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CHAIRMAN

DARRELL E. ISSA, CALIFORNIA
RANKING MINORITY MEMBER

ONE HUNDRED ELEVENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 Rayburn House Office Building
Washington, DC 20515–6143

Majority (202) 225–5051
Minority (202) 225–5074

January 22, 2009

The Honorable Robert M. Gates
Secretary
United States Department of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Mr. Secretary:

Today, with our colleagues in the Senate, we are releasing the most recent Government Accountability Office (GAO) listing of the federal government's high risk areas. GAO has issued this product at the start of every new Congress since 1990. As has been the case in many past editions, the Department of Defense (DOD) is, unfortunately, well represented.

This year's report describes eight areas in DOD operations that are at high risk of fraud, waste, abuse, and mismanagement and seven others for which DOD shares responsibility. More than half of the areas GAO has identified involve DOD. Many of these areas have been on the list for almost two decades.

With the country facing its most serious financial and economic problems in decades and fighting two wars overseas, we cannot afford for the Department to get less than the maximum value from the resources the Congress and the American taxpayer provide it. The risks DOD faces cut across most areas of its operations and include DOD's longstanding inability to deliver its major weapon system acquisitions on time and at promised costs and capabilities, modernize its business systems, protect critical technologies, and manage its contracts, its supply chain, its property and its people, among others.

The Oversight and Government Reform Committee intends to make DOD's high risk areas a significant focus of its oversight agenda. Accordingly, we request that you meet with us at your earliest possible convenience to discuss why the Department has not been able to resolve these serious and costly problems, and to discuss a concrete plan with specific time frames to implement GAO's recommendations. Waste and mismanagement in the Department reduce the

much needed support our military needs to effectively carry out its mission. We look forward to the discussion with the spirit of cooperation that will be needed to achieve lasting improvements.

Sincerely,

Edolphus Towns
Chairman

Darrell E. Issa
Ranking Member

Congress of the United States

Washington, DC 20510

January 30, 2009

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

Dear Secretary Gates:

We write regarding the OMB Circular A-76 review of installation management functions under the Defense Logistics Agency Enterprise Support organization (DES). It is our understanding that the Department of Defense's Competitive Sourcing Official is disinclined to approve a request by the Defense Logistics Agency (DLA) to undertake an internal re-engineering effort as an alternative means of ensuring workplace efficiency and cost savings.

Upon reviewing the recent concerns raised by the General Accountability Office regarding the level of savings achieved under OMB Circular A-76, and the information provided to our offices regarding DLA's alternate approach, it appears the latter offers a viable alternative that would result in savings more quickly.

Given our mutual interest in ensuring the DES mission is accomplished in an efficient and cost-effective manner, we respectfully request the Department to give all due consideration to the internal re-engineering effort developed by DLA.

We look forward to your response.

Sincerely,

George V. Voinovich
Jim Webb
Sherrod Brown
Bob Casey, Jr.
Jim Bunning
Mark R. Warner
Daniel K. Akaka
Susan M. Collins

OSD 01166-09

MADELEINE Z. BORDALLO
GUAM

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Congress of the United States
House of Representatives

NATURAL RESOURCES COMMITTEE
CHAIRWOMAN, SUBCOMMITTEE ON FISHERIES, WILDLIFE AND OCEANS
SUBCOMMITTEE ON INSULAR AFFAIRS

ARMED SERVICES COMMITTEE
SUBCOMMITTEE ON READINESS
SUBCOMMITTEE ON SEAPOWER AND EXPEDITIONARY FORCES

February 3, 2009

The Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Gates,

I write to respectfully request your assistance in supporting efforts that I am coordinating in the United States Congress to provide for greater infrastructure funding for Guam in the economic stimulus package. Funding in this legislation is important to improve critical water, wastewater, power, solid waste disposal and port infrastructure on Guam.

A September 2008 Government Accountability Office (GAO) report entitled, "*Opportunity to Improve the Timeliness of Future Overseas Planning Reports and Factors Affecting the Master Planning Effort for the Military Buildup on Guam*" outlined the need for support of civilian infrastructure projects in order to facilitate and sustain the military build-up on Guam. Moreover, officials in the Department of Defense (DoD) on multiple occasions have indicated in testimony before Congress and public reports that civilian infrastructure on Guam needs improvement and that they will pursue opportunities to assist the Government of Guam in meeting these needs. If funding is not provided in the economic stimulus package that was requested by President Obama, the timeframe for the military build-up will be compromised. The stimulus package is an opportunity to spur economic and job growth as well as ensure that the military build-up on Guam remains on schedule and is successfully executed.

