

# DOWNLOAD PDF PRELIMINARY ANALYSIS OF ADVANCE APPROPRIATIONS AS A BUDGETING METHOD FOR NAVY SHIP PROCUREMENTS

## Chapter 1 : Giles K. Smith (Author of The Use Of Prototypes In Weapon System Development)

*Irv Blickstein & Giles Smith R A Preliminary Analysis of ADVANCE APPROPRIATIONS as a Budgeting Method for Navy Ship Procurements National Defense Research Institute Approved for public release; distribution unlimited.*

Participants in acquisition plan preparation including source selection committee During the planning of an acquisition, several key aspects of the effort are decided, including: Measurable outcomes must be stated clearly. Required amount and type of funding for the proposed acquisition Contract line item number CLIN structure: Failure to properly structure the CLIN structure to the contents of a work statement can lead to an inability to determine how much a contractor should be paid or penalized if performance issues arise. Source selection criteria SSC: Source selection criteria "1 Represent the key areas of importance and emphasis to be considered in the source selection decision; and 2 Support meaningful comparison and discrimination between and among competing proposals. Independent Government cost estimate Market research: Market research is a critical part of knowledge-based acquisitions. Information-driven and informed decision-making requires complete information to execute successful acquisitions. Risk in contracting falls into three categories " schedule risk, performance risk and cost risk. Risks to the acquisition, including negative past experiences, must be identified and mitigation measures and risk allocation between the Government and a potential vendor determined. Government provided equipment, resources, support or information: Often, the Government must provide for equipment, logistics support, information, and many other items vital to performance of a contract. If there are proprietary information in the potential Government furnished information GFI , then measures must be taken to avoid violation of applicable regulations. Effective market research assists the Government in: Requiring activities are sometimes asked to write work statements on subject matter with which they have little experience. Persons with little knowledge as to how to conduct market research must seek training or guidance or apply the same common sense they would use if they were buying a high value item for themselves. Stripped Down Components[ edit ] Work statement: The more vague the contract work statement, the more risk that the Government assumes. A measure of the inability to achieve program objectives within defined cost and schedule constraints. Risk is associated with all aspects of the program, for example, threat, technology, design processes, Work breakdown structure WBS elements, etc. It has two components, the probability of failing to achieve a particular outcome, and the consequences of failing to achieve that outcome. What are our remedies, if any? Requiring activities and frequently contracting officers want to get an acquisition on contract as quickly as possible; sometimes too quickly. Thus, contracting officers and acquisition attorneys will frequently have to carefully review the overall acquisition to identify risks to cost, schedule and performance and recommend mitigation measures to decrease these risk areas. What is my expected payoff? The larger the expected payoff, the larger the associated risk, and vice versa. An Investor, who is a shareholder in a contracting company, will seek to carefully balance the expected payoff with the associated risk, and he is incentivized to seek a large payoff, as long as the risk is acceptable. This perspective is unique in the sense that risk represents both opportunity and danger to the Investor, while it only represents danger to the Program Manager and the Lawyer. In other words, there is a misalignment in the perception of risk between the Program Manager, the Lawyer, and the Investor. Requirement overbundling[ edit ] Cost, schedule and performance risk can be increased by over-bundling of a requirement into a single acquisition vehicle. Over-bundling dries up the possible vendor base that might otherwise compete for a requirement. For example, having a work statement for asphalt roads, space shuttles, hot dog carts , movie projectors and skyscrapers is unlikely to get a good vendor; only a prime integrator will bid on that type of bloated requirement, thereby stacking a tremendous amount of overhead into the price of the acquisition. In the best-case scenario, the prime integrator will merely go out and contract with the vendors the Government

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should have gone with in the first place. The worst case is the prime integrator will mismanage outsourcing to their subcontractors and poor results will ensue. This analysis will frequently require splitting up a requirement into different pieces. The bundling of a requirement also has the very bad effect of making the SSCs and CLIN structure difficult to use in source selection, price evaluation and contract administration. Overbundled requirements frequently suffer from very vague requirements and work statements, particularly in service contracts. In service contracts, the CLIN structure is priced on a per person per hour basis rather than on the service work deliverables themselves. Government or contractor ability to prepare cost or price estimates for vague work statements is severely limited; Accordingly, the Government will negotiate a labor rate, number of people and individual qualifications for the requirement given that is the only feasible way to get an idea of cost. Also, the CLIN structure which prices on a per person basis or per hour basis generally pays for such persons on an annual basis rather than merely for the service on an a la carte or as-needed basis, therefore driving up costs in many cases. Pricing on a per person or per hour basis is a sign that a contract likely also qualifies as a personal services contract under FAR Part 37 – technically violating at least the spirit, if not the letter, of the Classification Act and FAR Part 37 except in specific circumstances and with specific determinations and findings. Use of prime integrators in overbundled contracts sometimes has led to poor results in a number of major systems acquisitions. For example, what would happen if say the US Navy went too far in allowing contractors to make choices that make economic sense in the specific acquisition but add cost to the overall Navy? Example is a prime integrator who gets a good deal on a specific radar system that is not used in any other ship system – makes this specific buy cheaper but overall this costs the Navy a great deal of money given a lack of interoperability that drives a need to stand up training schools, supply system, work force increase, etc. Over-bundling makes it easy for contracting, but many times, especially for complex acquisitions, does not deliver the results expected by the customer or war fighter for complex acquisitions, especially acquisitions that the acquisition command in question has little experience with or has substantial turn over of personnel during the life of the acquisition. Small business acquisitions have mandatory restrictions on over-bundling. However, non-small business acquisitions are not subject to the same rules. Example of how over-bundling causes big problems permutations and evaluation of total price in source selection: Lets say a requiring activity wants to get polling services. Acquisition planning reveals there are five polls in ten different regions. However, it turns out that the Government will only be ordering one of the five polls in any real numbers and that particular poll is much more expensive in actual cost than the other four. If a weighting scheme is not applied to this bundled requirement, a vendor can make the four lightly ordered polls very cheap in their offer and the high volume poll very expensive, based on their knowledge of the ordering patterns of the Government in past acquisitions. Thus, on its face, the overall price of a bid when each poll is added together to arrive at a total price used in source selection would look attractive but in practice, the Government will burn through its budget very quickly given the vast majority of the actually ordered polls are extremely expensive even though the actual cost of the most frequently ordered poll is far less than what was in the offer. To avoid the headache of a weighting scheme, all five polls should be broken apart and contracted for separately so they can be judged on their merits. Statement of work[ edit ] Main article: Statement of work The statement of work SOW is a formal document submitted along with the request for proposal RFP to a vendor that defines the work to be performed, the location of the work, the deliverable schedule, applicable performance standards, any special requirements e. Source selection refers to the process for evaluating contractor proposals or quotes submitted in response to a request for proposals RFP or request for quotes RFQ based on the contract solicitation. Source selection is driven by what instructions to offerors clause is included in the contract solicitation e. A SSP gives instructions to a source selection committee on how to evaluate each proposal. Ultimately, risk evaluation is where a source selection team wants to be. That is what is used to determine weakness, significant weakness and deficiencies, which are briefed to

