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December 21, 2012

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Elijah E. Cummings
Ranking Member
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Jason E. Chaffetz
Chairman
Subcommittee on National Security, Homeland
Defense and Foreign Operations
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Issa, Ranking Member Cummings and Chairman Chaffetz:

As the Committee prepares its oversight plan for the 113th Congress as required under House Rule X(2)(d)(2), I am writing to request that the Committee consider comprehensive oversight of the Defense Department's F-35 Joint Strike Fighter (JSF) Lightning II, the largest weapons procurement program in history.[1] Substantial cost overruns, repeated scheduling delays and a flawed acquisitions process have plagued the nearly $400 billion JSF program and raise questions about its future sustainability.[2] Given the need for serious, yet balanced budget cuts to

[1] *See generally F-35 Joint Strike Fighter (JSF) Program*, Congressional Research Service (Feb. 16, 2012) (RL30563) (providing an overview of the program and relevant issues for Congress).

[2] *Costliest Jet, Years in Making, Sees the Enemy: Budget Cuts*, New York Times (Nov. 28, 2012).

improve the long-term fiscal health of the U.S., I recommend that a series of hearings be held on the program's escalating costs, the military's continuing need for the aircraft in light of evolving global threats, and the importance of adequate testing to the acquisition process.

A recent *New York Times* article chronicled the JSF program's history of problems.[3] Production of the JSF aircraft occurred before even basic flight tests were completed, a process that the Department's current acquisition chief described as "acquisition malpractice."[4] This concurrent process of development and production has resulted in needing to retrofit the early production aircraft to fix problems that were later identified, creating billions in additional costs for the 41 aircraft already delivered. Moreover, despite 11 years of development, the program continues to have significant technical problems, such as poorly performing helmet displays and ineffective arresting cables on the aircraft carrier variant. In addition, according to GAO, the program faces many future challenges, including the need to test and secure 24 million lines of programming critical to the aircraft's operation. GAO has described JSF software development as "one of the largest and most complex projects in [Department] history."[5]

Full-rate production of the JSF program has been delayed by six years and per-unit costs have nearly doubled from $69 million to $137 million.[6] Given the complexity of the JSF program, the substantial amount of testing yet to be completed, and the growing risk that international partners will reduce their planned purchases, concerns remain about future delays and further increases in costs.

Given these troubling facts, the JSF program raises a number of important questions that should be investigated by the Committee. For instance, the Committee should examine whether changes may be needed to existing acquisition laws to ensure that adequate testing is completed before the U.S. government makes costly acquisitions. In addition, the Committee should examine whether alternative platforms, such as the F-16 and F/A-18, and even unmanned aerial vehicles (UAVs), could serve as a long-term substitute for the JSF. Moreover, in light of the Department's recent rebalancing of priorities to the Asia-Pacific region, the Committee should examine whether current plans to procure more than 2,400 JSF aircraft will adequately meet

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[3] *See Costliest Jet, Years in Making, Sees the Enemy: Budget Cuts*, New York Times (Nov. 28, 2012).

[4] *See Costliest Jet, Years in Making, Sees the Enemy: Budget Cuts*, New York Times (Nov. 28, 2012).

[5] Government Accountability Office, *Joint Strike Fighter: DOD Actions Needed to Further Enhance Restructuring and Address Affordability Risks* (June 2012) (GAO-12-437).

[6] *See Costliest Jet, Years in Making, Sees the Enemy: Budget Cuts*, New York Times (Nov. 28, 2012).

future military needs. Last, the Committee should examine the reasonableness and affordability of sustaining the JSF program, which will cost more than $1 trillion over the entire life cycle.

As you know, our Committee has a long history of conducting oversight of the Department's acquisition of this and other programs, such as the F-22 and Ballistic Missile Defense (BMD) programs.[7] Given the history of problems with the JSF program as well as the challenges posed by our country's mounting debt, I strongly urge the Committee to revisit this important topic as soon as practicable in the 113th Congress. Comprehensive and sustained oversight of this $1.5 trillion dollar program is imperative to adequately safeguard taxpayer dollars.

Thank you for your consideration of this request.

Sincerely,

John F. Tierney
Ranking Member
Subcommittee on National Security, Homeland Defense and Foreign Operations
Committee on Oversight and Government Reform

Cc: The Honorable Bruce Braley

The Honorable Peter Welch

The Honorable John Yarmuth

The Honorable Stephen F. Lynch

The Honorable Mike Quigley

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[7] *See, e.g.,* House Committee on Government Reform, Subcommittee on National Security, Veterans Affairs, and International Relations, *Joint Strike Fighter Acquisition Reform: Will It Fly?*, 106th Cong. (May 20, 2000); House Committee on Government Reform, Subcommittee on National Security, Emerging Threats and International Relations, *Controlling Costs in Tactical Aircraft Programs*, 108th Cong. (Apr. 11, 2003); House Committee on Government Reform, Subcommittee on National Security, Emerging Threats and International Relations, *Is DOD Meeting Joint Strike Fighter (JSF) International Cooperative Program Goals?*, 108th Cong. (July 21, 2003).