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July 2, 2021

The Honorable Jackie Speier  
HASC  
2216 Rayburn House Office Building  
Washington, D.C. 20515

Subject: Request to Resubmit HR 6395, Sec. 1745, in NDAA for FY 2022

Dear Representative Speier:

I admire you for your priorities and action taken regarding DoD policy. I previously worked extensively with Chairmen Ike Skelton and John McCain on recommended DoD acquisition reforms as well as with DOD policymakers. My recommendations have been included in NDAA provisions and in DoD policy and guides. Now I offer to help you achieve our common goals and your DoD oversight objectives, as stated on your website. These are for DoD to

- Adhere to the highest standards of transparency and accountability.
- Draw on the best management practices.

You state that “A strong national defense requires Congress to make policy and spending decisions based on ample information and insight.”

#### **Failure of Acquisition Policy and Regulations**

DoD does not adhere to the highest standard of transparency and accountability for program and project management. Instead, DoD enables contractors to use an NDIA-owned, sham standard, EIA-748, which enables contractors to provide misleading information regarding a program’s cost, schedule, and technical performance.

I have 30 years of experience with contractors such as Lockheed Martin, Northrop Grumman, and Raytheon on the B-2, F-35, Global Hawk, and MP-RTIP programs. I also have experience with commercial IT enterprises in India and S. Korea, including Samsung. I assure you that defense contractors willfully ignore, not draw on, the best management practices that are used by commercial enterprises, world-wide. Please read my letters to Chairman Smith and cited reports from DoD, GAO, and the Section 809 Panel for corroborating information.

#### **Your Unfinished Business**

I really appreciate your attempt, last year, to force DoD to adhere to a higher standard. It reminded me of Hebrew National salami.

Unfortunately, your markup to the NDAA for FY 2011, HR 6395, Sec. 1745, Requirements Relating to Program and Project Management, was receded, per the Conference Report. Please read my letter to Chairman Smith, Subj: *NDAA Excludes Your Most Game-Changing Provision for Program and Project Management*, dated Dec. 12, 2020. I had requested that he again include the provision in the NDAA for

FY 2022. I did not realize, then, that the provision was yours. I hope that the provision will not be rejected this year as the Senate no longer has a Republican majority.

### **My Credentials and Additional Background**

My credentials are included in the letter to Chairman Smith, Subj: *My Credentials and Referrals Regarding Acquisition Reform and Defense Costs*, dated June 6, 2021. Excerpt:

**Previous letters include legislative and oversight recommendations that are needed to fix a corrupt weapons acquisition system and lower defense costs. Sen. McCain's goals for WSARA have not been met.**

For background and a complete definition of the issues, please read my letter to Counselor to the President Jeff Zients, Subj: *Acquisition Reforms to Reduce Defense Costs*, dated June 1.

Excerpts:

Implementation of my recommendations will lead to lower defense costs by:

- Providing earlier detection of cost overruns and identification of feasible corrective actions.
- Providing earlier detection and reporting of Nunn-McCurdy breaches and higher Estimates at Completion (EAC). Enable earlier termination of "rathole" (per Chairman Smith) programs to curtail needless spending
- Program managers manage development and testing of the product instead of "managing the numbers," wasting time on analyzing Management Reserve (MR) burndown, preparing false variance analysis reports, and false rationale for low EACs.
- Developing realistic performance measurement baselines, execution plans, and valid cost/schedule performance reports; again providing earlier detection and reporting of real variances and faster corrective actions
  - Plan for rework
  - Reduce use of management reserve as a slush fund to mask cost overruns

This letter, the cited letters, and other documents regarding recommended acquisition reforms and congressional oversight actions may be downloaded from [www.pb-ev.com](http://www.pb-ev.com), at the Acquisition Reform tab.

I look forward to working with you.



Paul J. Solomon

CC:

Hon. Sen. Joni Ernst, SASC

Hon. Sen. Bernie Sanders

Hon. Sen. Elizabeth Warren, SASC

Hon. Kathleen Hicks, Dep. Sec. of Defense

Hon. Stacy A. Cummings, Acting Under Sec. Def. for Acquisition and Sustainment

Counsellor to the President Jeff Zients

Anthony Capaccio, Bloomberg News

Michael LaForgia, NYT