action, which means remedying the issues that were pointed out by the GAO.

The GAO recommended that we redo the evaluations with the most highly rated proposals, which are currently ongoing. For me, yeah, it was a disappointment to get a sustained protest, but we get the opportunity to correct these and do it over again, and apply the guidance that the Government Accountability Office gave us. And the way I communicate to all of my clients, is that, you know, the Government Accountability Office, arguably this is where the brightest minds of contracting are located, along with the K Street law firms that litigate against the Department of Defense on a regular basis. We all get together and we ask, "Did we do this right?" And if we didn't, then the government has an obligation to go back and do it correctly again, and do it over again. And that's what we are doing.

## **FUTURE OF THE DP3 PROGRAM**

### **MAJ HANRAHAN:**

Well, thank you for that very detailed answer. I think that helps to give more context to what kind of goes on behind the scenes a bit, and it's clear that, I mean, this stuff can get very complicated very quickly.

Kind of moving into the end of our discussion here, I just had a few questions for both of you, just on the goals or the future of the DP3 program. If you could offer any insights there?

### **MR. MARSH:**

I'd be happy to tackle that one. So, our vision for the program is to, you know, move beyond what really is a series of disparate service-oriented activities into an

integrated department wide program that can generate the year around capacity and accountability required to meet DoD's relocation needs. There is still a lot to do within the current program, right? I mean, this one act, the global household goods acquisition effort, I mean it has been a multiyear acquisition effort. It will be a multiyear implementation. We are still going to move a lot of folks under the current program. And we are doing everything we can just to squeeze as much goodness out of the current program as we possibly can.

We have spent a lot of time today talking about industry, but I assure you we are spending just as much time focused internally as well. You know, again, on the communication front, just auditing the information out there, just really rethinking through how we deliver information, how we present information to arm families with the info they need to conduct a successful relocation.

With our own management framework, I mean there is a lot of variances between the services, even within the services. I mean, my office is similarly guilty of that, right, I mean so, just looking for opportunities to, you know, standardize the way we do things so that regardless of which service office you enter into—you know, any office that you go in around the globe, that it looks and feels like an integrated program, right? That you know you are getting the most accurate information possible.

Doing some internal training, again as we update business rules, as we change processes, you know making sure that the DoD personnel in that framework, right, the thousands of folks in the installation offices and the shipping offices are trained, right? So, we are taking that on.

So, I think those are the things we are doing internally with the program. I also think we are improving how we communicate within the services, right, within the department. You know, I think one of the comments that triggered a thought earlier, was when you mentioned, "Hey, we are moving this to a logistics command." You

know again, this is a personnel issue, right, it has a huge logistics component but ultimately this is about moving people. Evolving past the idea that we need to—I think historically we spent too much time focused on moving people's stuff and not focused on the customer service for the person whose stuff we are moving. So, really embracing this idea of customer service organization. Really embracing this idea that this is a personnel issue, and you know, spending just as much time with the personnel community as we do with logisticians.

**MAJ HANRAHAN:**

Yes, Sir, and thank you for those insights. Anything from may be the legal perspective?

**MR. RICHARDSON:**

I guess the alligator closest to the vote of course is getting through the corrective action and evaluation. And so, we have really been focused on that. So, we have retooled how we do things. You know, so many times we react to a protest, rather than plan for it. Earlier, when Mr. Marsh and I were talking about this podcast, he used the term, "We need to play better defense." And that is 100% correct. I think in the last protest, we were running plays but never actually getting into a scrimmage. So, we are scrimmaging on a regular basis, so we are testing these things out and making sure we are doing it right so we can get through a protest and ultimately to an award. That's where we are focused on.

As far as the future, you know, it's really continuing to provide that legal advice, to be there at the planning stage, and always just trying to predict what's going to happen and how things are going to play out. That's really where my mind is focused right now.

**RESOURCES**

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**MAJ HANRAHAN:**

Also, great insights there, thank you for that. In this question for both of you, are any resources where listeners can learn more about today's topic?

**MR. MARSH:**

Yeah, so I think the [move.mil](https://www.move.mil) is the DoD's official site information related to the Personal Property Program. So, if you are looking for information on the current program, what the rules are, you know resources for your move, that is the place to go.

You can also visit USTRANSCOM's website, [USTRANSCOM.mil](https://ustrancom.mil), and follow USTRANSCOM on Facebook, Twitter, and other social media to find out more about our mission, which is broader, diverse. It's focused on bringing logistical support to our war fighters.

## FINAL THOUGHTS

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**MAJ HANRAHAN:**

Well, thank you for both of those resources. Last question for both of you, and I will start off with Mr. Marsh, any final thoughts today, Mr. Marsh, that you would like to leave with our listeners, whether something we have discussed or we haven't, maybe we haven't had a chance to discuss?

**MR. MARSH:**

No, I think it all comes back to potentially preparing for your next move, right? So, if you have a move coming up, if you're stressed out about it, please know that there are a lot of folks across the enterprise working to improve the program. Please reach out to our shop, to your local ITO if you have questions. If you are a DoD member out there who's had a bad experience, please know that we hear you and we agree with you and we are trying to improve the program for you and your family.

**MR. RICHARDSON:**

For the JAGs out there, who still want to litigate and don't want to necessarily litigate in the military justice realm, government contracts, you know, at first it may sound kind of boring, but it certainly is not. And I hope that I encouraged some JAGs out there to go dip their toes into the government procurement waters, if you will. And hope that we made moving household goods and government contracting interesting for the last hour.