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unsuccessful offerors. Contractors competing for a Government requirement have an opportunity to request clarification or amendment of a work statement or solicitation. The request for clarification must be done relatively early in the acquisition process, preferably as close to the publication of a solicitation, RFQ, RFP or other publication. Key principles for source selection: Tell them what basis you are going to award it on award criteria tell them Award it based on what you said you would award it based on do what you said you would do Document what you did. Tell them that you did what you said you would do in the first place More is better as long as it makes sense. If discussions are held, read the bid protests on discussions first to make sure you understand how to do it. If a competitive range is used, you MUST send pre-award notifications to offerors thus excluded. Do not use unstated source selection criteria to select the winning offer. Discuss those discriminators that make one offeror better than another based on the selection criteria. Be as detailed and focused upon discriminators as the source selection results allow. If something was not a discriminator then say so and also state why it was not. If the strength had no bearing on the offerors rating, state so. A drafter of the source selection decision document must show the source selection authorities thought process and reasons behind the comparative analysis. I selected; I thought; I determined; I reviewed; etc. Source selections cannot compare the offers against each other. Only against the award criteria. Spend some time on the summary to make it correct as it is very important. It is meant to very quickly put in words the best of the key discriminators used by the SSA to reach their decision. If there are a large number of offerors, the detailed discussion may be limited to the most highly rated offerors. Some light discussion of lower rated offerors is needed when a competitive range is not established. Ensure they are consistent i. The document must be the single summary document supporting selection of the best value proposal consistent with the stated evaluation criteria. It must clearly explain the decision and documents the reasoning used by the SSA to reach a decision. The document should be releasable to the General Accounting Office and others authorized to receive proprietary and source selection information. When releasing a copy to offerors or to anyone not authorized to receive proprietary and source selection information, redacted material should be limited to that which is proprietary and that which must continue to be protected as source selection information. What is good for one proposal is good for all proposals See above Take a hard look at definitions in instructions given to source selection committee “ look at the words in them; start with the worst definition, i. Packages missing things are just rated lower for example, poor, good, unacceptable or IAW FAR of weakness, significant weakness, etc. Do the best you can with bad source selection or award criteria. Just make sure it is consistently applied Source Selection Criteria[ edit ] Source Selection Criteria SSC can be simple or complex depending on the subject of the acquisition. If FAR Part 15 is used, then a concept called best value can be used; best value simply is an idea that the lowest bidder is not necessarily the winner of a competition “ rather, an evaluation of the overall offer based on specified SSCs is accomplished and a source selection decision is accomplished see below based on those specified SSCs using a fact-based business judgement of the acquiring activity. For example, under FAR Part 15, there is a range of source selection models including: Vendor past performance is generally included as a source selection criteria. It is important to include a requirement for "recent and relevant" past performance. Performance metric A metric is a meaningful measurement taken over a period of time that communicates vital information about a process or activity, leading to fact-based decisions. Focus on where things go bad “ not resource effective to measure everything. Instead, select the critical few metrics for mission essential processes, process that have historically experienced chronic problems or process choke points and monitor them. Characteristics of a good metric:

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## Chapter 2 : Government procurement in the United States - Wikipedia

*A companion piece to MR that examines the pros and cons of applying advance appropriations across a broader segment of the Navy shipbuilding program than just aircraft carriers. The entire cost of a ship is normally included in the congressional budget for the year of construction start, which.*

