

EXTENSIONS OF REMARKS

TRIBUTE TO FORMER CONGRESSMAN RALPH REGULA

SPEECH OF

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. RYAN of Ohio. Mr. Speaker, it was my distinct honor and privilege to have served in the House of Representatives with Ralph Regula, who passed away on Wednesday, July 19, 2017.

In 2007, I became a member of the Committee on Appropriations where Ralph had served for many years. He was Chairman of the Subcommittee on Interior and later as Chairman of the Labor and Health & Human Services Subcommittee. Ralph taught me a lot about how to achieve success in the Committee by working together cooperatively with Republicans and Democrats alike.

Ralph was the Dean of the Ohio Delegation and I often heard him tell the story of the Cuyahoga Valley National Park. The Park was established in 1974 with Ralph's leadership and his partners John Seiberling and Charles Vanik. I particularly recall his story of how the law was signed. Ralph understood that Secretary of the Interior Rogers Morton opposed the Park and was recommending that President Gerald Ford veto the bill. Ralph called former National Republican Committee Chairman Ray Bliss of Akron and asked him to call the President to explain the importance of the Park in Ohio and to point out that the Park could be a political issue in the Presidential campaign. President Ford saw the wisdom in the advice and signed the bill into law.

Ralph was born on December 3, 1924 in Beach City, Ohio. Ralph served in the Navy during World War II and graduated in 1948 from what is now known as the University of Mount Union in Alliance, Ohio. Originally, a teacher and principal who attended law school at night, Ralph served in the Ohio House and Senate before his election to an open Congressional seat in 1972. Ralph was married to his wife Mary for 66 years, and together they shared three adoring children.

Ralph was an important voice in protecting important education programs including Pell Grants and health care programs including investment in medical research. Ralph helped to establish the Ohio & Erie Canalway, which include towpaths and historic sites. He also secured funding to help establish the National First Ladies' Library, which was founded by his wife Mary and located in Canton, Ohio.

Many friends and family members of the Congressman will be gathering to ride the Ohio and Erie Canal Towpath Trail from Cleveland to Zoar this Friday. Ralph's son Richard Regula will be leading this fitting commemoration in celebration of Congressman Regula's legacy.

Ralph was always a champion of bipartisanship, oftentimes stating, "Listening to the points of view of others, finding common

ground to cooperate and making friends on the 'other side of the aisle' helps to achieve ultimate success."

I extend my deepest condolences to Ralph's family and friends. He was a true patriot who leaves behind a positive legacy in both Washington and Ohio. He will be deeply missed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

SPEECH OF

HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2017

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes:

Mr. WELCH. Mr. Chair, in communities across the country, our infrastructure is falling apart. This fact was highlighted once again when the American Society of Civil Engineers released its 2017 Infrastructure Report Card which gave our nation's infrastructure a D+ rating. That is not acceptable and we must do better.

One area of particular concern is the state of our nation's dams. In far too many communities, dams are in danger of breaching. As we recently saw at the Oroville Dam in California, dam breaches can cause catastrophic consequences to the surrounding communities.

Last year, Congress took a positive step to address this issue with the passage of the Water Infrastructure Improvement for the Nation (WIIN) Act. In particular, Section 1177 of the WIIN Act authorized funding for the Army Corps of Engineers to begin working to rehab some of our nation's oldest, Corps-constructed dams that are classified as "high hazard potential". As many of you know, the failure of a dam that is classified as high-hazard potential is anticipated to cause loss of life.

While Section 1177 is a positive start, it needs to be funded so the Corps can get to work. My amendment would simply direct the Army Corps to use existing funds within its Construction Account to implement this provision up to its authorized level of \$10 million.

Both parties agree we need to improve our infrastructure. This is a modest proposal to address some of the most outdated, hazardous dams in the country.

I urge my colleagues to support this amendment.

