

amendment by the distinguished Senator from Texas, and I am told by the Senator that she will seek a voice vote. That has been cleared on both sides. The next amendment will be offered by our distinguished colleague from Georgia, a member of the committee, Mr. CHAMBLISS. That will take perhaps an hour or more and will require a record vote. Thereafter, I ask unanimous consent that the Senate then recognize the Senator from Minnesota, Mr. DAYTON, to address the Senate with regard to amendments and the bill as a whole.

I would also say to colleagues, subject to confirmation by the leadership, that I am recommending there be no votes from now until 3:30. There are two very serious functions taking place, both of a religious nature, in our city, and Members are attending either the last rites of Philip Merrill, a personal friend of mine, a wonderful man who recently lost his life on the Chesapeake Bay, and then I understand a distinguished archbishop of the Catholic Church is being installed with a ceremony today.

Therefore, the bill will continue its momentum in this period of time, and following those votes, I am certain the leadership will give the managers such guidance as to when we can conclude this bill, which again I hope will be today.

So at this time, I yield the floor.

Mr. McCAIN. Mr. President, if the chairman will yield just for a second, we don't need an hour on this amendment, I say to my friend from Virginia. I think 40 minutes equally divided would be sufficient for my purposes. I don't know about the author of the amendment; he might want more time.

Mr. CHAMBLISS. Mr. President, the only thing I would say is I have several folks who want to speak on it. If we could get an hour equally divided, my guess is we won't use it.

Mr. WARNER. Mr. President, I ask unanimous consent that there be an hour equally divided between the distinguished Senators from Georgia and Arizona on the Chambliss amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. We have covered as much ground as we can procedurally at this point, and I yield the floor.

AMENDMENT NO. 4377

Mrs. HUTCHISON. I call up amendment No. 4377 and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes an amendment numbered 4377.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To include a delineation of the homeland defense and civil support missions of the National Guard and Reserves in the Quadrennial Defense Review)

At the end of subtitle C of title IX, add the following:

SEC. 924. INCLUSION OF HOMELAND DEFENSE AND CIVIL SUPPORT MISSIONS OF THE NATIONAL GUARD AND RESERVES IN THE QUADRENNIAL DEFENSE REVIEW.

Section 118(d) of title 10, United States Code, is amended—

(1) by redesignating paragraph (15) as paragraph (16); and

(2) by inserting after paragraph (14) the following new paragraph (15):

“(15) The homeland defense mission and civil support missions of the active and reserve components of the armed forces, including the organization and capabilities required for the active and reserve components to discharge each such mission.”.

Mrs. HUTCHISON. Mr. President, this amendment would require the Department of Defense to clarify in the Quadrennial Defense Review the homeland defense and civil support missions of the National Guard and Reserves.

The QDR is a comprehensive examination of national defense strategy, force structure, force mobilization, and modernization plans, infrastructure, budget plans—all elements of the defense program. It is the planning that goes on every 4 years. The QDR is in process now for the next 4 years. The goal of the QDR is to determine the defense strategy of the United States and its established defense programs for the next 20 years, and it is updated every 4 years.

For decades, homeland defense has been a mission of the Department of Defense. However, only after the 9/11 attacks in 2001 did this very important mission really come to the forefront in defense planning. Unfortunately, the present QDR lacks sufficient guidance for the Guard and Reserve components in this very important mission they have.

The amendment I am proposing would require the Department of Defense to include in the QDR a definition of the homeland defense and civil support missions of the National Guard and Reserves. The Department has not really formalized the requirements for the role of the National Guard and Reserve in homeland security. We know the President has ordered the deployment of Guard and Reserve to our borders to try to secure our borders, so we need a really comprehensive look and guidance for the Reserve component, particularly the Guard, concerning their roles and how they will be able to train and equip for homeland security missions.

Today, the National Guard and Reserve must debate the merits of their initiatives and their equipment procurement. That is not the way it should be. Our Guard and Reserve do a fabulous job. They are on active duty in Iraq and Afghanistan today. They have gone through several cycles of deployment to Iraq and Afghanistan. There is a Texas Guard unit in Bosnia in command and control today, continuing the peacekeeping mission

there. They are doing their jobs, they are being called up at a level that is very high, but ambiguities remain in their homeland security mission.

Competition for resources continues, and there is a lack of clarity about what role the Department actually expects them to have. This omission was painfully obvious after 9/11. After Hurricanes Rita and Katrina and now with the deployment to the border, which I totally support, their mission is once again expanding. This amendment will provide the DOD with the information it needs to determine the role the National Guard and Reserves should have, must have, and will continue to have, but with more clarification, in the defense of our country.

This is a very important amendment. I believe it will add to their responsibilities, and they will be able to get the equipment and the training they need to do the jobs we are asking them to do in homeland defense and for the other civil emergencies we have.

Mr. President, I ask for the support of my colleagues for this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mrs. HUTCHISON. Mr. President, I urge the adoption of the amendment.

The PRESIDING OFFICER. There being no further debate, the question is on agreeing to the amendment.

The amendment (No. 4377) was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mrs. HUTCHISON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, we will turn to the distinguished Senator from Georgia for his amendment, with 1 hour equally divided.

The PRESIDING OFFICER. The Senator from Georgia.

AMENDMENT NO. 4261

Mr. CHAMBLISS. I rise today to call up amendment No. 4261 and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside and the clerk will report.

The legislative clerk read as follows:

The Senator from Georgia [Mr. CHAMBLISS], for himself, Mr. HATCH, Mr. ISAKSON, Mr. INHOFE, Mr. LIEBERMAN, Mr. CORNYN, Mr. THUNE, Mr. BENNETT and Mr. STEVENS, proposes an amendment numbered 4261.

Mr. CHAMBLISS. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To authorize multiyear procurement of F-22A fighter aircraft and F-119 engines)

On page 29, strike lines 6 through 15 and insert the following:

SEC. 146. FUNDING FOR PROCUREMENT OF F-22A FIGHTER AIRCRAFT.

(a) PROHIBITION ON USE OF INCREMENTAL FUNDING.—The Secretary of the Air Force shall not use incremental funding for the procurement of F-22A fighter aircraft.

(b) **MULTIYEAR PROCUREMENT.**—The Secretary of the Air Force may, in accordance with section 2306b of title 10, United States Code, enter into a multiyear contract beginning with the fiscal year 2007 program year for procurement of not more than 60 F-22A fighter aircraft.

SEC. 147. MULTIYEAR PROCUREMENT OF F-119 ENGINES FOR F-22A FIGHTER AIRCRAFT.

The Secretary of the Air Force may, in accordance with section 2306b of title 10, United States Code, enter into a multiyear contract beginning with the fiscal year 2007 program year for procurement of the following:

(1) Not more than 120 F-119 engines for F-22A fighter aircraft.

(2) Not more than 13 spare F-119 engines for F-22A fighter aircraft.

Mr. CHAMBLISS. Let me say, it is very difficult, any time you have to oppose your subcommittee chairman—and in this case the full committee chairman—on an issue, particularly two Senators whom I hold in such high esteem. But we do have a disagreement in a very professional way on this issue. At the end of the day, all of us intend to do what is in the best interests of the men and women who fight for America.

The F-22A Raptor is the U.S. Air Force's top priority for providing a joint force with air dominance, operational access, homeland and cruise missile defense for the next 20-plus years. The F-22A is a first-of-a-kind multimission fighter aircraft that combines Stealth, supercruise, advanced maneuverability, and integrated avionics to make it the world's most capable combat aircraft.

This amendment authorizes a 3-year multiyear procurement contract for the F-22. This is not about spending money, it is about saving money, and it is about good acquisition practices and policy.

This amendment will save approximately \$235 million as a minimum amount, allowing DOD to use this money for other priorities or allow us, the Congress, to return these dollars to the taxpayers.

An independent study, commissioned by the Office of the Secretary of Defense, is the only independent study yet to be done for the F-22 multiyear contract. In that study, the Institute for Defense Analysis, or IDA, concluded that the proposed F-22A multiyear contract, first of all, meets all the criteria provided in the law and does, in fact, save the taxpayer a minimum of \$235 million over the next 3 years.

