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ONE HUNDRED ELEVENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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May 7, 2010

The Honorable Robert M. Gates
Secretary
U.S. Department of Defense
100 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Gates:

As our brave U.S. service members continue to serve in Iraq and Afghanistan, it is imperative that they be afforded equipment and vehicles that ensure their safety. In countless circumstances, functional body armor or armored vehicles is all that separates these individuals from serious injury or death. Thus, it is critical that the Department of Defense (DOD) effectively manage its programs, acquisition processes, testing requirements, and quality-assurance measures pertaining to body armor and armored vehicles.

While I am aware that DoD has made some progress in remedying past problems regarding body armor, I want to make sure DoD continues to improve armor capabilities. In a report dated January 29, 2009, the DoD Inspector General (IG) identified problems with the U.S. Army's testing processes. The IG found, among other things, that testing of some body armor was not consistently conducted in accordance with contract requirements—and that body armor that was recorded as having passed testing had actually failed.¹ Furthermore, the IG found that DoD does not have standardized ballistic testing criteria.

The Army acknowledged certain problems with its testing and documentation, and reportedly instituted testing reforms. However, the Army disputed the IG's interpretation of body armor testing results in three cases.²

In a separate review of body armor testing, the U.S. Government Accountability Office found the Army did not follow established testing protocols, did not maintain certain internal controls, and recommended an independent assessment of armor test results.³

¹ "DoD Testing Requirements for Body Armor," Inspector General, Department of Defense (January 29, 2009).

² "Army Testing of Body Armor," Information for Members of Congress, Department of the Army (January 29, 2009), concurring in large part with the Inspector General's report, but disagreeing that certain body armor that passed actually failed the test.

I agree with the IG that force protection, including body armor and armored vehicles, is a critical area for oversight.⁴ Consequently, I would like a better understanding of whether DoD is effectively managing its programs and testing relating to protective armor, including body armor.

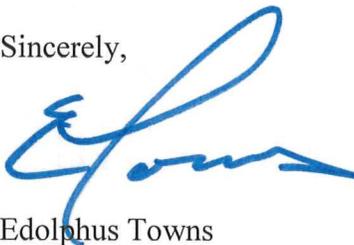
To aid in the Committee's inquiry into this matter, I am requesting that the Department provide an in-person briefing to the Committee staff on the Department's efforts to ensure that our troops have effective and safe body armor and armored vehicles, as expeditiously as possible. The briefing should include an overview of:

- (1) Key ongoing armored vehicle and body armor acquisition programs of the Services, including the Army's Mine Resistant Ambush Protected Vehicle program;
- (2) Contractors involved in the maintenance or procurement of body armor or armored vehicles, including a description of their responsibilities; and
- (3) Field experience with the effectiveness of protective armor, including body armor, along with any analysis comparing experience in the field with the results of laboratory testing.

As you are aware, the Committee on Oversight and Government Reform is the principal oversight committee in the U.S. House of Representatives, with jurisdiction over "any matter." Accordingly, I request that DoD take steps to schedule and brief the Committee on the aforementioned as expeditiously as possible.

Should you have any questions, please contact me or have your staff contact Steve Rangel of the Committee staff at (202) 225-5051.

Sincerely,



Edolphus Towns
Chairman

cc: The Honorable Darrell Issa
Ranking Member
Committee on Oversight and Government Reform

³ U.S. Government Accountability Office, "Warfighter Support: Independent Expert Assessment of Army Body Armor Test Results and Procedures Needed Before Fielding," GAO-10-119 (October 2009).

⁴ Semiannual Report to the Congress, April 1, 2009 to September 30, 2009, Inspector General, U.S. Department of Defense.