

**Paul Solomon
3307 Meadow Oak Drive
Westlake Village, CA 91361**

July 7, 2021

The Honorable Joni Ernst
Senate Armed Services Committee
111 Russell Senate Office Building
Washington, DC 20510

Subject: Proposed NDAA Markups to Fix the PMIAA; Delete “shall not apply to DoD”

Dear Sen. Ernst:

The Senate will soon begin markup of the NDAA for FY 2022. This is a second request to fix the PMIAA by making it applicable to DoD. You can do this by deleting the PMIAA provision:

- 2) Application to DoD.--Paragraph (1)
shall **not** apply to the Department of Defense to the extent that the provisions of that paragraph are substantially similar to or duplicative of--
 - (A) the provisions of chapter 87 of title 10; or
 - (B) policy, guidance, or instruction of the Dept. related to program management."

My previous request to you (and Sen. McCaskill) was in the attached letter, Subj: *DoD Acquisition Reform; From Earned Value Management System (EVMS) to a Project Management Standard*, dated June 4, 2018. The “Request to You” below is still pertinent. Please just substitute the current OUSD leadership for OUSD Lord, substitute Sen. Warren for Sen. McCaskill (to show bipartisan support) and cite the NDAA for FY 2022. My previous letter to Sen. Warren, subj: Subject: *Lowering Defense Costs and Initiating Acquisition Reforms*, dated May 18, 2021, is also attached.

An excerpt from the June 2018 letter to you follows.

Request to You

It is requested that you consider taking some of the following actions:

1. Discuss my recommendations with OUSD Lord and myself.
2. Request GAO to review DoD policy, guidance, and instructions and to determine if PMIAA is applicable to DoD. (I expect that GAO will verify and corroborate my allegations).
3. Determine if a markup to NDAA is needed to transform PMIAA into a law that requires *all* federal agencies to “adopt widely accepted (or ANSI-approved) management standards that are often used in the private sector, ...ensure that taxpayer dollars are safeguarded by increasing accountability throughout the federal government.”

You have read the justification for the recommendations in my previous letters to you, HASC Chairman Smith, Sen. Warren, Sen. Sanders, and in the white paper.

False Claim

As you also know, I have also requested that Rep. Speier reintroduce HR 6395, Sec. 1745, *Requirements Relating to Program and Project Management (P/PM)*. I believe that real

acquisition reform requires oversight and legislation by you, Rep. Speier, and possible co-sponsors.

There is a false claim in the DoD EVM System Interpretation Guide (EVMSIG). EVMSIG alleges that, when EVMS is implemented in a disciplined manner consistent with the 32 Guidelines contained in EIA-748,

“Government and industry program managers use EVM as a program management tool to provide *joint situational awareness of program status* and to assess the cost, schedule, and *technical performance* of programs for proactive course correction.”

Independent reports (by DoD and the Section 809 Advisory Panel) that are cited in my white paper refute DoD’s allegation. The white paper includes a new path with specific actions for acquisition reform. That path is based on an ANSI-accredited P/PM standard, not the sham standard, EIA-748.

Vision

Your actions will open a path towards realizing Gary Christle’s 1999 vision and closing the issues in the 2009 DoD EVM Report. Gary’s vision follows:

- The quality of a management system is determined not by the absence of defects, but by the presence of management value.
- Integrate cost, schedule, technical performance, and risk management.

Paul J. Solomon
818-212-8462
Paul.solomon@pb-ev.com

Hon. Adam Smith, HASC
Hon. Sen. Bernie Sanders
Hon. Sen. Elizabeth Warren, SASC
Hon. Jackie Speier, HASC
Hon. Kathleen Hicks, Dep. Sec. of Defense
Hon. Stacy A. Cummings, Acting Under Sec. Def. for Acquisition and Sustainment
Anthony Capaccio, Bloomberg News
Michael LaForgia, NYT