The study was not completed in time for the Senate Armed Services Committee markup back in early May, which is why it was not included in the Senate bill at that time, or at least we didn't have an amendment at that time. However, the study was submitted to the Armed Services Committee on the 16th of May.

Since I have been on this committee, we have been talking about the need to conduct acquisitions better, cheaper, and more efficiently. This amendment does exactly that. We know we are

going to buy 60 F-22s over the next 3 years. That is the current plan. The DOD budget provides for the funding, and I have heard no one in Congress question the need for the airplane. As a matter of fact, this airplane today is flying in rotation around the country and soon will be flying around the world as it is scheduled to go into rotation to Iraq shortly. As we are sitting here today, I suspect there is an F-22 flying over Washington, DC, protecting the skies over our Nation's Capital.

The only question is how are we going to buy these airplanes? Are we going to buy them with 3 1-year contracts and pay more money, or are we going to buy them with a 3-year multiyear contract and save a quarter of a billion dollars?

We need to have a high standard for what qualifies for a multiyear contract. As a matter of comparison, the F-414 engine for the F-18 saved 2.8 percent and \$51 million. The multiyear contract for two previous F-16 multiyears saved \$246 million and \$262 million respectively.

By comparison, the proposed F-22A multiyear contract saves 2.6 percent and a minimum of \$235 million.

The point is that the F-22 multiyear is in the same category in terms of percent savings and total savings of multiyear contracts that this body has previously approved.

Also, the per-plane savings on the F-22 multiyear will be identical to the per-plane savings on the F/A-18 multiyear, that being \$3.8 million per plane. That is why the authors of the independent business case analysis at IDA judge this multiyear to have significant savings, and I agree with them.

Much has been made over the old criteria for multiyear savings, which was a minimum of 10 percent. But, frankly, that was changed early on in law and now, instead of 10 percent the statute does say, "substantial savings."

The 2005 QDR, which was provided to Congress in concert with the fiscal year 2007 budget request, restructures the F-22A program to extend production through the fiscal year 2010 with a multiyear acquisition contract to ensure the Department does not have a gap in fifth-generation Stealth capabilities. To obtain a more favorable cost, DOD's strategy requested authority for a 3-year multiyear procurement contract to buy 60 F-22s, 20 in each of the years 2007 through 2009. This strategy was outlined in a letter from Undersecretary of Defense Ken Krieg in a letter to the Senate Armed Services Committee on February 13, 2006.

Mr. President, I ask unanimous consent to print that letter in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE UNDER SECRETARY OF DEFENSE
FOR ACQUISITION, TECHNOLOGY
AND LOGISTICS,

Washington, DC, February 13, 2006.

Hon. JOHN W. WARNER,
Chairman, Committee on Armed Services, U.S.
Senate, Washington, DC.

DEAR MR. CHAIRMAN: Consistent with the Conference Report on the Department of Defense Appropriations Act, 2006, Public Law, 109-148, the Department has studied alternatives for the continued acquisition of the F-22A aircraft beyond Fiscal Year (FY) 2008. This has culminated in the procurement strategy identified in the President's Budget for FY 2007 (PB07).

The Quadrennial Defense Review Joint Air Dominance study and budget deliberations addressed alternative procurement quantities, rates, and force structure mixes. The Department's PB07 plan provides for procurement of F-22A aircraft through FY 2010. To obtain a favorable cost, the strategy employs multiyear procurement of 20 aircraft each, in Lots 7, 8, and 9, beginning in FY 2008, providing a total force structure of 183 aircraft. FY 2007 funds will be used to contract for delivery of economic-order-quantity items, sub-assemblies and material required for Lot 7, advance procurement for Lot 8 aircraft, and for other allowable costs including, sustainment support, production engineering, laboratories and combined test force infrastructure. This strategy also procures titanium one-year earlier than normal advanced procurement to accommodate the long-lead now required to buy titanium. This plan substantially reduces the F-22A procurement funds required by the Department in FY 2007, allowing the Department to meet other high-priority requirements.

Continuing the F-22A procurement through FY 2010 retains fifth-generation tactical aircraft procurement options in the event of delays in the Joint Strike Fighter (JSF) program. These actions also benefit the JSF program by helping to reduce overhead rates and by retaining technical expertise across the tactical aircraft industrial base, including the prime contractor, subcontractors, and suppliers.

The Department is preparing the business case cost comparison of multiyear and successive annual procurements required by subsection 2306b(a)(1) of title 10, United States Code. We intend to make the business case available to the congressional defense committees by May 15, 2006, to support FY 2007 Congressional budget deliberations.

I appreciate the foresight of the Congress in directing the Department to study alternatives for the continued acquisition of the F-22A. I believe that we have developed a fiscally responsible strategy that will allow us to sustain this viable tactical aircraft production line.

Similar letters have been sent to the chairmen and ranking members of the other Congressional defense committees.

Sincerely,

KENNETH J. KRIEG.

Mr. CHAMBLISS. The business case for the F-22 is clear and was validated during the QDR by the Joint Army Dominance Study. This study included any number of options of tactical air mixes, including various combinations of F-22s, FA-18s, and joint strike fighter and other airborne weapons systems, so we are not proceeding with a random plan but one that has been validated by careful analysis.

The business plan was also validated by the IDA study, again the only independent organization that has looked at this multiyear plan.

There are six criteria for meeting a multiyear contract. The independent IDA business case analysis judges the F-22 program according to each of these six criteria. I mention this because there is a GAO study that came out, coincidentally, this week relative to the multiyear procurement of the F-22. It is critical of the multiyear contract.

The GAO study, though, contains, frankly, false factual information. For example, in the GAO study they talk about the cost of the airplane actually increasing under the multiyear contract. But what they fail to take into consideration is that originally, before the reprogramming to do 20 airplanes this year and 20 in the next budget and 20 in the next budget, the Air Force was going to ask for 29 planes in the next budget and 27 in the following budget.

If you build 29 versus 20, it is going to be cheaper. But that is the factual information that the GAO plugged into their numbers—29 instead of 20. That is why there is a higher price cost that the GAO came up with.

Second, the GAO report talks about the fact that under the Air Force proposal, there is not enough funding in the budget to pay for these airplanes. We are going to have to use what is called incremental funding.

That was talked about early on in the process but abandoned. Here we are in the end of June of this year. The reprogramming took place the end of last year and the early part of this year. The facts were known at that time. GAO ignored those facts.

Second, the incremental funding issue that was talked about early on was abandoned early in the year. GAO ignored that and included those false facts in its report. So the GAO study, frankly, is not correct because it is not based on the actual, as we say in the law—the facts in evidence.

There is one other issue relative to the GAO that I am going to conclude with and that is this. It gives a list of the factors that it took into consideration in doing its report. There is one glaring factual statement, one factual provision that is left out of consideration by the GAO. That is talking to pilots that fly this airplane.

I have talked to several of those guys. We had a red flag operation that was done several weeks ago by the Air Force. In talking to a couple of those pilots afterward, it was unbelievable what they had to say about flying the F-22.

One of them said this:

In the United States Air Force, we don't look to win 51-49. We look to win 100-nothing, and that is what the Raptor gives us.

The Raptor is the follow-on for the F-15 and F-16. It is the fifth-generation fighter. It is going to allow us to continue air superiority and air dominance against any potential threat that might be forthcoming. I urge my colleagues to support the multiyear proposal that is included in the Presi-

dent's budget, that is included in the authorization bill that comes to the Senate from the House, that will go into conference. We will save the taxpayer a minimum of \$225 million over the next 3 years. I reserve the remainder of my time.

Mr. DOMENICI. Will the Senator yield 5 minutes to the Senator from New Mexico?

Mr. CHAMBLISS. I will be happy to yield 5 minutes to the Senator from New Mexico.

Mr. DOMENICI. Mr. President, I say to Senator MCCAIN, I understand he wants to speak in opposition to the amendment. I will not be long.

Mr. MCCAIN. No problem.

Mr. DOMENICI. Understand, we will each speak our piece here. It is not a pleasure to come and oppose my colleague. Nonetheless, I must say that it seems to me we are always talking in the Senate about trying to do things that are more efficient; trying to do good business, do things in a way they ought to be done. Here we have an opportunity to do that.

