

Acquisition Reform and the
GOLF BALL—
An Update

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ONE YEAR AFTER THE INITIAL EMPIRICAL EXPERIMENT ILLUSTRATING THE NEED TO STAY "ON PAR" WITH THE LATEST ACQUISITION REFORM NEWS, THE GOLF BALL HAS NOW SURPASSED THE SIZE OF A POLO BALL.



The December 2009 issue of *Contract Management* featured an article titled “Acquisition Reform and the Golf Ball,” which was a tongue-in-cheek description of an empirical experiment for measuring acquisition reform to show how important it is for acquisition professionals to stay up to date with the latest laws and regulations. In the three years since we began the experiment, a lot has changed in Department of Defense (DOD) acquisition rules, regulations, policies, and procedures. And, in the time since we last examined the ball, it has grown significantly in size.

Like any good golfer, or bad one for that matter, it’s necessary to look at your handicap occasionally. Provided below is a one-year update to the information we previously provided in the December 2009 issue. Based on this information, it is important, now more than ever, for each acquisition professional to maintain currency with our ever-changing rule set.

Change in Experimental Design

Normally, you don’t change experimental protocols in an ongoing experiment. Unfortunately, in this case we were forced to do so, because Johnson & Johnson discontinued production of BAND-AID Brand Adhesive Bandages Plastic Comfort-Flex—the “building blocks” selected at the outset of the experiment. However, according to a Johnson & Johnson Consumer Companies, Inc., spokesperson we spoke with, BAND-AID Brand Adhesive Bandages Plastic Strips (3/4 in. x 3 in.) are the same formulation, and even carry the same SKU. This was good news, but required validation. Trust, but verify, as President Reagan would say. With the help of Michael Bohn, the former director of the U.S. Marine Corps Operational Test and Evaluation Activity, who is now a Defense Systems Management College test and evaluation subject matter expert, we did run-through testing and evaluation, although not using as many test articles as recommended by the tester. Based on a single successful first article test, we did not use additional test assets as recommended, deciding instead to go straight to production.

Change in the Intervening Year

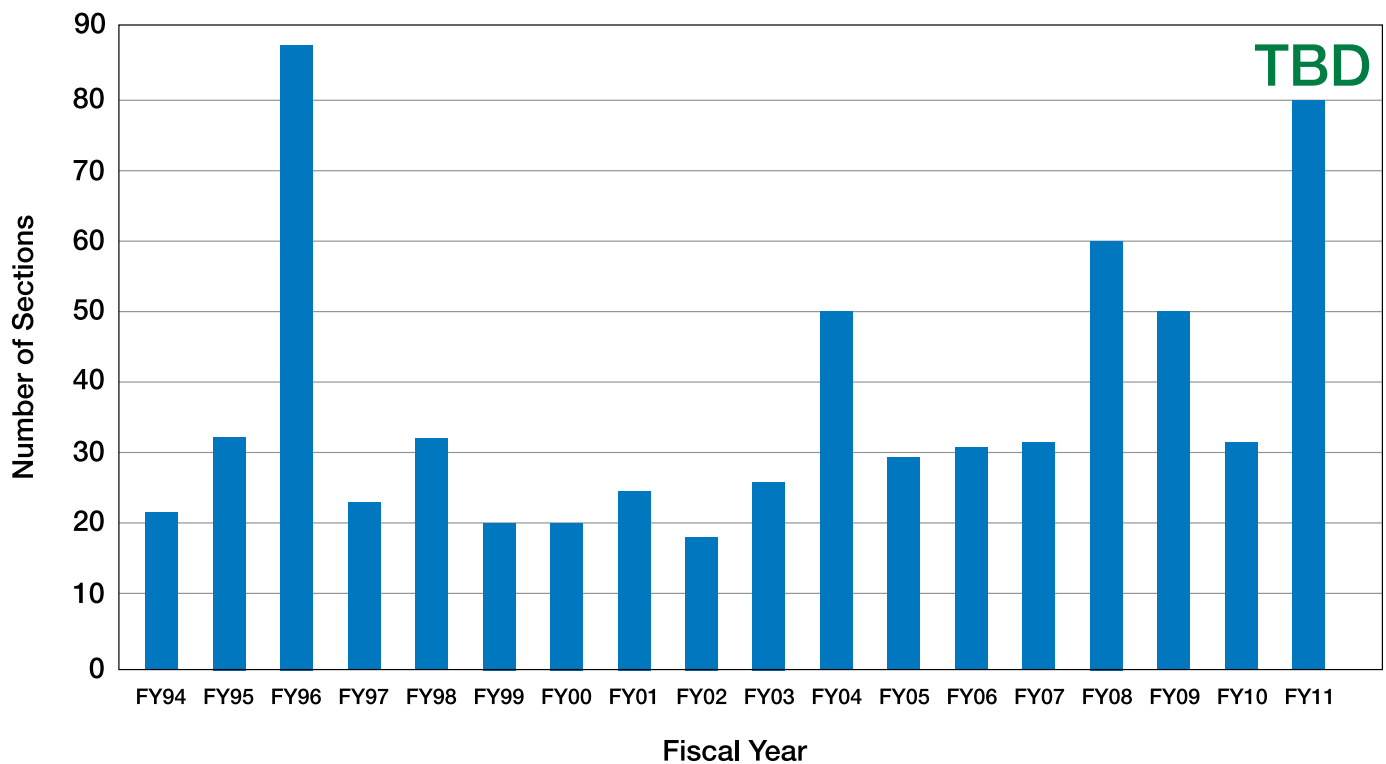
During fiscal year 2010, the *Federal Acquisition Regulation (FAR)* was changed through 10 Federal Acquisition Circulars (FACs) being issued (i.e., FACs 05-37 through 05-46), plus two corrections (i.e., FAC 05-38 and 05-43) and one revision (FAC 05-42). The change output for the *Defense FAR Supplement (DFARS)*, however, was much more impressive. During that same period, 38 *DFARS* Change/Publication Notices (DCN/DPN) were issued (DCN 20091002 through 20101001).¹

