

S: 28 September 2000

AMCRDA-TF

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Future Combat Systems -- Government Support to Contractors

1. Recently, the Defense Advanced Research Projects Agency (DARPA) awarded four "Section 845 Other Transactions" for development work for the Future Combat Systems (FCS) program. Success of the FCS program will require interaction and cooperation between the contractor teams and the Research, Development and Engineering Centers and the U.S. Army Research Laboratory. Before we establish such relationships, we need to consider the ramifications such actions will have on our resources and the integrity of the future acquisition process for the FCS. Accordingly, the U.S. Army Materiel Command activities will not enter into arrangements with any of these contractors or their subcontractors to perform such work without prior approval from this headquarters.

2. The four contractor teams are:

- a. The Boeing Corporation, Phantom Works, Seattle, WA
- b. Team Full Spectrum, Science Applications International Corporation (SAIC), McLean, VA
- c. Team FoCuS Vision Consortium, c/o Raytheon Corporation, Plano, TX
- d. Team Gladiator, TRW, Inc., Carson, CA; Lockheed Martin, Inc., Lockheed Martin Vought Systems, Dallas, TX

3. This program is being executed in a new way and there is some risk inherent in the approach. In order to maximize chances of success, we must make ourselves available to the contractor teams to the maximum extent possible consistent with good practice and available resources. In doing so, we must take necessary steps to ensure that a "level playing field" is maintained and that no perception of impropriety is allowed to develop. We must ensure the integrity of the process. The information requested in paragraph 4 will provide you with insights into what we feel are the critical issues.

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4. Approval requests must address, at a minimum: (a) the legal authority authorizing the relationship, (b) a copy of the proposed legal instrument, (c) a detailed description of the R&D effort to be performed by each party, (d) the government resources that will be committed to the effort and any anticipated reimbursements, (e) your strategy for ensuring a level playing field for all FCS contractors (i.e., nonexclusive vs. exclusive agreements), (f) precautions you intend to implement to minimize the appearance of organizational conflicts of interest, and (g) your plan for safeguarding intellectual property and for preventing inadvertent technical transfusion among contractors.

5. If you anticipate entering into agreements with the DARPA contractor teams, provide this headquarters with your plan to execute these agreements by 28 September 2000, taking into account the considerations listed in paragraph 4 above. Our point of contact for this matter is Mr. Lawrence Levengood, AMCRDA-TF, DSN 767-3094. Our Legal Advisor is Mr. Bill Medsger, AMCCC-B, DSN 767-2556, and our Technical Advisor is Mr. Levengood.

6. AMC -- Your Readiness Command . . . Serving Soldiers  
Proudly!

FOR THE COMMANDER:

//signed//

A. DAVID MILLS  
Principal Deputy to the  
Deputy Commanding General

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