

Case Study on a Successful Technical Data Package Procurement and Implementation for the F/A-18 E/F Series Aircraft



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Abstract

This explanatory case study examines how the Department of Defense (DOD) can more effectively obtain and procure technical data from defense contractors to support life cycle sustainment. Focusing on the F/A-18E/F Technical Data Package (TDP) acquisition by the F/A-18 and EA-18G Program Office (PMA-265) from Boeing, the study analyzes the U.S. Navy's (USN) current practices for TDP procurement, and the strategies PMA-265 employed to secure F/A-18 E/F TDP. It further explores the challenges and contractual requirements involved in obtaining TDPs from independent contractors. Additionally, this study compares the DOD's approach with that of the Federal Aviation Administration (FAA), which mandates technical data acquisition as part of its certification processes. Findings highlight the need for the DOD to enforce DFARs TDP Clauses, invest early in contractor research and development (R&D) and that special license agreements (SLA) are reactive not proactive.

Government's Perspective (Buyer)	Contractor's Perspective (Seller)
DFARS guides TD acquisition	DFARS restricts TD control
TD = competition = lower costs	TD = market edge
TD = Life Cycle Sustainment	TD = Profit
More likely to invest in R&D	Less likely to invest in R&D
Prefers Unlimited/GPR	Prefers Limited
TD is a strategic asset	TD is a proprietary asset

Methods

- Reviewed DOD regulations, instructions, DODIG report, GAO reports, and scholarly works
- Conducted semi-structured discussion with PMA-265 and NAVSUP WSS
- Conducted a comparative analysis of DOD practices and PMA-265's acquisition strategy
- Identified actionable recommendations to improve DOD procurement strategies and enhance life cycle sustainment

Results & Impact

- Contract Clauses: Missed Leverage at Contract Award**
 - The Navy includes DFARS/FAR clauses for TD in contracts. However, the Navy inconsistently enforces TD contract clauses, limiting lifecycle sustainment.
- R&D Investment: Strategic Necessity for Technical Data Acquisition**
 - Early government investment in R&D enables stronger data rights and sustainment control.
 - Proper cost segregation and clauses are critical to this access.
- SLA is a Contingency Option**
 - The SLA was successful for PMA-265 and can be applicable to contracts that failed to enforce TD contract clauses. The preferred method remains the enforcement of established contract clauses.
- FAA Model Lessons and Limitations**
 - The FAA's proactive data strategy could inform future policy and regulations but does not directly align with the Navy's sustainment and contested-operating needs.

Future Research

- Evaluate how NAVSUP WSS can leverage the acquisition of technical data to address obsolescence risks.
- Comprehensive audit of technical data clauses in USN weapon system contracts
- Explore how the FAA model can inform revisions of the DFARs and FAR
- Evaluate DOD contractor R&D investment auditability, traceability, and segregation of funds