Detailed Background on the Policy Summary The full funding policy is a federal budgeting rule imposed on the Department of Defense DOD by Congress in the s that requires the entire procurement cost of a weapon or piece of military equipment to be funded in the year in which the item is procured. In recent years some DOD weapons—specifically, certain Navy ships—have been procured with funding profiles that do not conform to the policy as it traditionally has been applied to DOD weapon procurement programs. DOD, in recent budget submissions and testimony, has proposed or suggested procuring ships, aircraft, and satellites using funding approaches that do not conform to the policy as traditionally applied. Such precedents could further circumscribe the full funding policy. A principal effect of the full funding policy is to prevent the use of incremental funding, under which the cost of a weapon is divided into two or more annual portions. Incremental funding fell out of favor because opponents believed it could make the total procurement costs of weapons and equipment more difficult for Congress to understand and track, create a potential for DOD to start procurement of an item without necessarily stating its total cost to Congress, permit one Congress to "tie the hands" of future Congresses, and increase weapon procurement costs by exposing weapons under construction to uneconomic start-up and stop costs. Supporters of incremental funding, however, could argue that its use in DOD procurement programs could produce certain advantages in terms of reducing disruption to other programs, avoiding investment bias against very expensive items, improving near-term production economies of scale, and preserving flexibility for future Congresses to halt funding for weapons under construction that have become unnecessary or inappropriate. Congress has several options for responding to recent proposals for procuring DOD ships and aircraft with funding mechanisms that do not conform to the full funding policy. These options could have the effect of terminating, modifying, maintaining, or strengthening the full funding policy. This report will be updated as events warrant. In recent years, some DOD weapons—specifically, certain Navy ships—have been procured with funding profiles that do not conform to the policy as it traditionally has been applied to DOD weapon procurement programs. The rule applies to all weapons and equipment that DOD procures through the procurement title of the annual DOD appropriations act. In general, the policy means that DOD cannot contract for the construction of a new weapon or piece of equipment until the entire cost of that item has been approved by Congress. Sufficient funding must be available for a complete, usable end item before a contract can be let for the construction of that item. A principal effect of the full funding policy is to prevent the use of incremental funding in the procurement of DOD weapons and equipment. Under incremental funding, DOD can contract for the construction of a weapon after Congress approves only the initial increment of its cost, and completion of the weapon is dependent on the approval of the remaining increments in future years by that Congress or future Congresses. There are two general exceptions to the full funding policy. One permits the use of advance procurement funding for components or parts of an item that have long production leadtimes. Governing Regulations The full funding policy is consistent with two basic laws regarding executive branch expenditures—the Antideficiency Act of , as amended, and the Adequacy of Appropriations Act of For a detailed discussion of the origins, rationale, and governing regulations of the full funding policy, as well as examples of where Congress, GAO, and DOD have affirmed their support for the policy, see Appendix B. Alternative of Incremental Funding Prior to the imposition of the full funding policy, DOD weapon procurement was accomplished through incremental funding. Incremental funding fell out of favor because

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opponents believed it did or could do one or more of the following: Although incremental funding fell out of favor due to the above considerations, supporters of incremental funding could argue that its use in DOD or federal procurement can be advantageous because it can do one or more of the following: Non-Conforming Procurements In recent years, some items, notably Navy ships, have been procured with funding profiles that do not conform to the policy as traditionally applied to DOD procurement programs. In addition, DOD is now proposing to procure other items, including both ships and aircraft, with funding profiles that do not conform to the policy as traditionally applied. Rather, dollars made available to the NDSF are executed on an oldest money first basis. Therefore, full funding provisions as normally understood for ship acquisition do not apply. DOD records the ship in its budget presentations as an FYprocured item. Leasing Authority for Refueling Tanker Aircraft As part of its action on the FY defense appropriations bill, Congress granted DOD authority to enter into a year leasing arrangement for aircraft based on the Boeing commercial aircraft design to serve as Air Force aerial refueling tankers. Although this was a leasing arrangement rather than a procurement action, some critics argued that the stream of annual lease payments to be made under the arrangement could be viewed as the equivalent of incremental funding. As part of its action on the FY defense authorization bill, Congress granted DOD revised authority to enter into a year leasing arrangement for 20 aircraft and to procure up to 80 additional aircraft under a multiyear procurement contract that uses incremental funding. Large Satellites Incrementally Funded In testimony to the Strategic Forces subcommittee of the Senate Armed Services Committee on the proposed FY military space programs budget, Ronald Sega, the Undersecretary of the Air Force, suggested using incremental funding for procuring large, expensive satellites that are not procured in large numbers. The affect would be to reduce requested funding in the initial years of the contract and increase amounts requested in later years. This proposal is of particular note because it would, if implemented, extend use of something resembling incremental procurement to an area of defense weapon procurement outside shipbuilding. Advance Appropriations for Navy Ships in SCN In and again in , some Navy officials advocated the use of a funding arrangement called advance appropriations for Navy ships, particularly as a means of increasing the number of ships that could be placed under construction in the near term with available funding. Use of advance appropriations would enable the Navy to begin construction on a ship in a given year even though the budget authority for that year provided only an initial increment of the total procurement cost of the ship. Under advance appropriations, funding for the entire procurement cost of a ship would be approved by Congress in a single decision. In contrast, however, to traditional full funding, in which the full procurement cost of the ship is assigned to i. Although Navy supporters of the advance appropriation concept stressed that advance appropriations is a form of full funding rather than incremental funding, they acknowledge that advance appropriations could be described informally as a legislatively locked-in counterpart to incremental funding. OMB Circular A defines advance appropriations as appropriations that are: Enacted normally in the current year; Scored after the budget year e. Specifically, Principle 2 in Appendix J on principles of financing capital assets, states italics as in the original: Regular appropriations for the full funding of a capital project or a useful segment or investment of a capital project in the budget year are preferred. If this results in spikes that, in the judgment of OMB, cannot be accommodated by the agency or the Congress, a combination of regular and advance appropriations that together provide full funding for a capital project or a useful segment or an investment should be proposed in the budget. Principle 1 Full Funding is met as long as a combination of regular and advance appropriations provide budget authority sufficient to complete the capital project or useful segment or investment. Full funding in the budget year with regular appropriations alone is preferred because it leads to tradeoffs within the budget year with spending for other capital assets and with spending for purposes other than capital assets. In contrast, full funding for a capital project investment over several years with regular appropriations for the first year and advance appropriations for subsequent years may bias tradeoffs in the budget year in favor of the proposed asset