**MAJ HANRAHAN:**

Well gentlemen, thank you so much for your time today. Great discussion. I know we just still scratched the surface on this topic, but hopefully folks, if they have further interest in this, there are multiple resources you can go to and thank you both for your time today.

**MR. MARSH:**

Thanks for having us.

**MR. RICHARDSON:**

Thank you.

## TAKEAWAYS

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**MAJ HANRAHAN:**

That concludes our interview with Mr. Marsh and Mr. Richardson. Here are three of my takeaways from the interview.

**NUMBER ONE, organizational reform takes patience and persistence.** As discussed through this two-part interview, the DP3 program is undergoing reform efforts. The DoD first acknowledged any past misgivings of the DP3 program and Congress demanded a get-well plan, which is currently underway. However, as we all know, reform and change is hard. It's hard for individuals, just as it is for organizations. Just think of all those New Year's resolutions and where many of us are at about six months into the year. The bigger the reform or change, typically the more challenging.

As discussed, the DP3 program is a massive enterprise at \$3 billion per year with thousands of customers, contractors, and stakeholders. It's like a cruise ship fully underway that just can't stop and turn on a dime. Within this context, Mr. Marsh mentioned three enduring challenges to the status quo, including number one, assignment cycles. Especially at the height of the summer PCS season, put a tremendous amount of strain on the entire system. Two, the transactional nature of relationships with hundreds of contractors can lead to issues. And number three, the fractured nature of the internal management framework can hurt overall performance.

So where do you even begin with such a massive program and these challenges? A good place to likely begin is with an approach of patience and persistence, and a clear set of priorities to tackle the challenges.

Which leads me to point **NUMBER TWO, the three main priorities of the program**. As discussed by Mr. Marsh, the three main priorities include, number one, to improve the quality capacity of the program. Two, to increase accountability within the program. And three, to increase responsibility of involved parties. With respect to improving the program's quality capacity, Mr. Marsh mentioned three areas for review and improvement. Including first, use the DoD market share to raise the standard of service for customers, to include members and families that move each year. The movement of household goods is the biggest element of the DP3 program, at about \$2 billion per year for packing and transportation services, which accounts for around 15 to 20% of the entire market. This massive market share can be used as leverage to improve standards and accountability for all.

Second, there are currently approximately 950 household goods providers, but no enduring contract with any of them, which leads to about 400,000 individual contract tenders, or so, per year. All of these individual contract tenders can obviously lead to a challenge and upholding standardization. So, Mr. Marsh and his team are working to standardize this process across all services and departments in order to improve the overall customer experience.

And third, there are forty-two regional shipping offices that award business on a shipment-by-shipment basis. As Mr. Marsh mentioned, this additional transactional approach means the DoD struggles at times to provide a meaningful work forecast to industry contractors for when to expect business. And this can stymie business relationships, accountability, and ultimately a better experience for customers. So again, these are three examples in which the DP3 program is working to improve quality capacity.

My last point, **NUMBER THREE, innovation is a key to success**. As we have discussed in previous episodes, innovation is generally not a one time "homerun". Rather, innovation is generally the cumulative effect of many iterations, or base hits over an extended period of time that often leads to the most meaningful progress. Innovation is also not just about the newest technology. Rather, it also includes effective communication in the strategy or processes to effectuate the organization's vision. In the DP3 program context, Mr. Marsh and his team understand this. For example, in previous years, the DP3 program was so prescriptive on contractual requirements, that the complexity became a deterrent of innovation within the industry, and at times actually detracted from the customer experience. So, Mr. Marsh and his team focused on the outcomes they needed for the program. They then rewrote the rules to simplify the process, foster innovation within the industry, while still balancing the need for accountability. When it comes to tech, they are in the process of developing a new streamlined and standardized portal for the DP3 program to improve the customer experience.

And last, as it pertains to effective communication, they have deliberately changed the communication framework, both externally and internally to the organization. Mr. Marsh emphasized on multiple occasions that the program is ultimately about people and families they serve. In other words, while logistics and moving household goods are critically important, customer service should be at the heart of the program, and they have embraced transparency, assess ability, and inclusivity for customers, the industry, and stakeholders across the board.

And this is not just rhetoric. As the program has embraced feedback from all, they have created a network of family advocate volunteer spouses who meet regularly to offer feedback in areas for improvement. They review all touch points of the customer experience. They query and read customer satisfaction surveys and look for trends to improve upon, and they review congressional

inquiries, IG complaints, GAO decisions and opinions and other feedback. In fact, this very interview is part of their communicative approach to embrace greater transparency and accessibility.

So, if you're looking to get involved or have an upcoming PCS, offer your comments and feedback, both the good and any areas that might need improvement to continue in building the program into a better experience for all. Thank you for listening to another episode. If you like this episode, please let us know by leaving a review on Apple Podcasts, Spotify, or your favorite podcast platform, and consider subscribing to the show. We will see you on the next episode.

[Upbeat Music].

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## GLOSSARY

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- **AFJAGS:** Air Force Judge Advocate General's School
- **DP3:** Defense Personal Property Program
- **GAO:** Government Accountability Office
- **GHC:** Global Household Goods Contract
- **ITO:** installation transportation office
- **JAG:** judge advocate general
- **POV:** privately owned vehicle
- **SJA:** Staff Judge Advocate
- **TRANSCOM:** Transportation Command
- **USTRANSCOM:** United States Transportation Command