

Congress of the United States
House of Representatives
Washington, DC 20515

June 27, 2008

The Honorable Michael B. Donley
Acting Secretary
Department of the Air Force
1670 Air Force Pentagon, Room 4E540
Washington, DC 20330-1670

Dear Acting Secretary Donley,

We write with regard to the Air Force acquisition process for the development, demonstration and procurement of the replacement KC-X aerial refueling tankers and the recent Government Accountability Office (GAO) ruling on the matter. Specifically, we write to urge you to fully take into account all of the GAO findings and re-open a fair competition in a manner that corrects the “significant errors” identified by the GAO.

As you know, the GAO on June 18 sustained the Boeing Company’s protest of the Air Force’s decision to award the aerial refueling tanker contract to Northrop Grumman Systems Corporation, identifying fundamental flaws in your service’s handling of the contract award. In its ruling, the GAO provided seven reasons for sustaining the protest, any or all of which may have affected “the outcome of what was a close competition.” In reviewing these findings, we are extremely troubled that the Air Force apparently failed to judge the competitive bids based on the Air Force’s own evaluation criteria, made significant mistakes in considering the life cycle costs of each of the two aircraft and “conducted misleading and unequal discussions with Boeing.”

Accordingly, we fully support the GAO’s recommendation that your Department reopen discussions with the bidders, obtain and re-evaluate revised proposals and “make a new source selection decision” in accordance with the GAO findings. Additionally, we agree with the GAO that if the solicitation does not adequately state the Air Force’s needs, your Department “should amend the solicitation prior to conducting further discussions with the offerors.” In light of the seriously flawed review process that appears to have taken place with this award, we believe that anything less than a re-opened competition that judges without prejudice each offerors’ ability to meet the needs of the Air Force at the best value to the American taxpayer will only further call into question your service’s acquisition process.

We whole-heartedly support the KC-X aerial refueling tanker program and appreciate how critical it is for the Air Force and our men and women in uniform. Moreover, we understand the delays this program is experiencing and the resulting difficulties you may have in reaching the 2013 target date to begin flying the new aircraft.

Nevertheless, we believe it is absolutely critical to the American public's confidence in the Air Force that you get this decision right. As the Air Force experiences a transition in leadership, we believe that this award offers a clear opportunity for you to demonstrate that the service is serious about correcting shortcomings in its acquisition process.

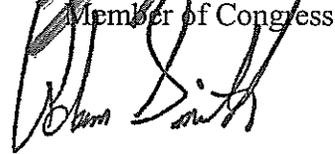
We thank you for your consideration.

Sincerely,


ROSA L. DeLAURO
Member of Congress


JAY INSLEE
Member of Congress

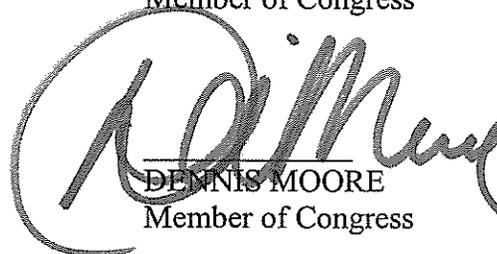

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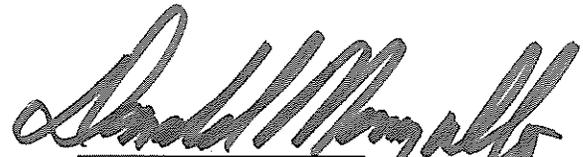

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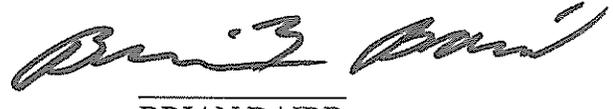

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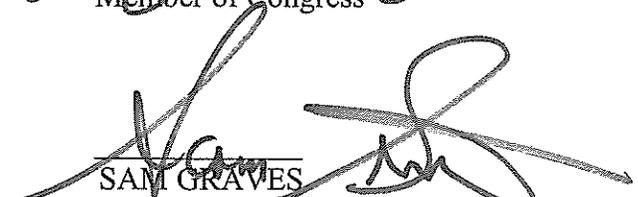

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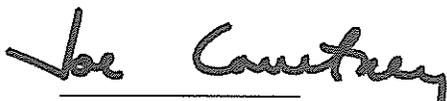

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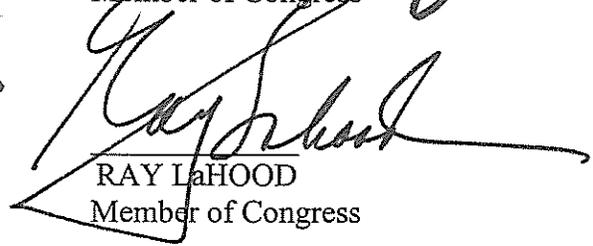
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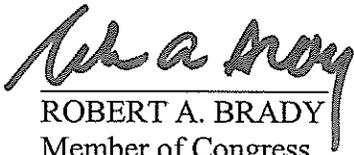
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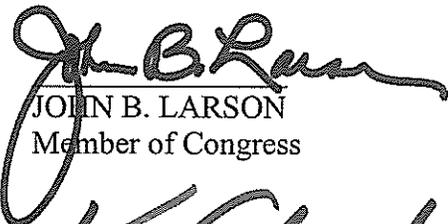
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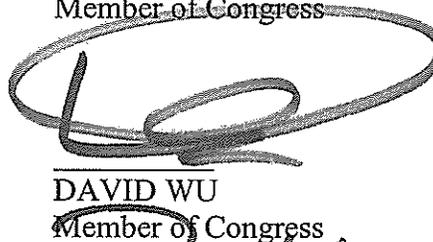
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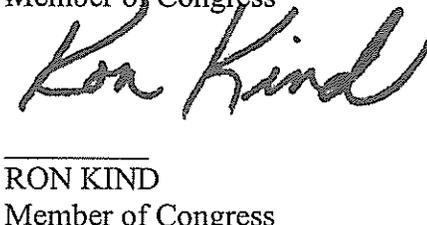
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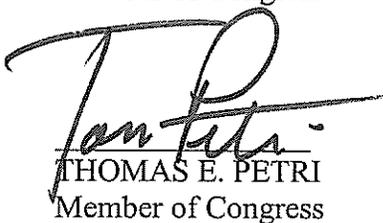
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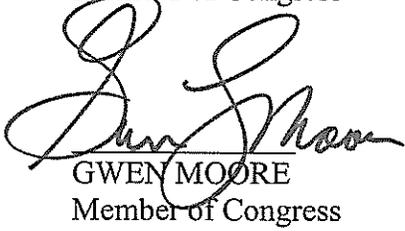


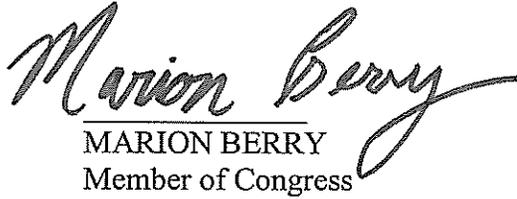
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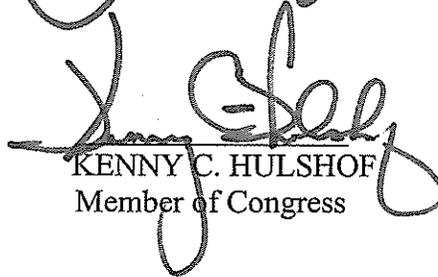

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