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## COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515-6035

ONE HUNDRED FIFTEENTH CONGRESS

February 28, 2017

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ROBERT L. SIMMONS, II, STAFF DIRECTOR

The Honorable Lisa Disbrow  
Acting Secretary of the Air Force  
Headquarters USAF  
1670 Air Force Pentagon  
Washington, DC 20330-1670

Mr. James MacStravic  
Performing the Duties of Under Secretary  
of Defense for Acquisition, Technology, and Logistics  
3010 Defense Pentagon  
Washington, DC 20301

Dear Secretary Disbrow and Mr. MacStravic:

As you are aware, the Air Force's Evolved Expendable Launch Vehicle (EELV) program is in a period of significant change.

A major impetus for this change is due to the Congressionally-mandated ban on future procurements of Russian rocket engines in support of national security space launch missions. Additionally, the presence of a certified "new entrant" fundamentally alters the national security space launch industrial base. We have therefore entered a period of considerable uncertainty that carries significant risk for assured access to space and may impose long-term financial liabilities for the Department of Defense, including the National Reconnaissance Office.

The Air Force, which acquires space launch capability for national security space users, must, by law, maintain assured access to space, and it must protect the interests of the taxpayers. Given our extensive oversight of the Air Force strategy, and the tremendous uncertainty in the commercial space launch market (the assumed viability of which appears to be the foundation of that strategy), we have two significant concerns.

First, we believe it would be a grave risk to let go of our current performing systems until a proven replacement is ready. We do not believe the interests of the national security space community, or the warfighter, are well-served by allowing the phase out of the Delta IV Heavy capability before there is a certified, reliable replacement launch system available. That is precisely what is occurring at present, and the Air Force must stop it.

Second, the United States Government (USG) must have a hands-on, decision-making role in the EELV program and the RD-180 replacement activities, and specifically in any

The Honorable Lisa Disbrow and Mr. James MacStravic  
February 28, 2017  
Page 2

decision made by United Launch Alliance (ULA) to down-select engines on its proposed Vulcan space launch system, especially where one of the technologies is unproven at the required size and power. If ULA planned to develop its proposed Vulcan launch vehicle commercially, and bear all costs for its development and testing, then the engine replacement “down-select” decision would logically be its own decision. However, if ULA plans on requesting hundreds of millions of dollars from the USG for development of its launch vehicle and associated infrastructure, then it is not only appropriate but required that the USG have a significant role in the decision-making concerning such a vehicle.

We therefore require that the Air Force not obligate or expend any additional funding to ULA, other than that required for the launch of current Atlas and Delta launch vehicles, until ULA agrees to provide the USG full access to, oversight of, and approval rights over decision-making about any engine down-select on Vulcan (assuming they will be requesting government funding). We ask that you ensure such access, oversight, and approval include both the executive and legislative branches – both need to be involved in any decision to fund such a system.

Additionally, we request that you provide us, not later than March 15th, the following:

- 1) CAPE-validated options and investments to continue the production of the Delta IV launch vehicle, to include options for the medium and heavy variants, until a replacement is certified and reliable to ensure assured access to space;
- 2) CAPE-validated options and investments that can be made to make the Delta IV a more cost-effective and modern launch system for the USG;
- 3) CAPE assessment of the current and projected commercial launch market and the extent that multiple domestic commercial launch companies can be sustained in the long run given market conditions and competition from foreign launch providers;
- 4) AT&L-approved options for the EELV and the RD-180 replacement program that limit the USG risk, including in situations which the commercial market does not support the viability of two U.S. launch providers; and
- 5) A detailed summary of the mechanics and costs for the Department to use the Defense Production Act to require ULA to continue to produce the Delta family of launch vehicles should it be deemed necessary.

Thank you for your prompt attention to this important matter.

Sincerely,



William M. “Mac” Thornberry  
Chairman  
Committee on Armed Services



Mike Rogers  
Chairman  
Subcommittee on Strategic Forces

cc: The Honorable James N. Mattis, Secretary of Defense  
The Honorable Robert O. Work, Deputy Secretary of Defense