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May 22, 2025

Hon. Sen. Roger Wicker
Chairman, SASC
Russell Senate Building, Room 228
Washington, D.C., 20510

Subject: Amend FoRGED Act to Rescind DFARS Earned Value Management System Clause

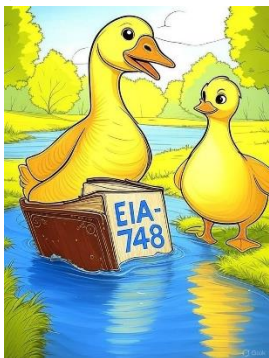
Dear Hon. Sen. Wicker:

This request augments my letter to you, Subj: Recommendations to *Restore Freedom's Forge* dated January 31, 2025. Please revise the FoRGED Act, S. 5618. Section 303 exempts nontraditional defense contractors from the Earned Value Management System (EVMS) requirement, DFARS Part 252.234-7002. That's insufficient to Cut Red Tape and remove the labyrinth of rules that prevent the workforce from thinking innovatively or moving with urgency. Congress should repeal the statutory EVMS provision that adds reporting requirements and micromanages the executive process. Please exempt all defense contractors from the EVMS requirement by simply rescinding the DFARS EVMS clause in its entirety.

First, my previous letter and its references provide multiple reasons to rescind the DFARS EVMS clause.

Second, it is Common Sense that if a nontraditional contractor wins a contract, the contractor should want to bid on subsequent contracts without having to accept the burden of complying with NDIA EIA-748. However, the definition of a nontraditional defense contractor is "an entity that is not currently performing and has not performed, for at least the **one-year period** preceding the solicitation of sources by the Department of Defense for the procurement or transaction, any contract or subcontract for the Department of Defense that is subject to full coverage under the cost accounting standards prescribed pursuant to section 1502 of title 41 and the regulations implementing such section." So, the successful new contractor would not be exempt from the DFARS EVMS clause until one year after completing its current contract.

Keep it simple. Go the whole nine yards and sink the EVMS clause. What's good for the goose (nontraditional defense contractors) is good for the gander (traditional). It's certainly good for the taxpayer and the Warfighter who will no longer get goosed by the harmful consequences and costs of complying with EIA-748.



Even the NDIA chief gander, Mr. Norquist, would agree. My letter to him, Subj: *Your testimony at HASC Hearing and NDIA VITAL SIGNS 2025 Report*, dated February 28, 2025, includes his testimony that "as the Congress moves forward to reduce regulatory burdens and incentivize novel contracting approaches to attract and retain new companies, it is important to give traditional contractors access to the same streamlined system."

Yours truly,

A handwritten signature in blue ink that reads "Paul J. Solomon". The signature is written in a cursive style with a long horizontal line extending from the end.

Paul J. Solomon

CC:

Hon. Pete Hegseth, USD

Hon. Glen Grothman, HOAC

Hon. Mike Rogers, HASC

Hon. Robert J. Wittman, HASC

Hon. Ro Khana, HASC

Hon. Stephen Feinberg, OSD

Hon. Elizabeth Warren, SASC

Jon Sindreu, WSJ

Hon. Tammy Duckworth, SASC

Hon. Adam Smith, HASC

Hon. Ken Calvert , HAC

Hon. Donald Norcross, HASC

Hon. Jim Jordan, HCOA

Hon. Joni Ernst, SASC

DOGE

Anthony Capaccio, Bloomberg News