

With Cheers and Groans

Comments from various lawmakers on the KC-X tanker protest decision, July 18, 2008
(Alphabetical order by name)

Rep. Todd Akin (R-Mo.)

“The GAO’s announcement today reinforces my belief that buying these foreign-made aircraft is a bad move. It is clear that there were major irregularities in the contracting process which resulted in a flawed decision. There are also serious strategic issues with outsourcing our national defense instead of fostering a strong domestic defense industry. For both reasons, I am very happy with today’s decision to overturn the tanker contract.

“This decision by the GAO is great news for the American defense industry. This keeps jobs in America and keeps jobs in St. Louis. Many small and medium size defense contractors will be able to grow and expand their businesses as a result.

“In light of the GAO’s analysis, the Air Force should reconsider their decision and recompet the contract. If the Air Force does not do so willingly, I will work in my role on the House Armed Services Committee to take legislative action to require the Air Force to reconsider this decision.”

Sen. Kit Bond (R-Mo.)

“This is good news for Boeing’s workforce and the nation’s industrial base. The GAO’s findings are not surprising based on the acquisition problems the Pentagon has encountered over many years now in managing costly and large contracts and the egregious flaws in this acquisition.

“We must ensure that our warfighters get the best equipment possible and that the nation’s industrial base is protected. I will discuss this report with congressional and Pentagon leaders to determine the best course ahead.”

Rep. Jo Bonner (R-Ala.)

“I am obviously deeply disappointed – and surprised – that the GAO sustained Boeing’s protest of the Air Force’s decision to select Northrop Grumman /EADS to build its new tanker.

“Over the next few days, we should learn more about the GAO’s rationale for its decision as well as the Air Force’s plan to move forward.

“Of note, the GAO was clear that its decision “should not be read to reflect a view as to the merits of the firms’ respective aircraft.”

“Despite the uncertainty caused by the GAO ruling, a couple of things seem clear: the Air Force desperately needs a new tanker to replace a fleet nearing 50 years old, and the Air Force still believes the Northrop Grumman/EADS tanker best meets its needs.

“I don’t believe this ruling signals the end of Alabama’s hopes for building tankers for the Air Force. It does mean, however, that we have more work to do. Like everyone else, I look forward to hearing from the GAO and meeting with the Air Force on how we move forward. For the sake of our airmen and women, we must find a way to do so quickly.”

Sen. Sam Brownback (R-Kan.)

"I strongly urge the Air Force to take immediate action to correct the deficiencies associated with this procurement. The Air Force should not require 60 days to review the GAO statement.

"This contract should be overturned and awarded to Boeing. The GAO is not allowed to consider a number of other issues important in this procurement, including foreign subsidies, corruption, and domestic production and employment. These problems when combined with what the GAO found strongly suggest the Boeing 767 is the right tanker for our Armed Forces."

Sen. Maria Cantwell (D-Wash.)

"Boeing and the American people are the big winners in this decision. The GAO criticisms were a scathing indictment of the Air Force's process. The Air Force will have no choice but to re-bid this project. For months, we have asserted that the tanker contract process was fatally flawed and resulted in a fatally flawed decision for the American warfighter and the American taxpayer. Today the GAO agreed.

"Congress needs to investigate the way in which our federal agencies award contracts and ensure taxpayer costs and national security issues are paramount in all procurement decisions. I will always fight for answers to questions about costs and national security in the months ahead and Congress must also play a strong oversight role.

"The Air Force's decision in February ignored serious implications for the national security and readiness of our country. Congress will continue to work on this and I'm pleased that the GAO recognized the importance of protecting our nation's warfighter and industrial base."

Rep. Norm Dicks (D-Wash)

"This is a sweeping and detailed decision that identifies numerous substantive errors made by the Air Force in this competition to replace the fleet of KC-135 aerial refueling tankers. Contrary to the public statements made by the Air Force, the larger Airbus A-330 did NOT provide the best value to the taxpayer or to the warfighter. While the GAO has documented many of the significant errors that were made in this competition, it is now up to Congress to review the matter and to make its judgment about how we meet the urgent need to replace these tanker aircraft. I believe the Air Force should set aside the agreement it improperly reached with EADS/Northrop Grumman and we should proceed expeditiously to build the best aircraft – the Boeing KC-767 – here at home. "

Rep. Jay Inslee (D-Wash.)

"Even though it's unusual to win a protest, I'm not surprised GAO sided with Boeing. This was the right decision – the facts were on Boeing's side.

"GAO found not just one or two mistakes; they identified seven deadly sins in the procurement process without factoring in important considerations like illegal Airbus subsidies and fuel efficiency of the planes.

"The Air Force needs to give troops the best aircraft and taxpayers the best deal. And that's the Boeing 767."

Rep. Rick Larsen (D-Wash.)

"The report released by the Government Accountability Office (GAO) today is a huge victory for Boeing workers, American taxpayers, our nation's security, and a fair, transparent procurement process.