MINE RESISTANT AMBUSH PROTECTED (MRAP) VEHICLE

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. WITTMAN. Mr. Speaker, I include in the RECORD the following statement on behalf of my constituent, Mr. Steve Chill, on the Marine Corps Mine Resistant Ambush Protected vehicle.

**BLOWING THE WHISTLE ON A WHISTLEBLOWER:
THE REAL MRAP STORY**
(By Steve Chill)

There is a perception that the Marine Corps was negligent in providing armored vehicle support for the warfighters in Operation Iraqi Freedom (OIF). This purported negligence was centered on the Mine Resistant Ambush Protected (MRAP) vehicle effort, but negligence accusations extended to other equipment. These perceptions about Marine Corps negligence surrounding the MRAP efforts reflect ignorance of the facts. The negligence story was largely fabricated by a whistleblower and drew the interest of the press. The perceptions were also drawn from a DODIG report, the conclusions of which are based on incomplete information, and a Marine Corps that failed to adequately explain the truth with supporting evidence.

The study "Blowing the Whistle on a Whistleblower: The Real MRAP Story" is a refutation of previous works dealing with the aforementioned MRAP accusations. This study explains what occurred and provides the evidence necessary (including hundreds of emails) to disprove the allegations of negligence. The author was in a unique position to observe the events incorrectly described. This study corrects the record about the Marine Corps' fabricated negligence. It also provides a means to understand the real lessons on support to operations in Iraq.

There are two series of events associated with MRAP: the Marine Corps effort providing armored vehicles and the portrayal of this effort.

Providing armored vehicles: The term "Hejlik UUNS" will be used for the Feb 2005 I MEF MRAP Urgent Universal Needs Statement (UUNS). "An UUNS is an immediate request from units that are deployed to or are awaiting imminent deployment to a combat theater. The UUNS is a request for a capability that, if not filled, places the accomplishment of the unit's mission in jeopardy or unduly increases the risk of casualties" (MARADMIN 045/06). The Commandant of the Marine Corps (CMC) decided to provide m1114 (armored HMMWVs or Humvees) as the material solution covering the Hejlik UUNS. The Executives of the Marine Corps were involved in this decision. The Hejlik UUNS was reduced to an UNS (Universal Needs Statement-not Urgent), removing it from further executive consideration and from the itinerary of the dozens of flag officer commands that were responsible for it. No Marine Corps command continued pursuing the UUNS. There was an absence of action (due to an absence of demand) between the removal of MRAP from consideration in August of 2005 until May of 2006 when I Marine Expeditionary Force (MEF) (in Iraq)

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

submitted a brand new UUNS for 185 armored vehicles. A subsequent submission for 1000 MRAP brought the total requirement to 1,185 which the Marine Corps pursued in the DOD and in Congress.

The portrayal: Franz Gayl, a whistleblower, created his first whistleblower brief in March of 2007. It was not MRAP focused and only one slide (of 31 slides) focused on MRAP. Gayl, despite scant firsthand knowledge about MRAP needs, became the “MRAP whistleblower”. Gayl published his study in Jan 2008 prompting the DOD Inspector General (DODIG) to investigate MRAP. Both the study and the DODIG report were flawed. Senator Biden, in conjunction with Gayl, established the “Marine Corps negligence” story in the mainstream press.

The simple facts concerning the MRAP need are enough to dispel the MRAP negligence falsehoods. A summary of the facts is as follows:

Marine forces in combat drive the initiation of urgent new capabilities by submitting UUNS. These forces may be regarded as “the customer” that drives the rest of the support system. If the customer does not want it, it is not deployed. If deployed Marines do not ask, they do not receive.

Over the period of decades before the 2005 Hejlik UUNS, several mid-level Marines noted the effectiveness of MRAP-type vehicles and wrote several articles/papers about them. They did not convince their leadership to take action, nor did they aggressively pursue MRAP-type vehicle purchases. The rest of the combat development community did not develop a need for MRAPs. Other Services, the Joint community, the DOD, and other civilian organizations that are not Marine Combat Developers could have developed MRAP-type vehicle needs and did not.

