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The Honorable Adam Smith
Chairman, HASC
2216 Rayburn House Office Building
Washington, D.C. 20515

Subject: Comments on Your Brooking Institution Online Conversation

Dear Chairman Smith:

Your online conversation at the Brooking Institution on March 5 included issues that are consonant with mine. Some of the acquisition reforms that I recommended to you in letters since May 2020 directly address your issues. Please consider them for inclusion in the NDAA for FY 2022 or for initiating oversight actions.

Publicized Issue

Your issues and assessments that were published in the WP, AF Times etc. include:

1. "We have wasted a spectacular amount of money on weapons systems that either haven't worked at all or who have not lived up to their promise. The failure we wind up tolerating is failure on a massive freaking scale. Think F-35."
2. "I want to stop throwing money down that particular rathole."

I also addressed the F-35 issues in the letter to you, dated 2/2/21, as follows:

Subj: Additional Rationale for Resubmittal of H. R. Sec. 1745 to Reduce Defense Costs,

Excerpts:

How many billions of dollars were pissed away on the F-35 and similar programs? The acquisition reforms I have been advocating were first recognized by Chairman Skelton. Sen. McCain and I kept the ball rolling. Your markup revived the reform effort but was thwarted by the Senate.

Reforms are needed more than ever. We must eliminate enablers of contractor deception and ensure early detection of programs that are in trouble. That will prevent waste and reduce defense costs and budgets.

Non-Publicized Issue

Your issue that was *not* publicized should be a primary focus of acquisition reform regarding Program/Project Management (P/PM) and the related P/PM tool, Earned Value Management (EVM). Excerpts follow:

1. "Second, is process over results."
2. "Part of it is also having a freaking product that **works at the end of the day.**"

The need to focus P/PM on the product, not the process, is the core message of my recommendations to Chairman Skelton, Chairman McCain, and yourself. My letter to you, dated Jan. 9, 2021, included the following excerpts:

In the attached letter to your predecessor, Ike Skelton, dated March 28, 2010, I asserted that program managers are handicapped in their "*ability to measure and manage contractor performance because contractors have no requirement to report measures of quality performance. Neither the DFARS EVMS clause 252.234-7002 nor its cited EVMS guidelines in EIA-748 require that contractors report progress toward achieving **quality or technical goals that are specific and measurable.***"

The 2010 letter included a recommendation for legislation that would require the DFARS EVMS clause 252.234-7002 to be revised. As you know, ten years later, contractors are still not required to measure technical performance and they don't. To restate the real goal, DOD should "**Buy Products that Work, not Statements of Work.**"

Our Common Objective

Your goal to have a "**freaking product that works at the end of the day**" is inappropriate for government work. So, please consider using, "**Buy Products that Work, not Statements of Work,**" as your mantra for acquisition reform and consider my specific recommendations for legislation and GAO investigations.

This letter is also posted at www.pb-ev.com at the "Acquisition Reform" tab.



Paul J. Solomon

CC:
Sen. Joni Ernst, SASC
Mr. Andrew Hunter, Biden-Harris Transition Team