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U.S. House of Representatives

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ERIN C. CONATON, STAFF DIRECTOR

October 16, 2009

The Honorable John McHugh  
Secretary of the Army  
101 Army Pentagon  
Washington, DC 20310

Dear Secretary McHugh,

We would like to bring to your attention the findings and recommendations in the report issued by the Government Accountability Office (GAO) entitled, "*Independent Expert Assessment of Army Body Armor Test Results and Procedures Needed Before Fielding*," dated October 16, 2009.

In June 2007, the House Armed Services Committee (HASC) requested the GAO monitor and audit all body armor testing of the next generation small arms protective insert (X-SAPI) body armor plate. We understand the X-SAPI plate has not been fielded and will be stored as a contingency stock until the current small arms threat changes in Iraq and Afghanistan.

There were two overarching findings from the GAO report:

1. The Army and the Office of the Director, Operational Test and Evaluation (DOT&E) did not achieve Preliminary Design Model (PDM) test objectives of determining, as a basis for awarding contracts, which designs met performance objectives; and
2. The Army and DOT&E may not have met First Article Test (FAT) objectives of determining whether contract designs met performance objectives and whether vendors could produce, in full rate capacity, plates that passed PDM tests.

As you know, the HASC and the Subcommittee on Air and Land Forces have been very involved with this issue through multiple hearings and briefings. We fully recognize the importance of adhering to rigorous, standardized, repeatable, comprehensive test protocols and procedures for body armor systems that guarantee this critical, life saving equipment performs to

required specifications. Therefore, we strongly encourage you to determine what effect, if any, the problems GAO observed had on the test data and on the outcomes of First Article Test. We would also encourage you to give consideration to implementing all of GAO's recommendations, particularly the recommendation to provide for an independent ballistics evaluation of the First Article Test results by ballistics and statistical experts, from outside the Department of Defense, before any X-SAPI armor is fielded to the warfighter under this contract solicitation.

Finally, we want to bring to your attention a February 9, 2009, Department of the Army policy decision, regarding body armor testing, that may have been premature. In a February 24, 2009, letter to Secretary Geren, we expressed concern over the Army directing the Army Test and Evaluation Command to conduct all body armor Lot Acceptance Testing (LAT) at the Army's Aberdeen Proving Ground Laboratory. It remains unclear what supporting rationale led to the Department's decision to exclude proven, independent National Institute of Justice certified ballistic laboratories from providing validated, cost-effective, and surge capable LAT services to the Army. We would appreciate you reviewing this policy decision.

We know that the protection of our troops in Iraq and Afghanistan is of the utmost importance to you, as it is to us, and commend you for your leadership on the critical issue of force protection. We look forward to hearing from your office in the near future.

With best wishes.

Sincerely,



Neil Abercrombie  
Chairman  
Air and Land Forces Subcommittee



Roscoe Bartlett  
Ranking Member  
Air and Land Forces Subcommittee

NA/RGB:jdt