

United States Senate

WASHINGTON, DC 20510

September 26, 2014

The Honorable John M. McHugh
Secretary of the Army
101 Army Pentagon
Washington, DC 20310-0101

Dear Secretary McHugh:

We write regarding the unintended consequences of the Army's efforts to consolidate management of its fixed-wing aircraft contracts.

On August 13, 2013, your office of Assistant Secretary of the Army (Acquisition, Logistics and Technology) issued a memorandum that directed the Army's Program Executive Office for Aviation (PEOAVN) to assume immediate responsibility for all new requirements and contracts involving the procurement of Army fixed-wing aviation. We understand that U.S. Army Corps of Engineers (USACE) aerial mapping contracts involving commercially contracted fixed-wing aviation assets fall within the scope of this directive.

USACE-managed contracts for the Joint Airborne LIDAR Bathymetry Technical Center of Expertise (JALBTCX) are examples of contracts that produce survey and map products for USACE that are negatively impacted by this directive. While PEOAVN is qualified to evaluate fixed-wing aircraft procurement contracts, USACE possesses the unique aerial photography and photogrammetric expertise as well as the qualified personnel required to evaluate contracts such as those for JALBTCX. The consolidation and/or preapproval of USACE aerial mapping and survey contracts at PEOAVN would lead to increased program cost and administrative delays without a demonstrated benefit to the taxpayer. Therefore, we remain concerned the August 2013 directive severely inhibits USACE's ability to execute its aerial mapping activities in accordance with its civil and military responsibilities. Due to the highly specialized nature of these programs, and the technical expertise required related to these payloads, program authority and management of these activities should not transition to PEOAVN.

Additionally, while we recognize and support PEOAVN's responsibility to ensure the airworthiness and safety of aircraft owned by the Army, we fail to see the efficiencies or value gained through additional airworthiness release (AWR) requirements of USACE Civil Works contracted aircraft for non-defense surveying and mapping. These aircraft operate and are fully compliant with current FAA flight rules and aircraft certifications when operating in the U.S. The Aviation Engineering Directorate (AED) has issued an Airworthiness Approval memo (IAW AR 70-62), which outlines the requirements that must be met for this category of activity. We view the additional PEOAVN oversight as a costly and duplicative mandate since these aircraft already possess civil aviation certification by the FAA and they are flown for inherently non-defense purposes.

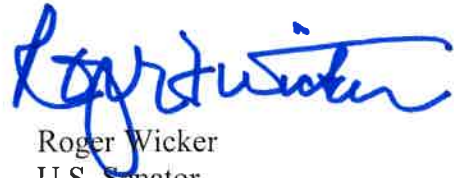
We continue to support the Department of the Army's efforts to establish operational and cost efficiencies in a budget constrained environment. However, the August 2013 memorandum has the unintended consequence of removing contract authority and increasing risk and cost for USACE's survey and mapping mission. USACE is recognized as the engineering services expert in the Army and the nation. As such, we request that you direct a revision of the August 2013 directive to exclude civil works contracts funded with non-defense appropriations from consolidation within PEOAVN and establish a clear Memorandum of Agreement with specific language that provides USACE with clear oversight authority in its contract authority, management, and execution for its aerial mapping mission.

Thank you for your attention to this matter.

Sincerely,



Thad Cochran
U.S. Senator



Roger Wicker
U.S. Senator



Sherrod Brown
U.S. Senator



Rob Portman
U.S. Senator