We have a situation where the new fighter, the world-class F-22—but I am not going to take the Senate's time praising its qualities. We have heard some of that from the distinguished Senator from Georgia. We could spend all afternoon talking about what a fantastic airplane it is. That is not the issue before us.

The issue before us is that the Defense Department needs a multiyear procurement authority to acquire these airplanes. The administration requested a multiyear procurement authority for the F-22s. The House Defense Authorization bill granted the request. It makes plain, good business sense that the Senate do the same—that we give the Department what it needs.

I also support this because, as indicated by the principal sponsor of the amendment, the distinguished senior Senator from Georgia, this authority will save money.

We are going to hear something to the contrary, but the contrary evidence is from reports that do not apply to the 20-per-year acquisition of the F-22. That is what we are trying to do. That is what the Defense Department's final studies were based upon—acquisition of 20 per year, for multiple years. A multiyear procurement of this nature would net a savings of between \$225 million and \$325 million.

It seems to this Senator that this is precisely what we ought to be doing. We ought to be doing more of this, not less. Is anybody doubting we are going to buy this many of these Raptors? I don't hear that talk. I thought I was going to hear it 6 or 8 months ago when we were talking about a number of systems, some of which are on hold, but this one is not.

Therefore, we ought to proceed and save millions of dollars that can be used for other needs. \$300 million, for example, would pay for 4,200 National

Guard troops in active duty for 1 year. That is a lot of money. This is a monster bill, and one might say what is the difference here? \$225 million to \$325 million in savings doesn't amount to much. I submit it is a pretty big amount.

There has been some talk this week about a new GAO report that is critical of this multiyear procurement. But this report reshapes old arguments and uses old data that is not relevant to the Department's data regarding the multiyear acquisition, which has been stated in detail by the senior Senator from Georgia.

Therefore, I submit that the airplane we are going to rely on—which without question the Quadrennial Defense Review says we must have—we ought to go ahead and procure on a multiyear basis today when we vote on this amendment.

I thank the Senator for yielding time. I believe he has a compelling argument, and I hope the Senate will follow his lead.

I yield the floor.

Mr. CHAMBLISS. Mr. President, I yield 2 minutes to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Mr. President, I thank my colleague from Georgia and my colleague from Arizona.

What is the bottom line here? Simply put, Senator CHAMBLISS has offered an amendment that is supported by the ministration that will enable the Air Force to buy 20 F-22s Raptors a year for the next 3 years. By entering into this multiple year contract, the independent Institute for Defense Analysis believes that the American taxpayer will save at least \$225 million.

Why are we buying the F-22? Because it is a war-winner. This fighter, which is also a very capable bomber, is now operational with the 1st Fighter Wing. The Raptor is stealthier than the famous F-117 Nighthawk, which dropped the first bombs during the first gulf war. But unlike the Nighthawk, that must fly at night in order to survive in a combat environment, the F-22 brings stealth capability out of the night, enabling operations in high threat areas 24 hours a day 7 days a week.

I have been to the Air Force base where I have talked with the pilots and have seen this plane and have seen it fly. It is a marvel.

The Raptor is the world's most lethal and maneuverable fighter aircraft. This is accomplished in no small part by its supercruise engines. Supercruise engines do not need to go to after-burner in order to achieve supersonic flight. This provides the F-22 with a strategic advantage by enabling supersonic speeds to be maintained for a far greater length of time. By comparison, all other fighters require their engines to go to after-burner to achieve supersonic speeds. This consumes a tremendous amount of fuel and greatly limits an aircraft's range.

Another legitimate question is why not just rely on the aircraft we have today? Over the past 30 years, the United States has been able to maintain air superiority in every conflict largely due to the F-15C. However, with the great advancements in technology over the past several years, the F-15 has struggled to keep pace. For example, the F-15 is not a stealth aircraft and its computer systems are based on obsolete technology. My colleagues should remember that the F-15 first flew in the early 1970s. During the ensuing years, nations have been consistently developing new aircraft and missile systems to defeat this fighter.

Obviously, we need the F-22 and we have identified a means to save money while we are buying it.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I don't oppose the F-22 program. In fact, the Armed Services subcommittee provided and the Senate Armed Services Committee marked down an additional \$1.4 billion for 20 F-22s.

The issue is not, frankly, whether we support the F-22. Rightly or wrongly, we all do—and every member of the committee does. The question is, Are we going to act responsibly? The question is, Are we going to authorize a multiyear procurement of an aircraft that has—and it is not unusual—experienced time after time dramatic delays and cost overruns? Are we ready to do that? Not according to the GAO, not according to the OMB, not according to the Congressional Research Service, and not according to every outside observer of this program.

Let me give a small example. The F-22 experienced an initial operational capability delay of 9 years 9 months; initial operational test and evaluation delayed 5 years 3 months; full rate production delay of 5 years 3 months; low rate initial production, 4 years 9 months; first delivery of operational aircraft delayed 4 years 7 months; first flight delayed 2 years; and completion of critical design review delayed 1 year 4 months. The record is not good. In fact, the record is terrible. In 1991, the estimated cost, according to the U.S. Air Force, for the aircraft was going to be \$114 million—in then-year dollars; now, \$354 million per copy.

This program—not atypically—has experienced significant delays and cost overruns, which, by the way, maybe we will get into at some point. Then they received incentive bonuses, even for violations of Nunn-McCurdy. We are not talking about the purchase of F-22s. What we are talking about is, are we going to violate the basic principles and the law which requires certain criteria to be met before multiyear acquisition of these aircraft? The report prepared by the Comptroller General of the United States clearly states that four of the six criteria set forth in the law have not been met by the Air Force. They have not been met. Yet here we are debating a measure that

would effectively permit the Air Force to be held unaccountable, to end run a good Government provision in Federal law that is specifically designed to ensure accountability in our Government.

There have been two Nunn-McCurdy violations, according to the Comptroller General. Since its inception, this program has been subject to 2 Nunn-McCurdy violations and has been rebaselined 14 times just to avoid additional breaches. Fourteen times they have rebaselined the cost of this weapons system. We all know the game. They come and they say: This weapons system is going to cost X. They get it authorized, then we get it, and guess what happens. It ends up costing dramatically more money—in the case of this aircraft, from \$114 million each to \$354 million each, and it is still in a relatively embryonic stage.

The Air Force, I am sorry to say, has misrepresented several things, including the termination cost of the C-130J.

The Air Force—a September 28, 2005, Defense Contract Audit Agency report points out that Lockheed-Martin earned a profit of almost 27 percent—\$643 million—on a \$2.4 billion, 60-aircraft, multiprocurement for C-130 aircraft. The estimate on the actual multiyear procurement cost savings for the F-22—the Air Force acquisition officers misrepresented the F-22 program as a stably funded program. Last year, Congress authorized and appropriated enough money for 24 F-22 aircraft. The Air Force bought 22. We have been asking them: What happened to the other two airplanes? We still haven't gotten a response. How we buy the F-22 is not subject to unfettered discretion. If we choose to buy them under a multiyear contract, we must do so in compliance with the law. This amendment does not.

The Congressional Research Service points out the many ongoing technical problems with the F-22—avionics problems, airframe problems, engine problems. The F-119 engine fuel consumption has been unsatisfactory, and problems were experienced with the engine's core combustor, which did not demonstrate desired temperature levels. The F-22's cockpit canopy experienced ongoing challenges, including cracking and reliability. It goes on and on. Many of these things are associated with the development of a new weapons system.

By the way, I have never met a pilot who didn't like to fly a new weapons system, but the fact is that it is not ready for multiyear procurement. That was the subject of extensive hearings in the subcommittee and consideration in the full committee. I don't expect this body to rubberstamp everything the committee does, but I can tell you that extensive analysis and study was done on it.

I also point out that literally every outside group, including the IDA, had concerns about it, even though they alleged that there would be significant

cost savings. But the fact is that even the IDA, which my friend from Georgia points out—this form of contracting bears significant risks. Multiyear procurement reduces Congressional budgetary flexibility, both for the instant program and across other programs within the Defense portfolio.

I urge my colleagues who consider supporting this amendment—and we know very well that there will be reductions in defense spending. It happens historically as wars wind down. Already on the House side, there has been a proposal for significant reductions in defense spending, which I do not support but apparently may be the final product for next year from the House Appropriations Committee.

