

Congress of the United States
Washington, DC 20515

February 15, 2019

The Honorable Patrick Shanahan
Acting Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Shanahan,

We are writing to express our strong concerns about recent public statements made by several Air Force senior leaders regarding the deferment of the Light Attack program. It appears that, counter to previous testimony, public statements, and commitments made to Members of Congress and industrial base partners, USAF is now instead reviewing new offerings and new concepts. We find these decisions, announced to the press before the budget request for Fiscal Year 2020 has been released by the Department of Defense, troubling as it reverses course on funding commitments made by Congress to support a rapid acquisition of a stated combat requirement. We are also concerned by reports that USAF will not request funding for Light Attack Aircraft (LAA) in its FY 2020 budget request and urge you to reverse course and request funding for this combat capability.

As you know, USAF recently completed its two-year long Light Attack Experiment (LAE), evaluating low-cost aircraft that could provide close air support in less-contested environments. This experimentation led to a widely discussed LAA procurement program, with a formal Program Office, validated requirements, draft requests for proposals and implied good-faith opportunities for the selected contractors to vie for a formal procurement program. Congress has supported the Department's stated requirements for a light attack aircraft – providing both authorization and appropriations in FY18 and FY19. That support was based on validated requirements for a low-cost close air support aircraft that could augment, and even replace, 4th and 5th generation aircraft, in low-threat combat situations. These cost-effective and capable aircraft could offload these types of combat missions from our limited number of high-end fighter aircraft, preserving those aircraft for the peer-to-peer fight. In fact, during FY2019 budget testimony, former Secretary Mattis stated "We are looking for affordability and, where we don't need an aircraft that costs 17... 20....70,000 dollars per flying hour, we need to look at it as a way to deliver readiness and combat capability on an affordable basis."

Underpinning the experimentation requested and conducted by the USAF are the "Middle Tier Acquisition" (Section 804) authorities – supported and approved by Congress. These authorities give the Department the ability to experiment with existing technologies and capabilities then fast-track the procurement of such capabilities in a period of 2 to 5 years. USAF's original plan to invite companies to participate with existing aircraft in the first set of experiments, down-select to a subset of those competitors for a second set of experiments, and then provide a resultant combat capability would have been in keeping with the intent of Section 804. However, the expanded LAE being reported in the press, if true, is of concern. Congressional intent was to gain combat capability rapidly, not to provide an open-ended means to pursue new and evolving ideas at the expense of the industrial base.

These announcements lead us to ask to several questions:


- 1) Why is USAF no longer prepared to make a decision on potential procurement for LAA, especially since the Section 804 report transmitted to Congress in December 2018 by SAF/AQ stated that the program was on track?
- 2) The draft RFP stated that only the two down-selected contractors had aircraft that met USAF requirements. What other aircraft is USAF considering at this point, and why were those not considered before?
- 3) How does continuing experimentation equate to providing an urgent, near-term combat capability and at what point does experimentation conclude and result in combat capability?
- 4) If the close air support requirement, first identified during Imminent Fury, is enduring, does ignoring this combat need put warfighters at risk?
- 5) We have heard reports that the Air Force Cost Analysis Agency (AFCAA) has provided an inflated procurement and support cost for the OA-X program. What were the cost figures reported by AFCAA and how did they determine the cost per aircraft (i.e. aircraft, spares, sustainment, training, hangar, etc)? Please provide a detailed breakout of the analysis used to derive costs.
- 6) How does the USAF decision to suspend the LAA align with Defense Planning Guidance?
- 7) Why were Members of Congress, the Congressional Defense Committees, and industrial base partners notified of the deferment through the press?
- 8) What are your views on the adverse impact that deferment of this decision has on industrial base partners, especially since these partners met USAF changing requirements multiple times at their own expense?
- 9) Why does USAF require continued Section 804 authorities for LAA?
- 10) Does Special Operations Command still believe that LAA is an unmet requirement, impacting the CAS mission and ground support?

We are concerned that USAF is not faithfully executing its authorities to acquire a capability for the joint fight, is in pursuit of the most expensive solutions to simple problems, and that the industrial base will not be able to support the warfighter because of shifting requirements and a lack of good faith. We urge the DOD to reconsider its FY 2020 budget request to include funding for LAA, and we look forward to your timely responses to these questions.

Sincerely,



John H. Rutherford
Member of Congress



Mario Diaz-Balart
Member of Congress

Ron Estes

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