In anticipation of this fiscal year, there will be more changes to come in the *FAR* and the *DFARS*. As of September 24, 2010, there were 64 open *FAR* cases and 68 open *DFARS* cases in the offing. But, wait, there is more to come.

In addition to the open *FAR/DFARS* cases, Title VIII—“Acquisition Policy, Acquisition Management, and Related Matters”—of the National Defense Authorization Act for Fiscal Year 2011 (NDAA) is “to be determined” as of this writing. The answer is relatively simple; as of press time, the NDAA was yet to be passed, which explains the “TBD” in the bar graph in **FIGURE 1** on page 68. The Senate version of the NDAA (S. 3454) contains 29 sections in Title VIII and the House version (H.R. 5136) contains 21 sections. In addition, the Implementing Management for Performance and Related Reforms to Obtain Value in Every Acquisition Act of 2010 (IMPROVE Act) contains 36 sections.²

In comparing the photographs of the fiscal year 2010 ball and the fiscal year 2011 ball in **FIGURE 2** on page 69, you will see why there wasn’t even more growth this year. Unfortunately, or fortunately, this left us with a ball about the size of a polo ball. According to the Outdoor Rules of the United States Polo Association, “Balls shall be within the limits of 3 to 3½ inches in diameter and 3½ to 4½ ounces in weight.”³ Our current measurement, at 3.42 inches, greatly exceeds the minimum size and falls just short of the maximum size.

For those preferring numbers, the chart in **FIGURE 3** on page 69 shows the growth to date.



Note: Federal Acquisition Streamlining Act of 1994 Contained 203 Sections.

FIGURE 1.

Read, Read, Read

When we first reported on the golf ball experiment, the discussion of the rate of change was really the prelude to what we called “Keeping Program Managers and Contracting Officers Fully Informed,” a discussion about the importance of keeping up to date:

Whether you choose to interpret all of this acquisition reform as good news or bad news is entirely up to you. But either way, it’s a fact of life. Much has been written about the “graying” acquisition workforce, and the need to recruit and train a new generation; however, that is really a bit misleading. Recruiting and hiring quality people is just the first shot to be fired in the first battle. Winning the war entails training that talent initially, and then keeping them current throughout their careers.

Each and every day we must shoulder the responsibility of maintaining our currency, and seeing that our employees do the same. This must become an integral part of our daily routine.⁴

We then provided a fairly extensive list of resources for keeping up to date.

Although we must keep current, we should not forget the admonishment of George Santayana, the philosopher, essayist, poet, and novelist:

Progress, far from consisting in change, depends on retentiveness. When change is absolute, there remains no being to improve and no direction is set for possible improvement: and when experience is not retained, as among savages, infancy is perpetual. Those who cannot remember the past are condemned to repeat it.⁵

The issues, concerns, and initiatives that we in the acquisition community are facing today are not new. Many are ones that we have dealt with in the relatively recent past. So, as we deal with these things again, let’s not forget our acquisition heritage.