We are going to lock in multiyear procurement for a weapons system that has experienced dramatic cost overruns. And I am not saying we shouldn't procure this aircraft. I am saying we should. I am not totally convinced that it would actually meet the challenges of the war on terrorism, but I strongly support it. But before we give them a blank check, I think we should regard what we are doing here—locking in, in a multiyear fashion, the procurement of a weapons system that has gone from \$100-and-some million per copy to over \$300 million per copy which still has very significant technical problems associated with it. I would caution and urge my colleagues to understand this in the larger context.

Finally, we have a responsibility of oversight in the committee and as a body. If we allow multiyear procurement, we basically give up those oversight responsibilities. And when we talk about a couple hundred million dollars, which is big money, and cost savings, look at the overruns, the billions in cost overruns they have already experienced, and we still haven't got a fully tested, completed, and operational product.

I understand the desire of my friend from Georgia to make sure this program is basically locked in, which is what this amendment will do. I don't think we are ready for it. Every outfit outside of the U.S. Air Force—and even the IDA, with a qualified endorsement—the Congressional Research Service, OMB, GAO, and all the others concur in that conclusion.

I hope we will reject this amendment, but I certainly understand and respect the position of my friend from Georgia.

Mr. WARNER. Mr. President, I find myself, as chairman, having to live up to my responsibilities. Not only do I have the highest regard for our colleague from Georgia, I have a high regard for this airplane. These airplanes are stationed in Virginia. I am supporting the position taken by Senator MCCAIN against the constituent interests in my own State because I feel ever so importantly the statements made by Senator MCCAIN—namely, that the oversight which our committee tries to provide should be respected in this Chamber. It is our collective judgment. The majority of the

Senators, having voted on this in various ways in our committee, believe that we should not go to this multiyear procurement at this time for reasons eloquently stated by the Senator from Arizona.

I regret deeply to be in opposition to one of our most valued Members, the Senator from Georgia, but let me point this out: You have to sometimes stand apart from constituent interests, State interests, and do what you believe is in the best interests of this country.

I say this with a sense of humility. I walked into the Pentagon in February of 1969 as then-Under Secretary of the Navy. The halls of the building were filled with the wreckage of a plane called TFX in which this country had invested billions of dollars to build and it was finally concluded that, for a number of reasons, the contract shouldn't go forward. Thereafter, in the positions as Under Secretary and Secretary of the Navy, I worked with the S-3, a new AFW airplane, bringing that along. I worked with the F-14. As a matter of fact, this distinguished aide of the Armed Services Committee was an F-14 pilot and has reminisced with me many times—thank you for putting two engines on that plane—because many a time he landed on a carrier with one engine.

The planes are complicated situations, and they are becoming more and more complicated each year, and it is the collective judgment of the members of the Senate Armed Services Committee that we should not abdicate our oversight and jump into this multiyear procurement.

I support the airplane. I am hopefully getting additional aircraft at my base in Virginia. I am proud of that. But I am going to support what I think is a proper management decision. To support the Chambliss amendment would be, frankly, a violation of statute on the books, the law of the land. Subsection A(1) through subsection 6 of section 2306(b) of title 10, United States Code, establishes the conditions for entering into a multiyear procurement contract. The statute requires the use of such a contract resulting in a substantial savings. This multiyear procurement proposal under this amendment would not provide substantial savings—some savings but not substantial. The statute also requires that the estimates of both the cost of the contract and the anticipated cost avoidance through the use of a multiyear contract are realistic.

Just listen to what Senator McCAIN said. The estimates are not realistic. The Air Force had budgeted for 24 F-22A aircraft in fiscal year 2006 but will only be able to buy 22 or 23 aircraft with the available funds.

Mr. President, the statute also requires that there is a reasonable expectation that throughout the contemplated contract period the head of the agency will request funding for the contract at the level required to avoid contract cancellation. There is no rea-

sonable expectation that the level of funding required to avoid contract cancellation will be met. The multiyear justification package sent to Congress on May 16, 2006 presented a program that was underfunded by \$674 million.

By statute, I say to colleagues, this amendment cannot be supported. By statute, by the majority of the members of the Committee of the Armed Services having examined it carefully, through subcommittee and full committee review, it cannot be supported. I say most respectfully to the Senator from Georgia, we are facing here a rather interesting chapter of a very significant and important defense contractor trying to get through this body a decision which is in violation of statute and overrides the judgment of the majority of the members of the Armed Services Committee. I urge Senators not to support this amendment.

The PRESIDING OFFICER (Mr. VITTER). The Senator from Georgia is recognized.

Mr. CHAMBLISS. Mr. President, I yield 3 minutes to my colleague from Georgia, Senator ISAKSON.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, I thank my distinguished colleague, the senior Senator from Georgia, SAXBY CHAMBLISS, for offering this amendment. I have the greatest regard for the committee and subcommittee chairmen. Senators WARNER and MCCAIN are outstanding Members of this body. I beg to differ with them, and I want to focus my debate on two critical areas.

One is Senator CHAMBLISS presents as a selling point of this amendment that \$235 million in savings that a multiyear contract brings would not happen if you were doing annual contracts. The distinguished Senator from Arizona acknowledged, did not argue that that number was not correct. The distinguished Senator from Virginia also did not argue that number wasn't correct but made the following statement, that that is not a substantial savings. That is at best a subjective judgment, but I would call \$235 million substantial any time.

Secondly, I would like to quote from a letter—and I ask unanimous consent to have this letter printed in the RECORD—dated June 8 from James Finley, Deputy Under Secretary of Defense, to the GAO.

Over the past several procurement lots, the Air Force has been very successfully working with the prime contractor to drive down cost. Unit flyaway costs have come down 35 percent between Lot 1 and Lot 5. If stopped, production re-start would be very costly and difficult to resume, breaking this positive trend.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPUTY UNDER SECRETARY OF DEFENSE,
Washington, DC, June 8, 2006.

Mr. DAVID M. WALKER,
Comptroller General of the United States, U.S.
Government Accountability Office, Wash-
ington, DC.

DEAR MR. WALKER: This is the Department of Defense (DoD) response to the GAO draft report, "Tactical Aircraft: DOD Should Present a New F-22 Business Case Before Making Further Investments," dated May 8, 2006 (GAO Code 120474/GAO-06-455R).

The Department does not agree with draft GAO report's recommendation to delay further investment in the F-22. While the Department agrees with the GAO's emphasis on the importance of supporting our procurement decisions with appropriate "Business Case" analysis, we have performed such analysis to support F-22 and tactical aircraft force structure decisions, and will continue to do so. Additional information and rationale for the Department's position is summarized below.

Implementing the GAO's recommendation to delay investment in the F-22 would disrupt production and create program instability. This instability would be detrimental to our nation's defense capabilities and our tactical aircraft industrial base. Over the past several procurement lots, the Air Force has been very successfully working with the prime contractor to drive down costs. Unit flyaway costs have come down 35% between Lot 1 and Lot 5. If stopped, production re-start would be very costly and difficult to resume, breaking this positive trend. Likewise, there is considerable modernization work ongoing. To stop this work would result in large termination costs and would be very costly to resume. Multiple GAO reports have noted the negative impact that program instability has on program cost, schedule, and performance.

The assumptions on which the GAO's recommendations are based were not understood. The quantity and mix of tactical aircraft to be procured by the Department has been and remains an area of significant "Business Case" analysis. As the geopolitical and fiscal environment changes, we continually reassess national security requirements and adjust our force structure as needed. Keeping the F-22 production line active, preserves the Department's options and sustains the industrial base for efficient transition to Joint Strike fighter production.