"When the Air Force announced their decision on February 29, they summed up their selection of the Airbus/EADS tanker in one word: "more", saying it offered "more passengers, more cargo, more fuel to offload."

"If I could sum up this decision in one word it would be "more". Boeing offered a more cost-effective plane. The Air Force needed to have more transparency in this decision. And when the Air Force rebids this contract, we need to have a more fair process.

"The GAO has determined that the Air Force made a number of significant errors in their selection of the Airbus/EADS proposal. The Air Force failed to adequately evaluate the lower cost and greater capabilities of the Boeing tanker. They failed to follow their own criteria in evaluating the tankers' capabilities. And they failed to take into account the higher military construction costs of the Airbus/ EADS proposal.

"We still need to look at the broader implications of the Air Force's decision, including the damage the Air Force's selection will do to our defense industrial base and economy and the impact of illegal subsidies on the Airbus/EADS proposal. American taxpayers should not foot the bill for a product made in clear violation of WTO rules.

"In the coming days, I will work to ensure that the Air Force follow the GAO's recommendations to provide our men and women in our military with the best refueling tanker for our national security. I will work to make sure American taxpayers don't foot the bill for a less capable, more expensive and illegally-subsidized European tanker. And I will continue to fight for Boeing jobs and the investments that create them.

"I would encourage Members of the House who were waiting for the GAO to read this decision very carefully. I look forward to working with the Air Force and my colleagues on the House Armed Services Committee to make sure this process is done right the next time."

Sen. Carl Levin (D-Mich.)

"The GAO's decision in the tanker protest reveals serious errors in the Air Force's handling of this critically important competition. We now need not only a new full, fair and open competition in compliance with the GAO recommendations, but also a thorough review of – and accountability for – the process that produced such a flawed result."

Sen. John McCain (R-Ariz.)

"My paramount concern on the tanker replacement program has always been that the Air Force buy the most capable aerial refueling tankers at the most reasonable cost. Everyone agrees that this can only happen under fair and open competition. The GAO's finding that the Air Force did not fairly apply its own rules in making its original award decision must be taken very seriously. As I have under similar circumstances, I now urge the Air Force to carefully consider the GAO's decision and implement its recommendations as quickly as, and to the fullest extent, possible."

Sen. Claire McCaskill (D-Mo.)

"It was very difficult for me to remain silent after the bidding process was complete, but as someone who believes in competitive bidding I felt it was important for the auditors to do their work and make an unbiased, independent opinion about the fairness of the decision. The independent auditors have done their work and I'm pleased their decision supports Boeing's position. The Air Force has some explaining to do."

Rep. Jim McDermott (D-Wash.)

"I've said from the beginning that Boeing can compete against anyone, anywhere, so long as the process is fair, and now we know that Boeing didn't get a fair shake in the tanker selection process.

"The U.S. Air Force tanker selection process should have been all about fairness, but the GAO ruled today that the process was not fair - not to Boeing, not to Boeing employees and not to the American people. GAO looked at the facts and I appreciate and applaud their conclusion. The Government Accountability Office is the independent, investigative arm of Congress and their decision proves beyond doubt that the Air Force process was fatally flawed and should be grounded.

"This is a great day for Boeing employees and the American people and, importantly, the GAO decision affirms that the checks and balances we have in place to prevent improper and unfair decisions involving taxpayer money work.

"I look forward to my 7th Congressional District Boeing constituents competing in a fair and open process to provide the Air Force with a new refueling tanker to help protect and strengthen America's defenses in the decades ahead.

"In the meantime, Congress must not appropriate any funding under any previous contract for a tanker until a full and fair re-bidding process occurs, and I'll be working closely with my colleagues in the delegation to ensure the Air Force gets the message.

Rep. Cathy McMorris-Rodgers (R-Wash.)

"The GAO's decision validates concerns raised by Boeing about the acquisition process. As we move forward, we must ensure the procurement process is fair and transparent, we are building the best tankers possible for America, we are giving taxpayers the best value, and we are replacing the aging KC-135 tankers at Fairchild Air Force Base as soon as possible.

"Boeing has a 75-year tradition of producing quality aerial refueling technologies in the United States. Everyone knows that the employees at the Boeing facilities in Everett, Washington and Wichita, Kansas put pride, integrity and professionalism into every plane they build. We need to ensure they are given a fair opportunity to continue building the best tanker right here in the United States."

Rep. Jerry Moran (R-Kan.)

"The ruling today confirms what many Kansans believed since the Air Force announced its decision. The Air Force's process of selecting a contractor to build a new tanker was flawed and should be redone. Kansas jobs would be greatly affected by a decision to award the tanker contract to a company other than Boeing. But the bigger question that should be addressed is

should we even allow a foreign government subsidized company to bid for U.S. military work. While the Government Accountability Office rejected the process used by the Air Force, Congress needs to address the broader issue of keeping manufacturing jobs in the United States."