Let’s discuss just a couple of examples of where looking to the past can help us in the future.

Example One

DOD has placed renewed interest on contract types and incentives as part of “better buying power” acquisition reforms being advocated by the undersecretary of defense (acquisition, technology, and logistics).⁶ FAR Subpart 16.4 and DFARS Subpart 216.4 provide coverage concerning incentive contracts, as does the contract pricing reference guides. In addition, the most recent DOD publication on incentives, *Incentive Strategies for Defense Acquisitions Guide*, provides useful information in its 40 pages. However, if you reach into the past, you’ll find that there is a veritable fount of information in the 254 pages of the *DOD and NASA Incentive Contracting Guide* from October 1969.⁷ In addition, volumes 1 and 2 of the *Armed Services Pricing Manual (ASPM)*, 361 pages and 182 pages, respectively, can provide additional information.⁸

Example Two

As another example, Title II—“Acquisition Policy”—of the Weapon Systems Acquisi-

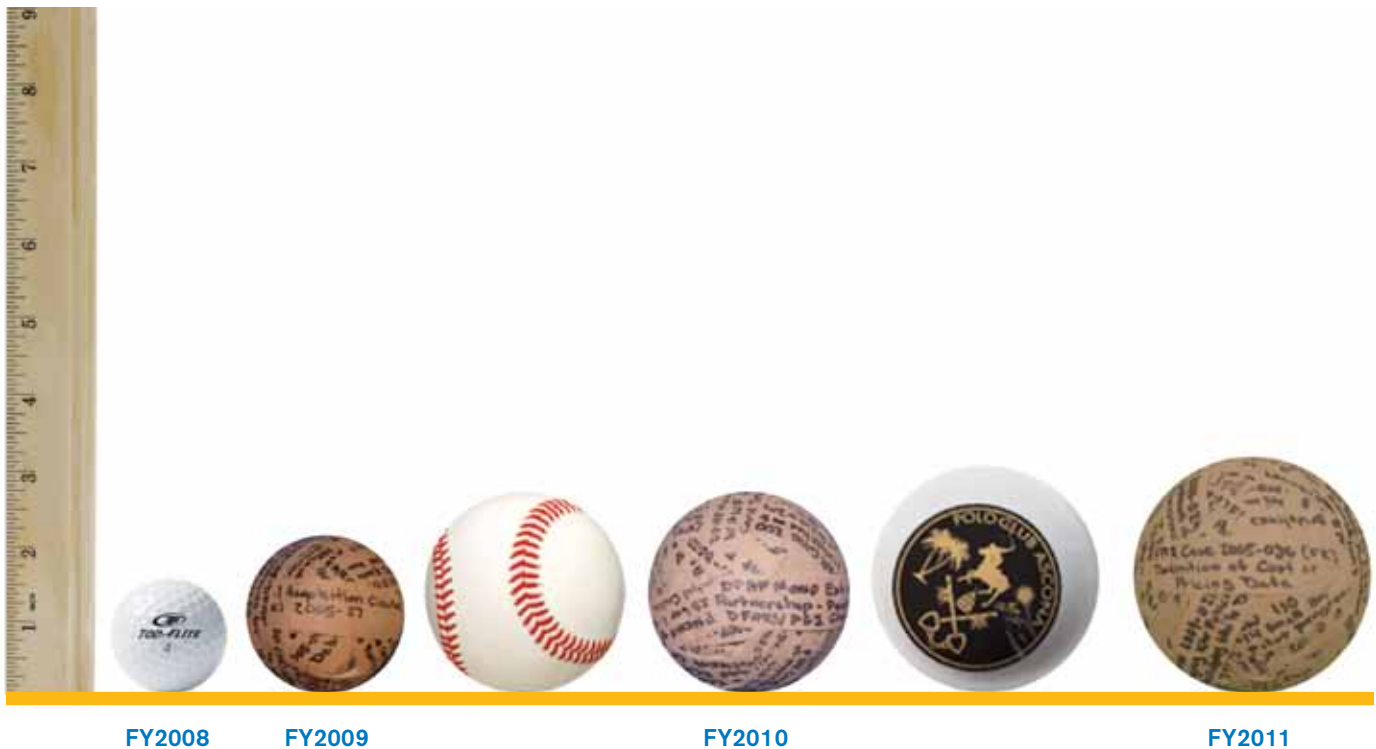


FIGURE 2.