To support the Quadrennial Defense Review and preparation of the President's Fiscal Year 2007 Budget (PB07), the Department performed a Joint Air Dominance (JAD) Study. The JAD Study examined options for varying levels within the strike fighter mix. The Department looked at the war scenarios and cost implications of buying fewer variants of Joint Strike Fighters, increasing and decreasing the number of F-22s, and buying more legacy aircraft at the expense of fewer fifth generation platforms. The results of these analyses are reflected in PB07, which sets forth a balanced portfolio of tactical aircraft assets, including Joint Strike Fighter, F-22 and F/A-18E/F. The draft GAO report makes note of, "the large disparity between what the Air Force wants for the F-22A program and what OSD has committed to fund, there is a significant break in the business case to justify buying more F-22As." The 381 aircraft the Air Force analysis indicates are required is a fiscally unconstrained projection of Service needs. The QDR analysis reflects fiscal realities and the need to address competing defense priorities. The JAD analysis showed that a balanced force structure mix of fifth generation fighters, with legacy F/A-18E/Fs, F-15Es and conventionally armed bombers, best met our requirements. Buying fifth generation tactical

aircraft assets (F-22 and JSF), for both the Air Force and the Department of the Navy, optimized capability, affordability, and mitigated risk better than other options.

A detailed response is attached.

Thank you for the opportunity to respond to this draft report.

JAMES I. FINLEY.

Mr. ISAKSON. Mr. President, I was in business—didn't build airplanes but built houses—and I know a little bit about R&D development costs, but I know what the Raptor does.

Many of the things that were referred to as difficulties were predictable experiences in the development of a weapons system. The Raptor is the finest airplane ever built by any government anywhere any time, and the pilots who fly it attest this meets and exceeds every specification.

For me as a Senator, the other specification I want to meet is saving the taxpayers of the United States of America money; \$235 million is a substantial savings. The Senator from Georgia, Mr. CHAMBLISS, is right. This amendment establishes a 3-year multiyear contract for the F-22 is right, and I urge my colleagues to support it in the Chamber.

I yield back the time.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CHAMBLISS. I yield 3 minutes to the Senator from South Dakota, Mr. THUNE.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, the Chambliss amendment will remove the prohibition on multiyear contract authority for the purchase of the F-22A aircraft and in so doing give the DOD the flexibility it needs to purchase 60 F-22A aircraft over a 3-year period in installments of 20.

The multiyear contract will save the Government, as has been noted by Senator ISAKSON, over \$200 million over the 3-year period and allow for a rational and steady flow of F-22s.

Mr. President, I also want to note one thing about the GAO study that has been referenced here today and the funding for the F-22A. The statement is made in the GAO study that the funding for the F-22 could be better spent on fighting the war on terror. The problem with that is it assumes that America faces threats from only irregular forces or subnational groups.

North Korea's threat to launch a multistage missile that can hit Hawaii, Iranian nuclear ambitions, and the expansion and modernization of the Chinese military are patent examples of substantial threats from independent nation states.

The air superiority gap America once enjoyed has dramatically closed. The F-15, F-16, or F-18 are no longer without competition on the world stage. Since the late 1970s, for example, the Russian Air Force has been continually improving its air fleet. Planes like the MiG-29, Su-27, Su-35, and the addition of the Su-37 super-flanker have evened the playing field. The Chinese are now

making their own version of the Su-27 under the designation J-11. Both Russia and China are eyeing foreign buyers for these formidable aircraft.

Further technology and modern air defenses have grown significantly, and Legacy aircraft are vulnerable to increased anti-aircraft threats and technology.

Congressional inaction on this matter is creating a situation where American pilots will be flying aging Legacy aircraft against comparable enemy aircraft.

DOD states that the F-22As as fifth-generation fighters is needed to neutralize advanced air defenses, thus opening the door for follow-on joint forces to include nonstealthy Legacy aircraft and long-range strike capabilities.

We need the F-22. The QDR supports this notion. The QDR focuses on the ability to quickly and effectively penetrate enemy airspace and exploit stealth and electronic warfare capabilities. The F-22A excels at all these missions and helps America take a step ahead against emerging technologies and threats we face.

Mr. President, I urge my colleagues to support the Chambliss amendment and allow the Air Force to move forward in a way that will enable us to save the taxpayers money and to meet the needs that we face for this country as we go forward.

I yield back the remainder of my time.

Mr. CHAMBLISS. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator has 9 minutes remaining.

Mr. CHAMBLISS. I yield such time as he may consume to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. I thank the Senator from Georgia. I think this is a very serious thing we are getting into. I have five very important points I plan to make to respond to statements that have been made in the Chamber here. One is I think the Chairman is right when he talks about the information wasn't there, wasn't adequately discussed during the markup. One of the reasons for that is the IDA study didn't even come out until May 15, and because of that, that was not a part of the conversation.

Let me say one thing about the GAO study. I agree with the Senator from South Dakota. I am always leery of a new study that comes out the same day that an amendment is discussed and brought up in the Chamber, and that happened to be 3 days ago. I think it is quite a coincidence it came out at the same time. Having looked at the IDA study, we are on solid ground for pursuing this multiyear effort.

Let me respond to our good friend, the Senator from Arizona, on the cost overruns and the delays. I cannot remember—I have been on this Armed Services Committee for 12 years and in

the House for 8 years—one system that did not go through this same thing. In the Navy alone, they had many cost overruns. The joint strike fighter, now recognized as something we desperately need and are using, probably had more cost overruns. We had the Black Hawk upgrades, the same thing there.

But the thing I remember the most is the C-17s because I was in the House at that time. It was delay after delay after delay, and stop and think, if we had at that point junked that, where would we be? Where would we have gone in Bosnia, Kosovo? Things were anticipated where we would desperately need it.

Right now we need to increase the number of planes. That I think we all know. And then we know what is happening to the C-130-R program. This is something that has been happening for a long period of time.

The third thing I want to mention is the savings. I know one of the six criteria is called substantial savings. I don't know if there is anyone who is going to be looking at this budget and accepting the fact that a quarter of a billion dollars is not substantial. But there seems to be some doubt by Senators as to whether or not these savings would actually be achieved. And if you really ask questions about it, if we really had to do this, I say to my friend from Georgia, we could write that in and say at any point when it looks like we cannot anticipate these savings, we would go back to the other type of procurement. That could be done.

Quite frankly, I think the Air Force would be willing to do that. And the figure of \$225 million they and others believe and I believe is a conservative figure. So I think that would be one way to offset it.

When you look at title 10 criteria, substantial savings, we have talked about that; stability, we have talked about that, stability of funding, stability of design, we all know these things and where we are with the program.

And so I have come to the conclusion after looking at this that it does qualify for all of these criteria, but there is one thing that has not been said, quite frankly, in the right wing over here, and that is, during the 1990s I can remember standing on this floor and saying we are going to have to do something about what is happening to the modernization program because it is not just the aircraft and artillery pieces, the most modern thing we have for the artillery is the Palladin, which is World War II technology, where you have to get out and swab the breach after each shot. There are five countries, including South Africa, making a better artillery piece than we are sending out with our kids.

Then we look at the F-15 and F-16, great vehicles. We understand that. But one of the proudest moments I have had was in 1998 when we were cutting a lot of the Defense budget at that

time. We had two-star general John Jumper, who stood up and said publicly: Now we are sending our kids out with equipment that is not as good as the Russians are making. At that time, they had the Su-27; the Su-30 was not actually deployed yet, now the Su-35. And we know in one purchase—I say to my friend from South Dakota because he mentioned other countries that are buying these things—in one purchase, the Chinese purchased 230 of these vehicles. We think they are Su-30s, but we don't know.

Consequently, if you assess the judgment as someone I think we will have to accept, and that is General John Jumpers, their Su series in many ways is better than our best strike vehicles, the F-15 and F-16. That has to concern Americans.

So I think if that were the only reason to keep this on schedule, and go to a multiyear program where we enjoy the savings, that would be reason enough. As long as I am here, I am going to try to put America in a position where we have the very best of equipment with which we send our kids to battle. That is not the case today. So I strongly support the amendment and believe we should get on with it.

Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I yield myself such time as I may use.

I think we ought to try to go back to what this amendment is about. This amendment is not to cure any delay. The fact is, we have in this authorization 20 F-22s, with \$1.4 billion over what was in the budget—20 of them. And then, next year, I would imagine we will authorize another 20; and the year after that, another 20. This is not about any delay. This is about congressional oversight. This is whether we should go to multiyear funding and lock us into a weapons system which has not been proven yet.

I say to my friend from Georgia, no matter how this amendment comes out because of the differences of opinion we have within the committee, in July I would like to schedule a hearing, and we will get all the players over again. Whether this amendment goes up or down, in July we will schedule a hearing in the subcommittee and have another look at the pluses and minuses. The Senator from Oklahoma mentioned that several studies have come in. The IDAs came in on the 20th. The GAO one came in yesterday or the day before.