Sen. Patty Murray (D-Wash.)

"Today, the GAO sustained Boeing's protest and confirmed what I have been saying for months – the Air Force's tanker decision was fundamentally flawed.

"I am not surprised that the GAO identified significant errors in the selection process. The Air Force bought a tanker that doesn't meet their needs and has been waging a PR campaign ever since.

"Today's announcement comes shortly following Defense Secretary Robert Gates' request for resignations of the Air Force Secretary and Chief of Staff. And just last week the Air Force admitted that it had made large scale errors regarding the cost of the Airbus and Boeing proposals.

"But for the past three months the Pentagon has refused to account for how this competition was decided. Official after official has stonewalled all efforts by Congress to get to the bottom of it. It is time for real answers to hard questions.

"I look forward to a thorough and honest response by the Air Force to the GAO ruling. But my concerns have always gone beyond the issues within the scope of a GAO decision.

"The GAO did not, and could not, consider the key policy issues this contract raises – such as illegal subsidies, real-world operating costs, economic impacts, and the importance of maintaining our most critical advantage: innovation through American defense-oriented research and development.

"It is Congress' job to determine whether major defense purchases meet the needs of our warfighter and deserve taxpayer funding. The Pentagon must both justify its decision and address the flawed process that led to today's ruling.

"We need answers before handing billions of American defense dollars to a subsidized, foreign company focused on dismantling the American aerospace industry."

Sen. Barack Obama (D-III.)

"Senator Obama applauds the GAO's recommendation to reopen the competition for the Air Force tanker award. This contract will be the second largest military procurement contract in history, and has enormous implications for our national security and economy. Given the stakes involved and the strong concerns raised in the GAO report, Senator Obama believes that this competition must be reopened to ensure a fair and transparent process that fully considers the needs of America's military and our workforce."

Rep. Dave Reichert (R-Wash.)

"Today's GAO decision confirms what Boeing and other supporters have been saying all along, that the Air Force made errors in awarding the contract to Airbus. Over the last one hundred

days, Boeing has laid out the case for why the KC-767 should receive the contract to replace the aging KC-135. It has been clear all along that the process was flawed, as evidenced by the clear recommendations made by the GAO. This is a great victory for Boeing, Washington State and every American who values our nation's economic and homeland security."

Sen. Pat Roberts (R-Kan.)

"We have said repeatedly that the Air Force's decision was wrong and skewed to the wrong company with the wrong plane. This decision confirms everything we have said. The Air Force has no choice but to rebid the tanker contract, this time with a level playing field, for our men and women in uniform, for our national security and for Kansas workers.

"This finding proves that all of our hard work for Boeing over so many years has made a difference. And we won't stop now. We'll keep fighting until Boeing wins the contract fair and square.

"GAO upheld the Boeing Company's protest, finding serious and fatal flaws in the Air Force's decision to award the contract.

"We have an excellent congressional team that has fought tooth and nail for Boeing workers across the country and we celebrate this decision with them today. It's right. It's fair. It protects America's national security."

Sen. Jeff Sessions (R-Ala.)

"It is extremely disappointing that the GAO found errors in the U.S. Air Force bid process. Their report will, unfortunately, further delay the purchase of the Air Force's new refueling tanker, which is their number one acquisition priority.

"The Air Force's tanker competition was designed to select the finest aircraft available for our men and women in uniform. I firmly believe that the Northrop Grumman/EADS proposal is the superior aircraft.

"The GAO report specifically notes that it should not be read to reflect negatively on the airplane's merits. The GAO pointed out several questions regarding the Air Force's selection process, and we look forward to the Air Force's response as we move forward.

"While this is a most disappointing decision, the competition is not over. I am confident the merits of the Northrop Grumman/EADS tanker will be acknowledged. It is important to note that this was a decision based on errors in process, not on the relative merits of the aircraft."

Rep. Adam Smith (D-Wash.)

"The GAO's decision is an unequivocal vindication of our position regarding the bidding process for the Air Force's refueling tanker contract. The process was not fair and did not provide equal consideration for both companies' products based on the Air Force's solicitation. GAO recommends what amounts to a complete reopening of the bidding process which could result in the termination of the contract awarded to Northrop Grumman. In addition to ensuring that American workers get a fair shot at the contract, I hope this decision will also cause our government to reevaluate the wisdom of awarding major contracts to companies that have benefited from illegal government subsidies."

Rep. Todd Tiahrt (R-Kan.)

"The American tanker fight has been vindicated. The GAO today confirmed what we have known since the Air Force made the terrible decision to choose a French tanker over an American tanker – that the Air Force threw the competition to the French.

"Today is a huge victory for American workers and the men and women of our Armed Forces who deserve the best tanker.

"We have fought the fight. It is up to the Air Force to now make things right. The GAO fully agrees with us that the tanker contract should be rebid. And as I have said all along, when American workers are given a level playing field they will win.

"I congratulate the workers of Boeing who have never given up hope."