

Paul Solomon
3307 Meadow Oak Drive
Westlake Village, CA 91361
Paul.solomon@pb-ev.com

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The Honorable William La Plante
USD(A&S)
1010 Defense Pentagon
Washington, DC 20301-1010

Subject: DoD Implementation of NDAA for FY 2023 Section 903

Dear USD La Plante:

I am pleased that the NDAA for FY 2023 contains Sec. 903, "Limitation on use of funds pending demonstration of product to identify, task, and manage congressional reporting requirements." Sec. 903 limits the funds authorized to be appropriated or expended by this Act until the Secretary of Defense demonstrates a minimum viable product (MVP).

I believe that Sec. 903 is consistent *with and responsive to my letter to HASC Chairman Smith dated October 6, 2020, Subject: HR 6395 EH, Sec. 1710N, Agile Program and Project Management; Maximum Viable Profit for MVP?*

That letter expressed my concerns that "the current policies, guidance, and regulations do not provide sufficient incentives to deliver the MVP within cost and schedule objectives and to reduce the technical debt. More importantly, the lack of disincentives or financial penalties provide no deterrence to contractors from continuing to receive undeserved award fees. Without more contractual definition and oversight, contractors are enabled to earn the *Maximum Viable Profit* despite delivering a subjectively defined and downwardly revised MVP."

I had previously submitted recommendations to you and to those copied below to improve pertinent policies, guidance, and regulations. Please consider implementing those recommendations to enable success during development and demonstration of MVPs.



Paul Solomon

CC:

Heidi Shyu, (USD(R&E))
Andrew Hunter, AF Asst. Sec. for AT&L