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United States Senate
 COMMITTEE ON ARMED SERVICES
 WASHINGTON, DC 20510-6050

February 3, 2003

The Honorable Mike Wynne
 Principal Deputy Under Secretary of Defense
 Office of the Under Secretary of Defense
 (Acquisition, Technology, and Logistics)
 3010 Defense Pentagon, Room 3E944
 Washington, DC 20301-3010

Dear Mr. Wynne:

I am writing to you regarding the Small Business Innovation Research (SBIR) Solicitation 2003.1. It is my understanding that due to a bottleneck in a DoD computer system, a large number of companies were not able to submit their proposals for this competition prior to the January 15, 2003 deadline. Further, I understand that DoD has determined that proposals which were not received by the original solicitation deadline due to the bottleneck will not be accepted.

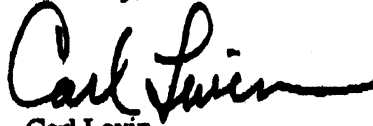
Because of this bottleneck, XXXXXXXXXX, Inc. located in my home state of Michigan has been unable to submit three SBIR proposals. I have been a strong supporter of DoD's SBIR program. I believe that the Department should continue to support and expand its efforts to leverage the technical innovation and expertise resident in small businesses, especially in light of new technology development requirements associated with cybersecurity, modeling and simulation, threats from weapons of mass destruction, and homeland defense, as well as new opportunities from fields such as robotics, biotechnology, and nanotechnology. The small business community has traditionally been a source of innovation in defense technology. It would be counterproductive and unfair to limit their ability to contribute to our national security because of an unfortunate technical problem.

I understand that several bid protests have been raised about this competition, and that the Department believes it could win these protests. However, I would urge you to consider the fairness of excluding SBIR proposals that could not be submitted due to the bottlenecks in the Department's server. Absent a hard-deadline for submissions, small businesses are left to figure out what constitutes "heavy traffic on the web server" and then determine what amount of time is needed to "plan ahead and leave ample time to prepare and submit your proposals."

Accordingly, I urge you to consider reopening this solicitation to permit interested contractors to submit their proposals for a complete and fair technical evaluation and review. When a similar problem occurred with DoD SBIR Solicitation 02.2 in August 2002, the deadline for submission was extended to permit contractors to resubmit their proposals.

Additionally, I request the Department to take appropriate action to address what appears to be a continual problem in the SBIR program. This program is too important to our nation's small businesses and national security to permit the recurrence of these types of problems. At a minimum, all potential offerors should be given clear notice and a firm deadline for submitting their offers. I ask that you inform me of the steps that you take to address this systemic problem.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl Levin", with a long horizontal flourish extending to the right.

Carl Levin
Ranking Member