

# MEET RICHARD SHELBY'S AIRBUS HOSTAGES: FRANK KENDALL



Since Richard Shelby continues to hold several of Obama's military nominees hostages to his efforts to help France's Airbus win a lucrative contract, I thought we ought to meet the professionals whose service Shelby sees fit to disrupt.

In this post, I'll look at Frank Kendall, who was nominated to serve as Principal Deputy Under Secretary of Defense (PDUSD) for Acquisition and Technology on August 6, 2009.

Kendall appears intent on fixing some of the urgent management and cost problems with defense acquisitions, and he appears to have the management experience to get that done. Yet Shelby is holding up his nomination to benefit Airbus.

Kendall describes the job of PDUSD for Acquisition and Technology as serving as the Chief Operating Officer for Defense Acquisition, under the direction of the Under Secretary of Defense for Acquisition. The USD for Acquisition, Dr. Ashton Carter, has committed to fixing some of the urgent problems with our defense acquisitions—see POGO's positive response to Carter here. As such, Kendall would be implementing Carter's efforts.

Kendall summarized his qualifications to serve in this function in his pre-hearing questionnaire this way:

I have over 35 years experience in the areas of national security, defense, and acquisition. My education includes degrees in engineering, business and

law. I served on active duty in the Army for over ten years including in operational units and research and development commands. As a civil servant I worked as a systems engineer and systems analyst. I spent over eight years in the Pentagon on the Under Secretary for Acquisition's staff first as Assistant Deputy Under Secretary for Strategic Systems (Defense Systems) and then as Director, Tactical Warfare Programs. Outside of government I have been the Vice President of Engineering for Raytheon Company and a consultant on national security and acquisition related matters, principally program management, technology assessment, and strategic planning, for a variety of defense companies, think tanks, and government laboratories or research and development organizations.

And when asked to describe the biggest challenges he would face in the PUSD for Acquisition, he focused on efforts to increase the acquisition workforce in order to effectively manage DOD's huge programs.

I anticipate a major challenge in ensuring that the Department's acquisition programs are executed within cost, schedule, and performance goals. I understand that many programs are falling short in this area and I would work to regain control of existing programs and to ensure that new programs do not repeat these problems. There is a challenge and opportunity in growing both the size and capability of the acquisition workforce particularly in the areas of program management, engineering, contracting, and cost estimating. I also believe there is a need to improve the efficiency and effectiveness of the transition of technologies from the science and

technology community into acquisition programs. Finally, maintaining the strength and resiliency of our national defense industrial base is a challenge that I anticipate will require attention.

Among other ways he described to address these challenges include using more prototypes, attending to technology transfer and manufacturing base, retaining inherently governmental functions in government, limiting consolidation among defense contractors, supporting in-sourcing (that is, replacing contractors with civilian employees), and limiting time and material contracts.

In short, Kendall has a lot of no-nonsense ideas that will make our military more effective for less money.

That's what Richard Shelby is impeding by holding Kendall's nomination hostage.



In the face of Kendall's intelligent response to fixing defense contracting, the Senators from Alabama (Jeff Sessions also has placed a hold on Kendall's nomination) want to corner him into committing to a particularly approach to the Tanker contract for which Airbus would bid against Boeing. Consider this exchange between Kendall and Jeff Sessions from Kendall's nomination hearing October 22, 2009:

Senator SESSIONS. Thank you, Senator Reed.

I congratulate all of you on your nominations. **I think the Senate will do its duty and you'll move right along.**

Mr. Kendall, the recently released request for proposal by the Air Force marks the third attempt in nearly a decade to acquire a replacement for the KC-135 refueling tanker. As you know,

the first two attempts were marred by controversy. First there was a leasing scandal, and people went to jail over that; and then a bid protest.

Do you believe that it's possible, given the outcomes of those attempts, that there might have been overcompensation in the development of the current RFP and that as a consequence of that overcorrection to make the RFP foolproof or technically unassailable that an unintended consequence might be that the warfighter gets a less capable platform or is in some ways disadvantaged?

Have you had a chance to look at that and will you comment on it?

Mr. KENDALL. Senator Sessions, I have not. I am sorry; I can't really give an answer to your question.

Senator SESSIONS. Well, if you were bidding on the purchase of a house or some other important item in your life, I think we would all know that price alone is not the most important thing. There are other qualities that go into making the kind of selection that Americans do every day. You want a good price, but you want a good price for the best value and the capabilities you get. **[ed: GAO found that the bid Airbus won did not adequately account for the costs Airbus would incur over the life of the program]**

Do you believe that under normal circumstances the best value for the warfighter is what we should be seeking?

Mr. KENDALL. In general, Senator Sessions, I would agree with you, best value, which obviously price is a very important factor in that.

Senator SESSIONS. Well, some have contended that the best price in this

would be just to reproduce the existing KC-135. Originally the Air Force proposed and their goal was to obtain a game-changer, a step up in quality and capabilities. It's just something I know will be on your portfolio. It will be an important issue. It's the Air Force's number one priority in acquisition and we are way behind schedule, and I hope that we can—that the Department of Defense—and you will be a leader in this—will just make up your mind to do the best and fair bid and call it like it is. I think that's all we can ask, but I think we have a right to ask for that. Don't you?

Mr. KENDALL. Absolutely, Senator Sessions.

[snip]

Senator SESSIONS: Well, Mr. Chairman, I thank our members on these nominations, for this hearing. I will probably submit some written questions as follow-up. But I wish you all success, and if you are fortunate to be confirmed I know that you will commit yourself to making sure our military men and women have the best value systems that can help them be successful as they serve America, often in harm's way. [my emphasis]

From what I've read, it seems that Kendall is serious about fixing some of the big problems with the way we acquire defense systems and it sounds like he has good management ideas on how to do so.

But Shelby (and Sessions) want to prevent Kendall from beginning that process. Instead, they appear to want a commitment that he'll ignore the issue that led GAO to side with Boeing in its bid protest—cost—as the Tanker contracting process moves forward.

*(Shelby hostage image by Twolf; Frank Kendall*

*image from his confirmation hearing.)*