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because with advance appropriations the full cost of the asset is not included in the budget year. Advance appropriations, because they are scored in the year they become available for obligation, may constrain the budget authority and outlays available for regular appropriations of that year. If, however, the lumpiness caused by regular appropriations cannot be accommodated within an agency or Appropriations Subcommittee, advance appropriations can ameliorate that problem while still providing that all of the budget authority is enacted in advance for the capital project investment or useful segment. The latter helps ensure that agencies develop appropriate plans and budgets and that all costs and benefits are identified prior to providing resources. In addition, amounts of advance appropriations can be matched to funding requirements for completing natural components of the useful segment. Advance appropriations have the same benefits as regular appropriations for improved planning, management, and accountability of the project investment. Navy advocates of using advance appropriations for Navy shipbuilding noted that the mechanism is used by several federal agencies other than DOD. The House Appropriations Committee, in its report H. In attempting to establish advanced appropriations as a legitimate budgeting technique, those Navy advocates of such practices would actually decrease the flexibility of future Administrations and Congresses to make rational capital budgeting decisions with regard to shipbuilding programs. Accordingly, the Committee bill includes a new general provision section which prohibits the Defense Department from budgeting for shipbuilding programs on the basis of advanced appropriations. Approve procurement of the items using the proposed non-conforming approach without added bill or report language. This option, if implemented, might well be viewed by DOD or others as setting a precedent for applying non-conforming funding approaches to other DOD procurement programs in the future. Approve procurement of the items using the proposed non-conforming approach, but with added bill or report language intended to limit the application of the approach strictly to the specific program in question. The success of this option in not setting such a precedent could depend on the forcefulness of the wording used in the bill or report language. Approve procurement of the items with a conforming funding approach, but without added bill or report language. Reject procurement of the requested items entirely, without added bill or report language. General Legislative Options In addition to responding to specific proposals for procuring ships and aircraft with non-conforming approaches, Congress may consider options for addressing legislatively the application of the full funding policy to DOD procurement programs generally. In this regard, Congress could decide to either maintain the status quo or add new bill or report language. New bill or report language could be aimed at any of the following basic objectives: Terminating the application of the full funding policy to DOD procurement programs. This option could involve dropping the current policy preference for full funding and permitting DOD to employ either full funding, incremental funding, or some other funding approach, depending on which approach DOD deems most appropriate for the program in question. Alternatively, this option could involve instituting a new policy that prohibits the use of full funding and perhaps establishes a new policy preference for using incremental funding or some other funding approach. Relaxing or otherwise modifying the application of the policy to DOD procurement programs. This option could involve permitting non-conforming approaches to be used for certain categories of weapons or equipment, or for procurements conducted under certain circumstances. It could also involve permitting DOD to make greater use of alternative budgeting mechanisms, such as revolving funds, for procurement of weapons and equipment. As discussed in Appendix B , a GAO report examined some alternative mechanisms used at certain government agencies other than DOD and recommended that "The Congress should consider enabling agencies to use more flexible budgeting mechanisms that accommodate up-front funding over the longer term while providing appropriate oversight and control. One recent example of proposed legislation relating to the use of full funding in DOD procurement programs, mentioned earlier, was Section of the FY defense appropriations bill H. None of the funds appropriated in this Act may be used to prepare a budget request for submission to Congress by the

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Department of Defense for fiscal year that contains any proposal to acquire ships for the Department of the Navy through the use of incremental funding amounts or advanced appropriations. The limitation against incremental funding does not apply to the specific shipbuilding programs that were funded on an incremental basis in fiscal year . As mentioned earlier, this provision was not included in the final version of the bill that was passed by Congress and signed into law P. The conferees direct that the Department of Defense budget for all future C procurement and support costs within the National Defense Airlift Fund. The conferees direct that future budget documents for the NDAF should conform to the requirements for other DOD procurement accounts including the content and format of budget exhibits, reprogramming thresholds among procurement, advanced procurement, and interim contractor support line items, application of the procurement full funding policy, and Congressional notification for changes in quantity. A third example is Section of the FY defense authorization bill H. This provision was not included in the final version of the bill S. DOD spending forms a large part of overall federal spending and an even larger share of discretionary federal spending. Procurement of weapons and equipment in turn forms an important part of overall DOD spending and an even larger share of the portion of the DOD budget that is considered more "discretionary" in nature. Congressional hearings and GAO reports over the years suggest that circumscribing the application of the full funding policy to DOD procurement programs could reduce congressional control over spending. Congressional Oversight of DOD Procurement Programs As also shown in the excerpts presented in Appendix B , the full funding policy has traditionally been viewed as beneficial in terms of making the total cost of DOD weapons and equipment more visible to Congress. Incremental funding or other non-conforming funding approaches, by spreading the costs of individual weapons or pieces of equipment over several years, could complicate the task of understanding and tracking total weapon costs and the uses of previously appropriated funds, particularly if such approaches are applied to numerous weapon acquisition programs. The issue is whether these alternative mechanisms would be appropriate for DOD, which has a much larger budget and much larger annual capital needs than most other federal agencies. Future Congresses As discussed in the excerpts presented in Appendix B , use of incremental funding or other non-conforming approaches could commit future Congresses to providing funding for programs initiated by previous Congresses, and thereby reduce the flexibility of future Congresses to adapt current-year budgets to changing needs. Incremental funding, in this view, could permit Congress to stop throwing good money after bad. As shown in the excerpts presented in Appendix B , full funding is often viewed as helping to ensure that DOD officials identify, make investment trade-offs on the basis of, and budget adequately for the full costs of its weapons and equipment. In addition, DOD has sometimes stated that full funding is a source of discipline on DOD program managers that encourages them to execute their programs within cost. It could also be argued that some DOD procurement programs incorporate significant amounts of advanced technology and that GAO, in a letter report and briefing on incremental funding of capital asset acquisitions, stated that it "recognizes that some incremental funding for high technology acquisitions is justified because, while such projects are intended to result in a usable asset, they are closer in nature to research and development activities. Potential Impact on Weapon Costs Funding approaches like incremental funding and advance appropriations can permit the military services to start construction on a greater number of weapons in the near term than would be possible under full funding. This could make incremental funding and advance appropriations attractive in the near term to service officials, industry officials, and their supporters, particularly given the decreased rates of weapon procurement that began in the early s and are currently programmed by DOD to continue for several more years. The full costs of weapons started under these approaches, however, would eventually have to be paid in later years along with the costs of weapons procured in those later years. As reflected in some of the excerpts presented in Appendix B , incremental funding traditionally has been viewed as creating a potential for increasing weapon procurement costs due to uneconomic start-up and stop costs that can occur when budget reductions or other unexpected