So I will be glad—no matter how the vote ends up—to have another hearing on this issue because we are talking about, obviously, really large sums of money. So this Senator does not want to delay the procurement of the F-22. But I certainly want to maintain our ability to oversight the program rather than locking us in. So it is not about whether we delay or not.

Finally, on the issue of saving \$225 million: from what? Because the Air

Force, on May 16, 2006, stated that an additional \$674 million is needed to fully fund the multiyear program being proposed. So is that savings of \$225 million out of the \$674 million of additional costs or does it mean there really isn't an additional \$674 million, that they sent over, that they need? So that has to be sorted out as well.

So again, I restate to my colleagues that literally every outside organization—CRS, CBO, GAO—all of them believe not that this weapons system needs to be canceled, not that it needs to be delayed, but we do not need to embark on a multiyear lock-in acquisition of this weapons system, which no doubt has very great value.

I hope my colleagues will agree with the distinguished chairman and me that this amendment should be rejected at this time.

Mr. President, does the Senator from Michigan wish to speak on this?

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I will be opposing the Chambliss amendment, although I am both a supporter of the F-22 and a supporter, generally, of multiyear contracts. Where they meet the criteria for multiyear contracts, I am very supportive of them because of, mainly, the money that can be saved.

I oppose this amendment with some reluctance. Again, I very much support, and have supported, the airplane. And I, in general, like the multiyear approach, where it meets the criteria. But some of the criteria have not been adequately met; for instance, whether the multiyear contract would result in substantial savings compared to using annual contracts. The studies are that the savings would be, I would say, very modest and not substantial. There are some savings, but I could not say they are substantial savings.

Another criteria is whether the contract is for a number which is expected to remain substantially unchanged during the contemplated contract period in terms of both numbers, production rate, procurement rate, and, again, total quantities. The F-22 total program quantities are likely to increase before the end of production.

There is also a requirement that there be a stable design for the property to be acquired and that the technical risks associated with the purchase are not excessive. There are some unresolved operational test deficiencies, and there are what I think can fairly be called major modifications that are planned for providing more robust air-to-ground capability.

There is also a question as to whether the estimates of both the cost of the contract and the anticipated cost avoidance through the use of a multiyear contract are realistic. Cost estimates are still problematic. The 2006 contract itself, we understand, has still not been signed. So it does not meet that criteria either.

I would hope that, perhaps next year, a multiyear would indeed meet the cri-

teria so we could utilize a multiyear approach next year. But I do not believe this year it does meet the criteria for a multiyear contract. I, therefore, will be opposing the Chambliss amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I respond to the distinguished Senator from Michigan that all of this which he raised has been addressed in the IDA report and has been answered. The criteria set forth in the statute has been validated and verified. I don't know of any technical problems with the airplane today because, as I said earlier, we have 32 at Langley currently. We have other airplanes stationed at a couple of other bases around. They are flying over us as we speak, protecting our Nation's Capitol. They are in rotation to go to Iraq. If there were any deficiencies, obviously, we would not have those airplanes put in that rotation, engaging in what may be combat.

I will close by finally saying there has been a lot of conversation about the way the cost of this airplane has increased. I think the mission of the airplane actually has changed over the 19 years since this airplane was first authorized. It was initially an air-to-air airplane. Air-to-ground was added to it, which caused delays. What the Senator from Arizona alluded to, relative to issues of the airplane is exactly correct. But all of those have been addressed. And the cost, the flyaway costs of this airplane for the last three lots have decreased by 16 percent, 11 percent, and 14 percent respectively.

So it is an expensive airplane. There is no question about that. But the capability of the airplane is also not questioned. It is a good deal for the taxpayers. It is a good deal for the folks who are going to be called on to fly this airplane in defense of this country. I encourage my colleagues to support the amendment.

Mr. HATCH. Mr. President, today I rise as an ardent supporter of the F-22A Raptor. I am very pleased that the Armed Services Committee has modified the Department of Defense's budget request and authorized the procurement of 20 F-22s during the next fiscal year.

That being said, I must express my disappointment that the committee did not include in this legislation language authorizing the Secretary of the Air Force to enter into a multiyear procurement contract to purchase 20 Raptors a year for the next 3 years. Under such a contract, the Institute for Defense Analyses estimates that we will save the taxpayer at least \$225 million. Therefore, I am proud to join Senator CHAMBLISS and cosponsor this important amendment along with Senators INHOFE, LIEBERMAN, BINGAMAN, CORNYN, THUNE, BENNETT, ISAKSON, DOMENICI, BAUCUS, DODD, HUTCHISON, COLLINS, BEN NELSON, FEINSTEIN and

STEVENS. Our amendment only strengthens the procurement plan for this vital aircraft.

I am also troubled that this bill does not increase above the 183 currently planned the number of F-22s that the Air Force is authorized to procure. My trepidation that our Nation will not build a sufficient number of aircraft is based on careful study of our Nation's needs and on the advice and counsel of senior Air Force officers who have been unanimous in their expert opinion that if the Air Force is to meet its responsibilities under the National Military Strategy, the Nation requires 381 Raptors.

I have seen first-hand the capabilities of this extraordinary aircraft, first at Tyndall Air Force Base, FL, where our pilots are learning to fly the Raptor, and second at Langley Air Force, VA, where the first operational F-22s are based. As a result of these meetings with pilots and ground personnel and several other briefings on our future preparations, I have come to the conclusion that purchasing sufficient numbers of Raptors is absolutely vital to our national security.

Over the past 30 years, the United States has been able to maintain air superiority in every conflict largely due to the F-15C. However, with the great advancements in technology over the past several years, the F-15 has struggled to keep pace. For example, the F-15 is not a stealth aircraft and its computer systems are based on obsolete technology. My colleagues should remember that the F-15 first flew in the early 1970s. During the ensuing years, nations have been consistently developing new aircraft and missile systems to defeat this fighter.

Realizing that the F-15 would need a replacement, the Air Force developed the F-22. The F-22's combination of stealth, supersonic cruise, advanced maneuverability, and sensor-fused avionics makes this aircraft a powerful deterrent to countries contemplating a challenge to U.S. interests, and defines the essence of a true fifth generation fighter.

So far during the current exercise Northern Edge in Alaska, the F-22A has achieved a kill ratio of 144:0. Not one F-22 has been simulated "shot down" while 14 legacy F-15s and F-18s in the exercise have been simulated "shot down." One-hundred-and-forty-four to zero, that is the way American forces should go to war.

The F-22 has the greatest stealth capabilities of any aircraft currently flying or under design. This is a powerful attribute when one remembers that it was the F-117 Nighthawk's stealth characteristics that enabled that aircraft to penetrate the integrated air defenses of Baghdad during the first night of the 1991 gulf war. The F-22 brings stealth capability out of the night, enabling operations in high threat areas at the place and time chosen by combatant commanders, 24 hours a day seven days a week.

The Raptor is also equipped with supercruise engines. These engines do not need to go to after-burner in order to achieve supersonic flight. This provides the F-22 with a strategic advantage by enabling supersonic speeds to be maintained for a far greater length of time. By comparison, all other fighters require their engines to go to after-burner to achieve supersonic speeds. This consumes a tremendous amount of fuel and greatly limits an aircraft's range.

The F-22 is also the most maneuverable fighter flying today. This is of particular importance when encountering newer Russian-made aircraft and surface-to-air missile systems, both of which boast advanced, highly impressive capabilities against our legacy F-15, F-18, and F-16 aircraft.

Yet, a further advantage resides in the F-22's radar and avionics. When entering hostile airspace, the sensor-fused avionics of the F-22 can detect and engage enemy aircraft and surface threats far before an enemy can hope to engage the F-22. At the same time its advanced sensors enable the F-22 to be a forward surveillance platform gathering crucial intelligence on the enemy.

However, one of the most important capabilities of the Raptor is often the most misunderstood. Many critics of the program state that, since much of the design work for this aircraft was performed during the Cold War, it does not meet the requirements of the future.