In February 2005, BGen Hejlik (I MEF) submitted an UUNS for 1,169 MRAPs. That UUNS was received by most major support commands. The need was immediate and there were significant concerns about material availability and manufacturing ability.

The UUNS was briefed at the Marine Corps Executive Safety Board (ESB—March 05) and the Marine Corps Executive Off-Site (EOS—May 05). Between the two briefs, the entirety of the Marine Corps Executive body was briefed and considered MRAP-type vehicles. This included the Commandant of the Marine Corps (CMC). CMC selected the m1114 (armored HMMWVs) with advice from his Executives and with the full knowledge of the Hejlik UUNS. The CMC decision to answer the 2005 Hejlik UUNS with m1114s effectively ended the urgent status of the 2005 Hejlik UUNS.

A key point is that I MEF (Fwd) in Iraq was asking for m1114s as a solution for the Hejlik UUNS. M1114 procurement was a decision supported by the MEFs in (or going to) Iraq.

Marine Executives continued to be briefed on the Hejlik UUNS through August 2005. In August of 2005 Marine Executives ended consideration of the Hejlik UUNS as the m1114 decision by CMC was implemented. Over ten other senior Marine Corps Commands with MRAP decision responsibilities also ended their considerations. These commands did not simultaneously “lose” or “bury” the request as has been falsely insinuated by Gayl and the press.

The 2005 Hejlik UUNS was downgraded to an UNS which changed the status of MRAPs away from a critical need by a Commander involved in operations to save lives. The reduction to an UNS placed MRAP in the regular combat development process with other trucks where it continued to be considered by Systems Command as a potential vehicle solution for future needs. Marine Forces Pacific (MARFORPAC) reflected this reduction

in its UUNS tracker and reflected the 2005 Hejlik UUNS as complete. The reduction to a regular UNS shows that the need was no longer required by the forces in Iraq to prevent undue increases in casualties.

II MEF (2005–2006 deployment), in Iraq, did not pursue the 2005 Hejlik UUNS or any different request for MRAPs. I MEF (2006–2007 deployment), in its prioritized listings before deployment neither listed MRAP as a priority nor as a need at all. The forces in combat or going to combat simply were not requesting MRAPs during this timeframe. The entire combat development community to include the MEFs, MARFORs, Advocates and Executives regarded the Hejlik UUNS as resolved and reduced to an UNS. The DODIG would later incorrectly summarize BG Hejlik’s assertion that the UUNS was reduced to a fabrication.

A separate Marine Corps I.G. of I MEF (Fwd) that concluded in May of 2006 found no documented need for MRAP. I MEF (Fwd) did nothing to indicate any existing MRAP UUNS during this I.G. once again indicating an absence of demand. I MEF had the opportunity to identify a MRAP need (new or old) to the Marine Corps I.G. and did not do so. The I.G. process allowed for review by CG I MEF (Fwd) and yet there was still no MRAP demand. This is evidence that I MEF was not pursuing MRAPs at this time.

Approximately nine months after Hejlik UUNS removal from MROC consideration, I MEF (back in Iraq) submitted a new UUNS for 185 vehicles (May 2006). The name requested was not MRAP. The number requested was not 1,169 (the number requested in the Hejlik UUNS). Combat developers pressured I MEF to ask for more vehicles and to submit for joint funding. I MEF initially refused to ask for more than 185. There is no logic in Gayl’s or the DODIG’s contention that I MEF simultaneously wanted 1,169 MRAPs, but also did not want more than 185 MRAPs. The fact is that the Hejlik UUNS was satisfied by the provision of m1114 and was no longer an active urgent request.

Eventually I MEF submitted a second request for 1000 more vehicles (July 2006), this time calling them MRAP.