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developments cause one or more of the planned increments to be reduced or deferred. A related argument is that if firms are uncertain about approval of future funding increments for a particular weapon, they may be less inclined to invest in new and more efficient production technologies for that weapon, effectively increasing its cost. It could also be argued, however, that incremental funding or advance appropriations can help reduce weapon procurement costs in at least two specific cases. The first concerns a very expensive item, such as a large ship, that is usually procured once every few years. The examples usually cited are aircraft carriers and amphibious assault ships.

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## Chapter 3 : What has the author Irving Petlin written

*Preliminary analysis of advance appropriations as a budgeting method for Navy ship procurements. Santa Monica, Calif.: RAND, National Defense Research Institute, (DLC)*

Limitations Time and Material Not possible at time of placing contract to estimate extent or duration of the work, or anticipated cost, with any degree of confidence. Calls for provision of direct labor hours at specified hourly rate and material at cost or some other basis specified in contract. Ceiling price established at time of award. Engineering and design services in conjunction with the production of supplies, engineering design and manufacture of dies, jigs, fixture, gauges, and special machine tools; repair, maintenance and overhaul work to be performed in emergencies. Used only after determination that no other type will serve purpose. Does not encourage effective cost control. Requires almost constant surveillance by Government to insure effective contractor management. Used only with negotiated procurements. Ceiling price required in contract. Labor Hours A variant of time and materials contract differing only in that materials are not furnished by contractor. Often used in conjunction with other contract types. Used only for services. Same as time and materials. Letter Contract Interest of national defense demands that contractor be given binding commitment so that work can commence immediately and not possible to negotiate definitive contract in sufficient time. Contract includes dates by which parties expect definitized contract to be negotiated. Contract price contains ceiling price. Requires competition prior to award when such competition is practical. Manufacture of supplies and performance of services to include preproduction planning and procurement of necessary materials. Gets contractor going quickly. Must have written determination that no other contract type is suitable. Must be superseded by definitized contract at earliest possible date. Maximum government liability until definitization. Indefinite Delivery The exact time of delivery is unknown at time of award and a known performance period. There are three types of indefinite delivery contracts: Deliveries or performance at designated locations, upon order. Supplies regularly available, or after short lead time. Funds are obligated by each order and NOT by the contract. Contract contains a minimum Government obligation and a stated maximum order quantity and thereafter by each order. Used when it is impossible to determine precise need and Government does not wish to commit itself for more than minimum quantity. Commercial or modified commercial supplies or services when the need is recurring. Orders placed only after need materializes. Minimum stockage levels maintained. Direct shipment to users. Catalog or market prices are used. Used only with fixed price type contracts. Blanket Purchase Agreements BPAs A BPA is a simplified method of filling anticipated repetitive needs for supplies or services by establishing "charge accounts" with qualified sources of supply. The general scope of the BPA must be consistent with the contractors status under the Walsh-Healey Public Contracts Act as a manufacturer or regular dealer in the type of supplies identified. BPAs eliminate the necessity of issuing individual purchase orders by providing a method in which purchases are made by placing oral calls, or by informal memoranda when more convenient. BPAs should contain the following information: Description of agreement Listing of individuals authorized to purchase under the BPA Information to be included on the delivery ticket Invoice requirements Statement that all other terms and conditions are contained in the Federal Supply Schedule contract Information Technology, Engineering Services Maximum use of BPAs is encouraged and recommended when appropriate i. Small Business Innovation Research The Small Business Innovation Research SBIR program is a highly competitive program that encourages small business to explore their technological potential and provides the incentive to profit from its commercialization. Small businesses must meet certain eligibility criteria to participate in the SBIR program. American-owned and independently operated Principal researcher employed by business Company size limited to employees Following submission of proposals, agencies make SBIR awards based on small business qualification, degree of

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innovation, technical merit, and future market potential. Small businesses that receive awards or grants then begin a three-phase program. Phase I is the start-up phase. This phase is for the exploration of the technical merit or feasibility of an idea or technology. No SBIR funds support this phase. The small business must find funding in the private sector or other non-SBIR federal agency funding.