I believe this criticism is misplaced. The F-22 is more than just a fighter—it is also a bomber. In its existing configuration it is able to carry two 1,000 pound GPS-guided JDAM bombs and will undergo an upgrade to carry eight small diameter bombs in the near future. In 2008, the F-22's radar system will be enhanced with advanced air-to-ground modes, enabling the Raptor to hunt independently and destroy targets on the ground.

All of these capabilities are necessary to fight what is quickly emerging as the threat of the future—the anti-access integrated air defense system. Integrated air defenses include both surface-to-air missiles and fighters deployed in such a fashion as to leverage the strengths of both systems. Such a system could pose a very real possibility of denying U.S. aircraft access to strategically important regions during future conflicts.

It should also be noted that—for a comparably cheap price—an adversary can purchase the Russian SA-20, surface-to-air missile. This system has an effective range of approximately 120 nautical miles and can engage targets at greater than 100,000 feet, much higher than the service ceiling of any existing American fighter or bomber. Surface-to-air missiles, with similar capabilities, have been sold to Iran. The Russians have also developed a family of highly maneuverable fighters, the SU-30 and 35s, which have been sold to

such nations as China. Of further import, 59 other nations have fourth generation fighters.

It has also been widely reported in the aviation media that the F-15C, our current air superiority fighter, is not as maneuverable as newer Russian aircraft, especially the SU-35. However, the F-22 is designed to defeat an integrated air defense system. By utilizing its stealth capability, the F-22 can penetrate an enemy's airspace undetected and, when modified, independently hunt for mobile surface to air missile systems. Once detected, the F-22 would then be able to drop bombs on those targets. Some correctly state that the B-2 bomber and the F-117 could handle these assignments during night only operations. However, the F-22 offers the additional capability of being able to engage an enemy's air superiority fighters, such as the widely proficient SU-35. Therefore, the Raptor will be able to defeat, almost simultaneously, two very different threats, 24 hours a day, that until now have been handled by two different types of aircraft.

I should like to point out that these potential threats are not just future concerns, but they are here today. For example, over the last 2 years, the Air Force has conducted exercises with the Indian Air Force as part of our effort to strengthen relations with that nation. The Indian Air Force has a number of SU-30 MKKs, an aircraft which is very similar to a version of aircraft sold in large quantities to the People's Republic of China. During these exercises, it has been widely reported in the aviation and defense media that the Indian Air Force's SU-30s won a number of engagements when training against our Air Force's F-15s.

So let me be clear on this point: a developing nation's air force was able to defeat the F-15. This was a stunning event and one that requires our immediate attention.

Now that this fact has been established, the question that we must ask ourselves is: How do we remedy this national security concern? The F-22 provides the answer.

Though the F-22 may be the solution to these problems, if the Nation does not purchase a sufficient number of these aircraft our service members could face unnecessary dangers and risks. Many others and I have come to this conclusion after closely listening to our service members when they have outlined their equipment requirements based upon the national security goals our Government has outlined. What is their professional opinion? That if the Air Force is to succeed in the tasks outlined in our National Defense Strategy, our airmen and women require 381 F-22s, far more than the 184 aircraft currently planned.

However, another important consideration is cost. In a period of runaway procurement costs, we are not only concerned about the effort to procure the correct number of F-22s but to procure them at a reasonable price. That

is exactly what this amendment achieves. It authorizes a multiyear procurement plan for the Raptor, in which 20 aircraft a year over 3 years will be purchased. This will result in the taxpayer saving approximately \$225 million under the existing plan to purchase 184 aircraft.

Introducing innovative plans to save funds is nothing new to the F-22 program. In fact, since production first began on this aircraft, the "fly-away" cost has been reduced by 35 percent. However, we must take advantage of any opportunity that will result in additional savings while increasing our military capabilities. A multiyear F-22 procurement plan achieves that goal.

If this amendment is adopted, the Air Force will be permitted to enter into a multiyear procurement contract. However, some of our colleagues argue that the F-22 does not meet the six-point requirements for multiyear procurement under existing law. I, on the other hand, believe these criteria have been met and the amendment before us should be seen as reinforcing that fact.

Specifically, the first requirement to authorize a multiyear contract under the existing statute is the determination that substantial savings will result from the contract. The Institute for Defense Analysis estimates that a multiyear contract will result in at least \$225 million in savings.

The second criterion states there must be a "minimum need" for the aircraft. I believe that my address today has shown the urgent need to deploy the Raptor in order to counter the deployment of fourth generation fighters and new antiaccess systems.

As far as a minimum need is concerned, as a result of the Joint Air Dominance Study the Secretary of Defense stated that a minimum requirement for 183 Raptors existed. Under the administration's proposal, which this amendment is based upon, the production rate, procurement rate and the total quantities of the Raptor purchased will be substantially unchanged during the contract period. Remember, the contract calls for the purchase of 20 Raptors a year over the next 3 years.

The third requirement insists that the Raptor be a program with stable funding. The Armed Services Committee has added additional funds for this year and the Department of Defense's future budgets will also contain funding requests since the purchase of F-22s under a multiyear procurement contract was called for in the Quadrennial Defense Review.

Fourth, the aircraft's design must be stable. This is probably the most controversial requirement. Yes, the F-22 has had its problems during the development and production process, but I challenge anyone to identify another strike aircraft that hasn't. Remember, the F-22 is now operational. That means the Raptor will deploy in support of our service members and it has satisfactorily completed the engineering and manufacturing development

phase as well as its follow-on operational test and evaluation.

It is important to note that any upgrades to the Raptor will not result in significant structural changes. Some might argue, correctly, that a potential problem with the forward boom frame heat-treating has been identified on up to 91 aircraft. It is important to note that this was not an aircraft design problem, but an issue of a manufacturer not following the prescribed manufacturing process. In reality, testing has so far shown that 92 percent of the suspect frames tested did in fact undergo an adequate manufacturing process. I have been advised that neither a redesign nor a refit are planned or expected. Regardless, the manufacturer has been replaced and all aircraft procured under a multiyear agreement will not have this problem.

Fifth, a program must show that its cost estimates are realistic. The Air Force has gone above and beyond the call of duty in providing the Congress with independent cost analysis. The Institute for Defense Analysis provided an Independent Cost Estimate in 2005 and with a multiyear procurement business case analysis in May of this year.

Finally, the last requirement of a multiyear procurement plan is the determination that the program is important to the national security of the United States. I believe that we have already established conclusively that the Raptor is the answer to the present and future threats posed by antiaccess systems.

Therefore, I believe that the Raptor qualifies for a multiyear procurement contract under the existing statute. However, to ensure there is no doubt on this subject, I strongly recommend this amendment to my colleagues.

Our Nation stands at a crossroads.

In a wide variety of policy arenas, the Senate is being asked to make investments that will reap rewards for our children and our grandchildren.

The F-22 is one of these investments. It will guarantee America's dominance of the skies for the next half century. All that is required is that we make a commitment now to ensure that future. By purchasing adequate numbers of F-22 Raptors we are meeting the threats of today and tomorrow and we are doing so in such a way as to maximize the savings of the American taxpayer.

I thank Senator CHAMBLISS for offering this important amendment, and I urge my colleagues to join my fellow cosponsors, Senators INHOFE, LIEBERMAN, BINGAMAN, CORNYN, THUNE, BENNETT, ISAKSON, DOMENICI, BAUCUS, DODD, HUTCHISON, COLLINS, BEN NELSON, FEINSTEIN and STEVENS in supporting this amendment.

Mr. LIEBERMAN. Mr. President, I rise today to speak in support of the amendment to authorize a multiyear procurement for the F-22 fighter—amendment No. 4261 I am proud to cosponsor. I thank my friend and col-

league, the Senator from Georgia, Mr. CHAMBLISS, for his leadership in offering this amendment. I believe he has very ably and comprehensively argued the case for this multiyear and has persuasively rebutted the personal arguments against taking this action. But I want to add some thoughts about why I think this is a prudent act by this body.

The F-22 has had developmental problems and it has had cost increases. But all this is old news. There are few, if any, programs that have had more oversight by the Senate Armed Services Committee than this program. We have examined it in great detail in hearings each year from concept to procurement. We have examined the technology, the acquisition plan, the development process, and the production issue. And we have examined the costs in substantial detail. In some years we have put on cost caps to force spending discipline, and in other years we have slowed down production to align the request with the reality of the backlog. But despite the challenges of building the world's most capable fighter, we have decided, and the full Senate has decided, that this is a critical program that should and must continue. And the U.S. Air Force has argued it needs the F-22 to continue.

