

IKE SKELTON, MISSOURI, CHAIRMAN
JOHN SPRATT, SOUTH CAROLINA
SOLOMON P. ORTIZ, TEXAS
GENE TAYLOR, MISSISSIPPI
NEIL ABERCROMBIE, HAWAII
SILVESTRE REYES, TEXAS
VIC SNYDER, ARKANSAS
ADAM SMITH, WASHINGTON
LORETTA SANCHEZ, CALIFORNIA
MIKE MCINTYRE, NORTH CAROLINA
ELLEN O. TAUSCHER, CALIFORNIA
ROBERT A. BRADY, PENNSYLVANIA
ROBERT ANDREWS, NEW JERSEY
SUSAN A. DAVIS, CALIFORNIA
RICK LARSEN, WASHINGTON
JIM COOPER, TENNESSEE
JIM MARSHALL, GEORGIA
MADELEINE Z. BORDALLO, GUAM
MARK E. UDALL, COLORADO
DAN BOREN, OKLAHOMA
BRAD ELLSWORTH, INDIANA
NANCY BOYDA, KANSAS
PATRICK J. MURPHY, PENNSYLVANIA
HANK JOHNSON, GEORGIA
CAROL SHEA-PORTER, NEW HAMPSHIRE
JOE COURTNEY, CONNECTICUT
DAVID LOEBSACK, IOWA
KIRSTEN E. GILLIBRAND, NEW YORK
JOE SESTAK, PENNSYLVANIA
NIKI TSONGAS, MASSACHUSETTS
GABRIELLE GIFFORDS, ARIZONA
ELIJAH E. CUMMINGS, MARYLAND
KENDRICK B. MEEK, FLORIDA
KATHY CASTOR, FLORIDA

HOUSE COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515-6035

ONE HUNDRED TENTH CONGRESS

DUNCAN HUNTER, CALIFORNIA
JIM SAXTON, NEW JERSEY
JOHN M. McHUGH, NEW YORK
TERRY EVERETT, ALABAMA
ROSCOE G. BARTLETT, MARYLAND
HOWARD P. "BUCK" McKEON, CALIFORNIA
MAC THORNBERRY, TEXAS
WALTER B. JONES, NORTH CAROLINA
ROBIN HAYES, NORTH CAROLINA
W. TODD AKIN, MISSOURI
J. RANDY FORBES, VIRGINIA
JEFF MILLER, FLORIDA
JOE WILSON, SOUTH CAROLINA
FRANK A. LOBIONDO, NEW JERSEY
TOM COLE, OKLAHOMA
ROB BISHOP, UTAH
MICHAEL TURNER, OHIO
JOHN KLINE, MINNESOTA
CANDICE S. MILLER, MICHIGAN
PHIL GINGREY, GEORGIA
MIKE ROGERS, ALABAMA
TRENT FRANKS, ARIZONA
BILL SHUSTER, PENNSYLVANIA
THELMA DRAKE, VIRGINIA
CATHY McMORRIS RODGERS, WASHINGTON
K. MICHAEL CONAWAY, TEXAS
GEOFF DAVIS, KENTUCKY
DOUG LAMBORN, COLORADO

ERIN C. CONATON, STAFF DIRECTOR

October 31, 2008

The Honorable Robert M. Gates
Secretary of Defense
U.S. Department of Defense
Washington, D.C. 20301-1000

Dear Secretary Gates:

We understand that Undersecretary Young recently disapproved an Air Force request to proceed with the obligation of \$140 million for F-22A advance procurement for 20 aircraft that would support the procurement of an additional lot of 20 F-22As in fiscal year 2010. Further, we understand from Secretary England that the Department may be considering including a request of advance procurement for four F-22s in the next supplemental request.

Appreciating the Department's current intent, we believe that to be consistent with statements made during the past year by various senior Department leaders and recent actions by the Department as exemplified in the Air Force Airborne tanker program and other acquisition programs, that the Department should provide the new administration with a viable option to either procure 20 additional F-22A aircraft or proceed with line shutdown. This is consistent with the views of Congress as a whole as reflected in section 134 and the funding included in this year's National Defense Authorization Act. A decision not to bridge the current contract by not obligating this \$140 million would effectively preclude the procurement option by dramatically increasing the cost of procurement because of line closure actions taken that would have to be reversed.

As you know, the Department did not include a budget request for fiscal year 2009 for either the advance procurement of an additional lot of F-22s or for F-22 line shutdown, and instead indicated its intention of leaving this decision to the next Administration. The obligation of \$140 million for the advance procurement of 20 F-22A aircraft is a prudent and necessary action to sustain F-22A production activities until March 15, 2009, preventing the expenditure of an estimated additional \$500 million to restart the F-22A production line. In the event the next Administration decides not to procure more F-22As, \$40 million of procurement items of the \$140 million in advance procurement could be used for the F-22A or F-35 programs.

Secretary Gates
October 31, 2008
Page 2

We expect the Department to approve the Air Force obligation of \$140 million for F-22A advance procurement consistent with the intent of section 134 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009. These funds are immediately required to complete the necessary actions for a contract award by November 27th, 2008.

The obligation of \$140 million to sustain F-22A production until March 15, 2009, is a prudent decision for the Department and the American taxpayer. Please get back to us as soon as possible with your plans for complying with the law and intent of section 134 in order to sustain the option of procuring additional F-22As without incurring substantial production restart costs.

Very truly yours,



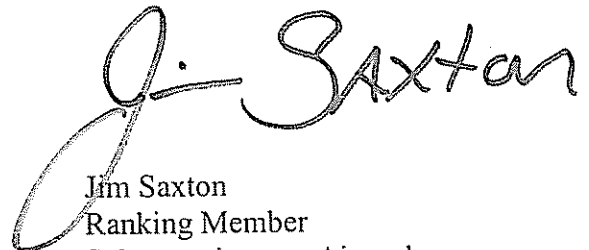
Ike Skelton
Chairman



Duncan Hunter
Ranking Member



Neil Abercrombie
Chairman
Subcommittee on Air and
Land Forces



Jim Saxton
Ranking Member
Subcommittee on Air and
Land Forces

IS/DH/NA/JS:js