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and Universities and minority institutions program. Report on OA's light attack aircraft applicability to partner nation support. Reports on comparative capabilities of adversaries in key technology areas. Report on active protection systems for armored combat and tactical vehicles. Next Generation Combat Vehicle. Modification of reports on mechanisms to provide funds to defense laboratories for research and development of technologies for military missions. Improvement of the Air Force supply chain. Review of guidance on blast exposure during training. Competitive acquisition strategy for Bradley Fighting Vehicle transmission replacement. Independent assessment of electronic warfare plans and programs. Subtitle B's Energy and Environment Sec. Explosive Ordnance Disposal Defense Program. Further improvements to energy security and resilience. Use of proceeds from sales of electrical energy derived from geothermal resources for projects at military installations where resources are located. Funding of study and assessment of health implications of per- and polyfluoroalkyl substances contamination in drinking water by agency for toxic substances and disease registry. Extension of authorized periods of permitted incidental takings of marine mammals in the course of specified activities by Department of Defense. Department of Defense environmental restoration programs. Joint study on the impact of wind farms on weather radars and military operations. Production and use of natural gas at Fort Knox, Kentucky. Subtitle C's Logistics and Sustainment Sec. Authorizing use of working capital funds for unspecified minor military construction projects related to revitalization and recapitalization of defense industrial base facilities. Examination of Navy vessels. Limitation on length of overseas forward deployment of naval vessels. Temporary modification of workload carryover formula. Limitation on use of funds for implementation of elements of master plan for redevelopment of Former Ship Repair Facility in Guam. Report on pilot program for micro-reactors. Limitation on modifications to Navy Facilities Sustainment, Restoration, and Modernization structure and mechanism. Matters for inclusion in quarterly reports on personnel and unit readiness. Annual Comptroller General reviews of readiness of Armed Forces to conduct full spectrum operations. Surface warfare training improvement. Report on optimizing surface Navy vessel inspections and crew certifications. Report on depot-level maintenance and repair. Report on wildfire suppression capabilities of active and reserve components. Report on relocation of steam turbine production from Nimitz-class and Ford-class aircraft carriers and Virginia-class and Columbia-class submarines. Report on Specialized Undergraduate Pilot Training production, resourcing, and locations. Report on Air Force airfield operational requirements. Report on Navy surface ship repair contract costs. Subtitle E's Other Matters Sec. Coast Guard representation on explosive safety board. Transportation to continental United States of retired military working dogs outside the continental United States that are suitable for adoption in the United States. Scope of authority for restoration of land due to mishap.

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## Chapter 5 : What has the author Irving Marmer Copi written

*Preliminary Analysis Of Advance Appropriations In Budgeting Method For Navy Ship Procurements Part ivâ€”service, supply, and procurement, national defense technology and.*

Recent Ships Procured with Incremental Funding Summary Some observers have proposed procuring Navy ships using incremental funding or advance appropriations rather than the traditional full funding approach that has been used to procure most Navy ships. Supporters believe these alternative funding approaches could increase stability in Navy shipbuilding plans and perhaps increase the number of Navy ships that could be built for a given total amount of ship-procurement funding. The issue for Congress is whether to maintain or change current practices for funding Navy ship procurement. For Department of Defense DOD procurement programs, the full funding policy requires the entire procurement cost of a usable end item such as a Navy ship to be funded in the year in which the item is procured. Supporters could argue that using it could avoid or mitigate budget spikes associated with procuring very expensive ships such as aircraft carriers or "large-deck" amphibious assault ships. Opponents could argue that using it could make total ship procurement costs less visible and permit one Congress to budgetarily "tie the hands" of future Congresses. Under advance appropriations, Congress makes a one-time decision to fund the entire procurement cost of an end item. That cost can then be divided into two or more annual increments that are assigned to in budget terminology, "scored in" two or more fiscal years. Supporters could argue that using advance appropriations could avoid or mitigate budget spikes without some of the potential disadvantages of incremental funding. Opponents could argue that advance appropriations retains or even expands a key potential disadvantage of incremental fundingâ€”that of tying the hands of future Congresses. Using incremental funding or advance appropriations could, under certain circumstances, marginally reduce the cost of Navy ships. Under certain other circumstances, however, it could increase costs. Options for Congress include maintaining current ship-procurement funding practices; strengthening adherence to the full funding policy; increasing the use of incremental funding; beginning to use advance appropriations; and transferring lead-ship detailed design and nonrecurring engineering costs to the research and development account. Arguments could be made in support of or against each of these options. This report will be updated as events warrant.

Alternative Funding Approachesâ€”Background and Options for Congress Introduction and Issue for Congress Some observers have proposed procuring Navy ships using funding approaches other than the traditional full funding approach that has been used to procure most Navy ships since the s. These alternative funding approaches include incremental funding, which has been used to fund a few Navy ships in recent years, and advance appropriations, which has not been used for Navy ship procurement. Supporters of these alternative funding approaches believe they could increase stability in Navy shipbuilding plans and perhaps increase the number of Navy ships that could be built for a given total amount of ship-procurement funding. The issue for Congress is whether to maintain current practices for funding Navy ship procurement or change them by, for example, increasing the use of incremental funding or starting to use advance appropriations. Consequently, the issue can be alternately expressed as how to procure Navy ships economically while maintaining key congressional prerogatives. Portions of this report are adapted from another CRS report that discusses the full funding policy in DOD procurement generally. Before then, many Navy ships were procured with incremental funding, which is discussed in the next section. For DOD procurement programs, the full funding policy requires the entire procurement cost of a usable end item such as a Navy ship to be funded in the year in which the item is procured. The policy applies not just to Navy ships, but to all weapons and equipment that DOD procures through the procurement title of the annual DOD appropriations act. In general, the full funding policy means that DOD cannot contract for the construction of a new weapon or piece of equipment until funding for the

