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The Honorable Robert J. Wittman
Vice Chair, HASC
2055 Rayburn House Office Building
Washington, DC, 20515-4601

Subj: Second Request for NDAA Markup to Obtain Outcome-based Metrics

Dear Vice Chair Wittman:

This is a second request to markup the NDAA for FY 2025. Please include a provision for oversight of DoD's incorporation of requirements for outcome-based metrics in the pending National Defense Industrial Strategy (NDIS) implementation plan and in the F-35 Block 4 subprogram.

My letter to you, Subj: F-35 TR-3 Delays Surprise; More Evidence of Pervasive Lack of Outcome-based Metrics, April 18, commented on your bitter disappointment in learning of another shift to the right of F-35/TR-3 "not directly from the contractor but from an earnings call." Today, GAO reported that, TR-3 software with new capabilities will not be delivered until 2025, 2 years later than originally planned. This means the warfighter will continue to wait for these critical upgrades (GAO-24-106909 F-35 Joint Strike Fighter). The earlier letter also covered systemic shipbuilding delays.

F-35

The GAO report stated that, "As a major subprogram, Congress will have insight into Block 4 cost, schedule, and performance, allowing it to make more informed decisions about the F-35 modernization effort." However, I have informed you and your predecessors that DFARS and DoD acquisition policy lack needed outcome-based metrics to provide that insight, both to Congress and to DoD program managers.

Please markup the NDAA to include a provision that either DoD or GAO report on the extent to which outcome-based measures are defined, established, and utilized in the Block 4 subprogram. These measures should include technical performance measures and measures of progress in defining, validating, and verifying requirements. The measures should inform stakeholders of progress towards achieving the two key decision points cited in the report:

1. The first decision point initiates the advanced development of a capability and allows Lockheed Martin to develop capability through its preliminary design.
2. The second decision point confirms the specifics of the capability and takes place after preliminary design is complete.

The measurement planning and control process should also define and establish Minimum Viable Product and Minimum Viable Capability milestones.

NDIS

Please markup the bill to include a provision that the GAO report on the extent to which DoD provided for contractual, outcome-based measures in the NDIS implementation plan, in DFARS, and in its acquisition policies and guidance.

It is nine months since I sent a similar letter to Ranking Member Norcross:

Subj: F-35 C2-D2 Oversight Issues Omitted from House Version of NDAA Sec. 219

The latest delay to completing F-35 Technical Refresh-3 (TR-3) and continuing Block 4 cost growth justify increased oversight of the C2-D2 delivery program. However, NDAA for FY 2024, Sec. 219 fails to address findings or recommendations of the GAO and DOT&E regarding the program's lack of:

1. Performance metrics and outcome-based metrics.
2. Clear articulation of the capabilities required in the Minimum Viable Product (MVP), focused testing, comprehensive characterization of the product, and full delivery of the specified operational capabilities.
3. Continual assessment of the value of capability delivered to support iterative software development.

There is a fork in the road that can lead to the success of the F-35 Block 4 subprogram and the NDIS. Let's take the right fork and, from now on, Buy a Product that Works, not a SOW.



Paul J. Solomon

CC:

Hon. Donald Norcross, HASC

Hon. Adam Smith, HASC

Hon. William LaPlante USD(A&S)

Hon. Nickolas Guertin (ASN RD&A)

Anthony Capaccio, Bloomberg News

Hon. Heidi Shyu, (USD(R&E))

Hon. Andrew Hunter, AF Asst. Sec. for AT&L

Jon Ludwigson, GAO