Starting in May 2006 the Marine Corps supporting establishment, to include MCCDC, diligently processed and worked the new request even before it was officially submitted. Congress was briefed. Marine Corps leadership, up to and including the CMC, advocated for MRAP. Testing of different MRAP-type vehicles from different companies occurred in 2006. Budget issues were worked for MRAP. The program office was created and MRAP became the Marine Corps’ number 1 priority. Congress and DOD leadership were supportive of Marine efforts.

A contract was awarded for 200 vehicles in Feb of 2007 with the intent of fielding capability immediately. The Marine Corps MRAP need was considered to be over 800 with expectations of a higher number required. That expectation was realized as the joint requirement in Feb 2007 grew to almost 7,000 vehicles. The MRAP program was recommended for “high priority” status. In May 2007 SECDEF Gates finally designated MRAP as the number one DOD priority.

The Marine Corps was accused of negligence, and did not sufficiently battle these scurrilous accusations. The effort (and success) in smearing the Marine Corps is summarized below.

In 2007, while the Marine Corps was in combat, Gayl was fabricating a case against the Marine Corps. He stated that it was only a case against Quantico, but those who understand the Marine Corps also understand that combat development is a Corps-wide effort. Gayl’s study reflects his inadequately developed or erroneous beliefs. Most of his impor-

tant points are incorrect. Others are fabricated. Despite the myriad of inaccuracies, Gayl’s study was perceived as credible.

A further repudiation of the Gayl study may be developed in a review of the actions of the Advocates. The Marine Corps developed a system of Advocacy to support the deployed forces. The “Advocates” act as a type of lawyer, ensuring the deployed forces’ (MARFOR and MEFs) requests (including UUNS) are handled appropriately. The cover page from Gayl’s study cites his whistleblower credential as the “GCE Advocate S&T Advisor”. Advocate responsibilities are delineated in order and directive and are also included on the cover page of every UUNS. The Advocate (including Gayl) has sole responsibility for several UUNS steps and is a contributor for many others. Gayl’s critique of the Marine Corps is either a criticism of his own job performance . . . or his critique is fatally flawed (the latter is actually the case).

The Assistant Commandant of the Marine Corps asked for a DODIG to look into the accusations in Gayl’s study. The MRAP DODIG occurred over two years after the events it was investigating. Marines had rotated out of their billets and emails were deleted. The DODIG failed to uncover key evidence contradicting Gayl’s claims. While the DODIG did not validate the great majority of Gayl’s claims, it did not fully disprove his study. They were not as thorough as they should have been.

The “whistleblowing” continued and on 14 May 2009 Gayl testified before the House Committee on Oversight and Government Reform on the Whistleblower Protection Act. Gayl’s study on MRAP was quoted for the record. Both the testimony and the study were flawed.

In addition to the outright rejections, there were a series of documents proving that I MEF did not desire or pursue MRAPs beyond the provision of the m1114s. Despite having ample opportunity to manifest any sort of new MRAP requirement (or dissatisfaction with the m1114 solution) in several documents, the deployed forces and their parent commands did not once do so. This absence of requests is reflected in mandated reports. They all show an absence of any unprovided need from the Hejlik UUNS. The numerous official documents that did not identify an MRAP need reflect one thing: the absence of MRAP need. There was never any “constant demand” and the portrayal of a “constant demand” was a fabrication or outright lie.

The press remains woefully ignorant of the Marine Corps combat development process yet, even today, feels comfortable criticizing portions of it. Gayl’s thousands of errors were not scrutinized by the press. Gayl’s accusations were sensational and received widespread coverage but the press did not believe it necessary to check Gayl’s “facts” before reporting.

The study “Blowing the Whistle on a Whistleblower: The Real MRAP Story” serves to contest the previous versions of events that disparaged the Corps’ dealing with MRAP needs from 2005 to late 2006. The reputation of the Corps suffered as a result.

RECOGNIZING SPRING HILL, FLORIDA

HON. DANIEL WEBSTER
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

Mr. WEBSTER of Florida. Mr. Speaker, it is my pleasure to recognize Spring Hill, Florida