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entire cost of that item has been approved by Congress. Sufficient funding must be available for a complete, usable end item before a contract can be let for the construction of that item. The full funding policy is consistent with two basic laws regarding government expenditures—the Antideficiency Act of 1950, as amended, and the Adequacy of Appropriations Act of 1950. OMB Circular A-11 states, among other things, that Good budgeting requires that appropriations for the full costs of asset acquisition be enacted in advance to help ensure that all costs and benefits are fully taken into account at the time decisions are made to provide resources. Full funding with regular appropriations in the budget year also leads to tradeoffs within the budget year with spending for other capital assets and with spending for purposes other than capital assets. Full funding increases the opportunity to use performance-based fixed price contracts, allows for more efficient work planning and management of the capital project or investment, and increases the accountability for the achievement of the baseline goals. When full funding is not followed and capital projects or investments or useful segments are funded in increments, without certainty if or when future funding will be available, the result is sometimes poor planning, acquisition of assets not fully justified, higher acquisition costs, cancellation of major investments, the loss of sunk costs, or inadequate funding to maintain and operate the assets. AP funding may also be used to pay for economic order quantity EOQ procurement of a set of long-lead items for a set of weapons being acquired under a multiyear procurement MYP arrangement. Each of these is discussed below. In Navy shipbuilding, AP payments have most commonly been used to pay for nuclear-propulsion components of nuclear-powered aircraft carriers and submarines. Congress in recent years has occasionally approved AP funding for conventionally powered Navy ships, such as destroyers and amphibious ships, for which the Navy did not request any AP funding for long-lead items. Congress in recent years has also occasionally approved AP funding for "advance construction" work on certain ships, which apparently refers to early shipyard activities for building the basic structure of a ship, as opposed to manufacturing long-lead components to be installed into the ship. The use of AP funding for shipyard advance construction activities is not recognized in executive branch budget regulations on the full funding policy, at least not in the same way as these regulations recognize the use of AP funding for long-lead components. Congressional decisions to approve AP funding for ships for which the Navy did not request such funding, or for shipyard advance construction activities, could be aimed at one or more of the following goals: Multiyear procurement is a special contracting authority, approved by Congress on a program-by-program basis, that permits DOD to use a single contract to procure a set of end items that are scheduled to be procured across a series of up to five fiscal years. Congress over the years has granted MYP authority for a relatively small number of procurement programs. The law governing MYP arrangements is set forth in 10 U.S.C. 2306. This provision permits AP funding to be used to finance, at the outset of an MYP arrangement, the procurement of long-lead components for all of the end items to be procured under the MYP arrangement. The MYP arrangement to procure a total of five Virginia SSN class nuclear-powered attack submarines over the five-year period FYFY, for example permits the Navy to procure, in the first years of the arrangement, five sets of long-lead nuclear-propulsion components. This up-front batch procurement of long-lead items is called an economic order quantity EOQ because it procures in one lot. For this reason, the full funding policy for DOD procurement programs can be described in simplified terms as "one decision for one pot of money. LHD-8 was incrementally funded by explicit legislative direction. For additional information on these ships, see Appendix C of this report. These ships constitute recent exceptions to the use of full funding in the procurement of Navy ships. Prior to the imposition of the full funding policy in the 1990s, however, much of DOD weapon procurement was accomplished through incremental funding. Under incremental funding, DOD can contract for the construction of a weapon after Congress approves only the initial increment of its cost, and completion of the weapon is dependent on the approval of the remaining increments in future years by that Congress or future Congresses. Potential Disadvantages In spite of its potential advantages, Congress replaced incremental

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funding with the full funding policy in the s, and has periodically reaffirmed the full funding policy since then, on the grounds that incremental funding did or could do one or more of the following: Advance Appropriations General Description Advance appropriations have not been used in Navy ship procurement, but have been used by other executive branch agencies to fund various programs. As a funding approach, it can be viewed as lying somewhere between traditional full funding and incremental funding. Advance appropriations is not to be confused with advance procurement AP funding that can occur under traditional full funding. Under advance appropriations, as under traditional full funding, Congress makes a one-time decision to fund the entire procurement cost of an end item. That cost, however, can then be divided into two or more annual increments, as under incremental funding, that are assigned to in budget terminology, "scored in" two or more fiscal years. In this sense, advance appropriations can be thought of as a legislatively locked in form of incremental funding: OMB Circular A allows for the use of advance appropriations to help finance capital assets under certain circumstances: Regular appropriations for the full funding of a capital project or a useful segment or investment of a capital project in the budget year are preferred. If this results in spikes that, in the judgment of OMB, cannot be accommodated by the agency or the Congress, a combination of regular and advance appropriations that together provide full funding for a capital project or a useful segment or an investment should be proposed in the budget. Principle 1 Full Funding is met as long as a combination of regular and advance appropriations provide budget authority sufficient to complete the capital project or useful segment or investment. Full funding in the budget year with regular appropriations alone is preferred because it leads to tradeoffs within the budget year with spending for other capital assets and with spending for purposes other than capital assets. In contrast, full funding for a capital project investment over several years with regular appropriations for the first year and advance appropriations for subsequent years may bias tradeoffs in the budget year in favor of the proposed asset because with advance appropriations the full cost of the asset is not included in the budget year. Advance appropriations, because they are scored in the year they become available for obligation, may constrain the budget authority and outlays available for regular appropriations of that year. If, however, the lumpiness caused by regular appropriations cannot be accommodated within an agency or Appropriations Subcommittee, advance appropriations can ameliorate that problem while still providing that all of the budget authority is enacted in advance for the capital project investment or useful segment. The latter helps ensure that agencies develop appropriate plans and budgets and that all costs and benefits are identified prior to providing resources. In addition, amounts of advance appropriations can be matched to funding requirements for completing natural components of the useful segment. Advance appropriations have the same benefits as regular appropriations for improved planning, management, and accountability of the project investment. Opponents of advance appropriations could argue that it retains or even expands one of the key potential disadvantages of incremental funding—that of tying the hands of future Congresses—by committing a portion of one or more future-year budgets to the financing of an item procured in a prior year and requiring a positive action from future Congresses to undo those commitments. Opponents could also argue that compared to full funding, advance appropriations under certain circumstances could increase ship-construction costs by causing work on a ship to stop and then be restarted. Navy Advocacy in In , some Navy officials advocated the use of advance appropriations for Navy ship procurement, noting at that time that this funding approach is used by several federal agencies other than DOD. The House Appropriations Committee, in its report H. In attempting to establish advanced appropriations as a legitimate budgeting technique, those Navy advocates of such practices would actually decrease the flexibility of future Administrations and Congresses to make rational capital budgeting decisions with regard to shipbuilding programs. Accordingly, the Committee bill includes a new general provision section which prohibits the Defense Department from budgeting for shipbuilding programs on the basis of advanced appropriations. Potential for Reducing Instability in Ship-Procurement Plans Could using

