

WASTE TKO: Congress Attempts to Reign in DoD Weapons System Acquisitions

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Proponents of **Department of Defense** acquisitions reform got an important victory yesterday as Congress announced its **Conference Agreement** for legislation recently passed by both Houses to reform DoD weapons systems acquisitions. With widespread support on Capitol Hill, the bill is viewed as the first step in instituting major Defense acquisitions reform in the coming months. Both the Senate and the House of Representatives are expected to approve the conference report in the next few days, as legislators were hoping to get the bill signed into law by President Obama by Memorial Day.

Known as the **Weapons Acquisition System Reform Through Enhancing Technical Knowledge and Oversight (WASTE TKO) Act**, the legislation was written in reaction to studies conducted by both the DoD Inspector General (IG) and the Government Accountability Office (GAO). These audits revealed nearly \$300 billion in cost overruns in recent years, something DoD can hardly afford in the current budget environment. In fact, approximately four out of ten Defense acquisitions were found over budget by the GAO. As a result, acquisition reform featured prominently in President Obama and **Secretary Robert Gates'** plans for the Fiscal 2010 budget.

In order to improve management of major programs, WASTE TKO places heavy emphasis on the beginning of a program's life cycle, with renewed focus on systems engineering, preliminary design and critical design reviews, and strengthening DoD's developmental testing and evaluation capabilities. Increased oversight and transparency of cost estimation and performance assessment will also help deter future cost overruns. Taking aim at the acquisition process itself, specific WASTE TKO provisions attempt to gain higher levels of competition at both the prime and subcontractor levels. **Prototyping** is also emphasized, requiring its use at either the system or subsystem level, unless waived for rapid acquisitions needed for urgent warfighter requirements.

Although future legislation will impact other types of DoD acquisitions, the legislation focuses specifically on future weapons systems acquisitions, a category that commonly features broad areas such as:

- Aircraft
- C4I
- Ground Vehicles
- Missile Defense
- Missiles and Munitions
- Shipbuilding and Maritime Systems
- Space Based and Related Systems

As a result, traditional weapons programs as well as future procurements related to technology-based systems could be affected. These include major DoD programs like the **Joint Tactical Radio System**, **Future Combat Systems**, the **Warfighter Information Network**, and the **Global Positioning System**. DoD will have little choice but to reign in expensive acquisitions as budget decisions get tougher and weapons programs are forced to compete with general operations for funding. Contractors bidding on various weapons systems opportunities should be prepared for increased oversight and reporting throughout the acquisition's lifecycle.