	Golf Ball	Deltas		
	October 1, 2007	October 1, 2008	October 1, 2009	October 1, 2010
Radius	0.84	1.3393	1.7405	2.0368
Diameter	1.68	1.3393	1.7405	2.0368
Circumference	5.28	1.3400	1.7414	2.0378
Volume	2.48	2.4023	5.2724	8.4498

FIGURE 3.

tion Reform Act of 2009⁹ included Section 202, “Acquisition Strategies,” to ensure competition throughout the life cycle of major defense acquisition programs and required the secretary of defense to ensure that acquisition strategies for each major defense acquisition program included measures to ensure competition. The 10 strategies specified in the law were incorporated into DFARS 207.106(S-72)(1)(ii)(2) as a 10-item list.

Continuing competition was a concern and an acquisition reform interest area back in the

1980s. In August 1984, the Defense Systems Management College responded to this interest and published *Establishing Competitive Production Sources: A Handbook for Program Managers*, weighing in at 358 pages.¹⁰

If you’re concerned about the amount of reading that these sorts of efforts might entail, keep in mind what Dr. Seuss told us when we were oh so very young, “The more that you read, the more things you will know. The more that you learn, the more places you’ll go.”¹¹

What Does the Future Hold in Store for Us?

Last year we described the seeming futility of acquisition reform by quoting from the “Beyond Goldwater-Nichols” report, “If Sisyphus had a job in the Pentagon, it would be acquisition reform.”¹² While Sisyphus was the character from Greek mythology who was the “poster child” for acquisition reform last year, Tantalus is this year’s Greek mythology “poster child” of acquisition reform. Tantalus represents the ongoing desire and efforts of the legislative and executive branches of the U.S. government to find those pieces of legislation, those



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policy changes that will finally fix the acquisition process. You may recognize his punishment in the dictionary definition of *tantalize*, “to torment with, or as if with, the sight of something desired but out of reach; tease by arousing expectations that are repeatedly disappointed.”¹³ According to the word origin and history of *tantalize*, “Tantalus [was the] son of Zeus, punished in the afterlife (for an offense variously given) by being made to stand in a river up to his chin, under branches laden with fruit, all of which withdrew from his reach whenever he tried to eat or drink.”¹⁴ **CM**

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**The views presented in this article are those of the authors and do not necessarily represent the views of the Department of Defense or its components.*

Send comments about this article to cm@ncmahq.org.

ENDNOTES

1. Note that DCN 20100115 was the last “Notice.” Subsequently, the term was changed to “DFARS Publication Notice,” or DPN.
2. Editor’s note: In point of fact, *Public Law 111-383*, the Ike Skelton National Defense Authorization Act for Fiscal Year 2011, didn’t become law until signed by the president on January 7, 2011. It was the last public law of that Congress. Title VIII ultimately contained 53 sections.
3. United States Polo Association® Outdoor Rules, 2010, page 40.
4. John Krieger and John Pritchard, “Acquisition Reform and the Golf Ball,” *Contract Management*, December 2009: 22–24.
5. George Santayana, *The Life of Reason, Vol. I, Reason in Common Sense*.
6. Ashton Carter, “Memorandum for Acquisition Professionals, Subject: Better Buying Power: Guidance for Obtaining Greater Efficiency and Productivity in Defense Spending,” September 14, 2010.
7. The latter guide is available at <https://acc.dau.mil/CommunityBrowser.aspx?id=189615>.
8. The *ASPM* is available at www.dau.mil/publications/Pages/Acker%20Library.aspx.
9. *Public Law 111-23*.
10. The handbook is available at <http://handle.dtic.mil/100.2/ADA146006>.
11. Theodor Seuss Geisel, *I Can Read with My Eyes Shut!* (New York: Random House Children’s Books, 1978).
12. “Beyond Goldwater-Nichols: U.S. Government and Defense Reform for a New Strategic Era” (Phase 2 Report), Center for Strategic and International Studies, Washington, DC, July 2005: 88.
13. “Tantalize,” Online Etymology Dictionary, retrieved October 4, 2010, from <http://dictionary.reference.com/browse/tantalize>.
14. *Ibid.*