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incremental funding or advance appropriations reduce instability in Navy ship-procurement plans? Using incremental funding or advance appropriations could help reduce instability in Navy ship-procurement plans by avoiding or mitigating budget spikes that can occur when traditional full funding is used to procure ships that are very expensive and are procured once every few years. The ships that best fit this description are aircraft carriers and "large-deck" amphibious assault ships. Such movements of planned ship procurements can be a source of instability in Navy ship-procurement planning. Potential for Increasing Number of Ships Procured Could using incremental funding or advance appropriations increase the number of Navy ships that can be built for a given total amount of ship-procurement funding? Using incremental funding or advance appropriations could marginally increase the number of ships that could be built for a given total amount of ship-procurement funding or, conversely, marginally reduce the total cost to procure a given number of ships. By avoiding instances in which budget spikes caused ships to be moved from one year to another in ship-procurement plans, using incremental funding or advance appropriations can avoid perturbations in the production schedules for these ships. Such perturbations can increase the cost of a ship, reducing at the margin the total number of ships that can be procured for a given total amount of ship-procurement funding. In addition, if a situation arises in which annual funding for ship procurement limits ship-procurement in the near term to low rates with poor production economies of scale, but is expected to rise in future years to levels that would be more than adequate to support higher, economic rates of ship procurement, then using incremental funding or advance appropriations could permit construction to begin on additional ships in the near term, improving near-term production economies of scale, while still permitting the Navy to procure ships in future years at economic rates of production. Improving near-term production economies of scale while preserving acceptable production economies of scale in later years might result in marginally higher average economies of scale for the entire period in question and thereby reduce, at the margin, the collective cost of all the ships procured in the near term and the later years. This second scenario, however, is dependent on realizing the expected increase in ship-procurement funding in the later years. If this increase is not realized, then using incremental funding or advance appropriations could simply trade poor production economies of scale in the near term for poor production economies of scale in future years. Put another way, it would simply trade an inability to afford something now for an inability to afford something later. In discussing the potential effects of using incremental funding or advance appropriations, it is possible to construct presentations showing how a decision today to begin using incremental funding or advance appropriations can increase, perhaps dramatically, the number of ships on which construction can be started in the near term. This is simply because using incremental funding or advance appropriations would defer much of the procurement cost of the ships in question to future years. In those future years, the remainder of the cost of these ships would still have to be paid. As a result, other things held equal, the number of new ships that could be procured in those future years for a given amount of ship-procurement funding will be reduced because portions of those future-year budgets would now be needed to pay for the ships on which construction had started in prior years. Presentations that show a dramatic near-term increase in the number of ships on which construction can begin by starting to use incremental funding or advance appropriationsâ€”if not tempered by cautions that it would also reduce the number of new ships that can be procured in future years for a given amount of shipbuilding fundingâ€”can mislead audiences into concluding that using incremental funding or advance appropriations can dramatically increase the total number of ships that can be procured over the long run for a given total amount of ship-procurement funding. Incremental funding or advance appropriations, by avoiding perturbations in ship production schedules or improving average production economies of scale over a period of several years, can marginally reduce ship-procurement costs and thereby marginally rather than dramatically increase the total number of ships that can be procured over the long run for a given amount of ship-procurement funding. The reduction in ship-procurement costs might be sufficient, for example, to

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increase from 20 to 21 the total number of ships that could be fully paid for with a certain total amount of funding. Under certain other circumstances, using incremental funding or advance appropriations could increase rather than reduce ship-procurement costs. This could increase the chance that the reduction would lead to a decision to defer to a future year the procurement of a ship planned for that year, which could increase the procurement cost of that ship. Lastly, if Congress decides to make more use of incremental funding or to start using advance appropriations, and then decides at a later point to return to a more exclusive reliance on full funding, it could temporarily reduce the number of new ships that could be procured because the full costs of new ships being procured and portions of the costs of ships started in prior years under incremental funding or advance appropriations would need to be funded at the same time. Options for Congress that arise out of proposals to make greater use of incremental funding or begin using advance appropriations for procuring Navy ships include but are not limited to the following: Maintain Current Funding Practices Current ship-procurement funding practices can be summarized as procuring almost all ships with full funding, procuring a small number e.

## Chapter 6 : Irv Blickstein - BÄ¶cker | Bokus bokhandel

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