There is a very compelling reason for this decision. Air dominance is absolutely essential to American military dominance and American security in the 21st century. Our military has had that dominance since World War II. If we were ever to lose it, or even allow it to be seriously challenged, the global strategic environment would fundamentally change for the United States. The F-22 is the way we prevent that from happening for the next generation maybe more. Much has been said about the cutting-edge technologies that are included in this airplane that will ensure we maintain that air dominance. I need not repeat that now. But it is the reason that we have voted to continue procuring the F-22 and it is reason that we will continue to do so.

I believe the problems with the F-22 that some of my colleagues have reminded us about have been substantially solved. The F-22 business case was validated by DOD during the QDR and the Air Dominance Study. The long debate over the number we will procure is about over. I am convinced that it will not be lower than the 183 validated by the QDR. In fact if there are now to be changes in that number, it will be increased, not decreased. So I believe that we will build the additional 60 contemplated in this amendment. The decision to procure these 60 over 3 years instead of 2 years is sound. We should not have a break in the production line before we begin building the F-35 the JSF. Those 60 aircraft can be built for about \$250 million less with the multiyear buy provided for by this amendment.

The Senate Armed Services Committee, and the Airland Subcommittee,

has spent much time focusing on our acquisition system because we are concerned that the weapons we are buying are taking too long to field and are costing too much. We believe the American people should not pay more than they have to. But we also believe our Armed Forces should get the weapons they need to defend our security. SACS have concluded we need this fighter. We recommended full funding this year for 20. I believe we will do that next year and the year after that until we have procured 183 F-22 fighters. Authorizing a multiyear will cost the American people \$250 million less

than if we authorize these fighters year by year. That is good acquisition policy. Our Armed Force needs this fighter, and we should not pay \$250 million more to get it than we have to. That is why I urge my colleagues to support this amendment.

Mr. MCCAIN. Mr. President, I yield back the remainder of my time.

Mr. CHAMBLISS. Mr. President, I yield back the remainder of my time.

Mr. LEVIN. Mr. President, if the Senator from Arizona will yield 1 minute?

The PRESIDING OFFICER. The Senator from Michigan is recognized for 1 minute.

Mr. LEVIN. Mr. President, I want to put in the RECORD a chart from the Institute for Defense Analysis. It compares savings on various programs, showing savings with the F/A-18, multiyear, from 7 to 11 percent; the C-17 airplane, of 10 percent; the C-130J, multiyear, of 10 percent; and the comparison to the F-22, which they estimate at 2.6 percent. I ask unanimous consent that this chart be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 4.—CHARACTERISTICS OF OTHER RELEVANT MYP PROGRAMS

Program	Savings (%)	Savings (TY\$M)	Prior lots/units	Period of performance (years)	Procurement timeframe	Quantity procured	Amount of CRI funding (\$M)	Amount of EOQ funding (\$M)	FAR	TINA waiver
F/A-18E/F Air Vehicle (MYP-1)	7.4	\$850	3/62	5	FY00-04	222	\$200	\$85	15	No
F414 Engine (MYP-1)	2.8	51	5/682	5	FY02-06	454	0	0	15	No
F/A-18E/F/G Air Vehicle (MYP-2)	10.95	1,052	8/284	5	FY05-09	210	100	0	15	Yes
C-17A Airframe (MYP-1)	5.0	760	8/40	7	FY97-03	80	350	300	15	No
C-17A Engine (F117-PW-100)	6.0	122	4/160	7	FY97-03	320	0	0	12	No
C-17A Airframe (MYP-1)	10.8	1,211	14/112	5	FY03-07	60	0	645	12	Yes
C-17A Engine (F117-PW-100)	5.7	92	14/448	5	FY03-07	267	0	0	12	No
C-130J/KC-130J	10.9	513	9/37	6	FY03-08	62	0	140	12	No
C-130J (Air Force)	10.9	340		6	FY03-08	42	0	unknown	12	No
KC-130J (Marine Corps)	13.1	173		6	FY03-08	20	0	unknown	12	No
F-16A/B/C/D Air Vehicle (MYP-1)	7.7	246	4/605	4	FY82-85	450	unknown	unknown	15	No
F-16C/D Air Vehicle (MYP-2)	10.1	467	8/1139	4	FY86-89	720	unknown	unknown	15	No
F-16C/D Air Vehicle (MYP-3)	5.7	262	12/1859	4	FY90-93	630	unknown	unknown	15	No
Average	8.00	469		5.25	N/A	292	N/A	N/A		
F-122A Air Vehicle	2.6	203	8*122	3	FY07-09	60	0	0	255	No
F-122A Engine (F119-PW-100)	2.7	32	8*244	3	FY07-09	120	0	45	15	No

* Include Production Representative Test Vehicle (PRTV) lot and units.

** Include PRTV lot and units and Replacement Test Aircraft (RTA); installed engines only.

Mr. LEVIN. I yield back my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. CHAMBLISS. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is recognized.

Mr. DAYTON. Thank you, Mr. President.

AMENDMENT NO. 4241

Mr. President, I am a proud cosponsor of Senator MCCAIN's proposal to name this legislation after the great chairman of the Senate Armed Services Committee, Senator WARNER.

I have had the privilege during my term in the Senate to serve on the Armed Services Committee under two tremendous chairmen, outstanding Senators, and terrific human beings—JOHN WARNER and CARL LEVIN.

Our Senate, our military, and our country have been fortunate to have their extraordinary leadership during these critical years.

Chairman WARNER, for whom this legislation would be named, is more than deserving of that honor. He is greatly respected by our committee members on both sides of the aisle and, indeed, by the entire Senate. He has been unfailingly fair to all points of view, while leading us with a firm hand and resolute gaze, that he learned during his own military service and as Secretary of the Navy.

When he picks up his committee gavel, all of us—members, staff, military officers, and other interested parties—all know we have a leader well prepared in all respects for that enormous responsibility.

Our Senate and our Nation are indebted to Senator WARNER and to Senator LEVIN for their superb public service.

Mr. President, I have listened to many of my colleagues express their views on Iraq during the past week and have waited for this opportunity to express my own.

My colleagues reflect sincere differences and I believe sincere desires to uphold the best interests of our great country in a very difficult and complicated situation. We are all patriotic Americans first and foremost and partisan politicians later.

I voted against the Iraq war resolution in October 2002, despite being presented with incorrect and misleading information by very high officials in the Bush administration, which purported to prove that Saddam Hussein was developing nuclear weapons. I questioned the veracity of that information. And I had grave concerns that an unwarranted invasion of Iraq, if no weapons of mass destruction were found, would ultimately weaken, not strengthen, the national security of the United States by seriously damaging our standing and our alliances throughout the world.

I also voted against the Iraq war resolution because I believed that such a decision by the Congress at that time was premature. President Bush was not asking Congress for a declaration of

war, as the U.S. Constitution requires. He was asking for a congressional resolution authorizing him to declare war, if he determined it necessary at some later date. I do not fault the President for asking for that blank check. I fault the Congress for giving it to him. In fact, it was over 6 months later that the President made his final decision to commence military action against Iraq.

In a similar vein, I believe that both the Levin-Reed amendment and the Kerry-Feingold amendment were premature. One called for the redeployment of U.S. troops from Iraq to begin within 6 months. The other required the almost complete withdrawal of those troops within a year.

I believe it is impossible to foresee at this time whether either of those actions would be in the best national security and foreign policy interests of the United States 6 months or 1 year from now. The situation in Iraq is too uncertain and too unpredictable to do so. That uncertainty and unpredictability evidence the failures of the Bush administration's conduct of this war effort.

It is now over 3 years since the U.S. military swept from the Iraqi border to Baghdad in only 3 weeks, overthrew Saddam Hussein and his evil regime, and liberated the Iraqi people. Yet after that swift and decisive military victory was won, the Bush administration has failed to secure it.

Administration officials ignored the advice of their own top military commanders—and this is an important lesson for us—and failed to commit