Currently, the House-passed version of the stimulus bill, H.R. 1, the American Recovery and Reinvestment Act of 2009, does not contain funding that would address Guam's most critical infrastructure needs. However, the Senate substitute amendment to H.R. 1 that is being debated on the Senate floor this week proposes funding in several accounts that could address Guam's infrastructure needs. In particular, Title XII contains $5.5 billion in discretionary funding for the Secretary of Transportation to offer grants for a variety of national surface transportation system needs, including but not limited to, port improvements. It also includes a mark of $62 million as a baseline for the Office of Insular Affairs in the Department of the Interior for Capital Improvement Projects (CIP) grants to the territories and report language specifically cites the needs of the Guam military build-up as a reason for these funds. Both the House and Senate bills will need

to be reconciled in a conference committee. While $62 million is a good mark, needs on Guam require substantially more funds in order for the military build-up to progress on time. We hope that you will agree with us that these funds are important, and that you will communicate your support for increasing the appropriation to Congressional leaders.

In addition, as the DoD finalizes its plans for military construction in the President's Fiscal Year 2010 Budget, it is critical that civilian infrastructure on Guam is enhanced to facilitate the military build-up. I would request that you work closely with Senate and House leadership and conferees to impress upon them the importance of flexible funding to Guam that will support its immediate critical infrastructure needs.

At this point in the process, I am appealing to you to honor your commitments as a partner in this military build-up process for Guam. I ask you to work with us in achieving Chairman Skelton's vision that what is good for the military must be good for Guam. Towards this end, I recognize that this is a critical moment for you and other DoD leaders to communicate directly to Senate and House appropriators in writing your support for appropriating funds to meet civilian and joint infrastructure needs of Guam through H.R. 1 and the forthcoming Fiscal Year 2010 appropriations process.

If you have any questions regarding this matter please have your staff contact Matthew Herrmann, of my staff, at matthew.herrmann@mail.house.gov or at 202-225-1188.

Sincerely,

MADELEINE Z. BORDALLO
Member of Congress

Enclosure: S. 336, American Recovery and Reinvestment Act of 2009,
"Assistance to Territories" provision and report language

cc: The Hon. Donald C. Winter, Secretary of the Navy

Congress of the United States
Washington, DC 20515

February 5, 2009

Dr. Robert M. Gates
Secretary of Defense
U.S. Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000

Dear Secretary Gates:

We write to register concern about the future of the Ground-based Midcourse Defense (GMD) system at Fort Greely, Alaska, and to inform you of our strong support for this system.

As you know, the integrated Ballistic Missile Defense System (BMDS) has been in the news recently. Last week, Senate Armed Services Committee Chairman Carl Levin expressed some concern about the BMD system, of which GMD is a key component. His comments came at the same time reports surfaced of North Korea preparing again to test its Taepodong-2 missile, which is estimated to have a range that could hit Alaska. And earlier this week, Iran successfully launched a low-orbit satellite utilizing a three-stage rocket technology, which raises great concern over that country's increased capabilities.

We were sobered by your testimony to the Senate Armed Services Committee on January 27, 2009, in which you stated that: "North Korea and Iran present uniquely vexing challenges...North Korea has produced enough plutonium for several atomic bombs; Iran is developing capabilities needed to support a nuclear program...both countries have ballistic missile programs of increasing range and a record of proliferation." Your blunt assessment underscores the need for a fully functioning BMD System, in which Fort Greely plays a key role.

The federal budget includes funding to complete the fielding of all interceptors at Fort Greely to bring the system up to full capacity. Certainly a key component of this system is a more rigorous testing regimen, as stressed in the latest Director of Operational Test & Evaluation (DOT&E) annual report. Additional successful testing will continue to validate this system to the nation and the new administration. Launches for the tests currently originate from the Kodiak Launch Complex in Kodiak, Alaska, which is ideally suited for such testing and ready to execute additional tests.

At this time, we see absolutely no justification for reductions to the GMD System or slowing its implementation. To the contrary, the threats from North Korea and Iran only serve to emphasize the vital role this system should play in the defense of our nation and our state.

SECDEF	DEPSECDEF	SPLASST	EXECSEC	USDP
USDI	ESD	CCD	CBLC	FILE

LA1

Should the Department of Defense consider any adjustments to this system, we ask that you notify us as soon as possible so that we may discuss the justification with you.

Thank you for your consideration.

Sincerely,

Lisa Murkowski
United States Senator

Mark Begich
United States Senator

Don Young
Congressman for All Alaska

Congress of the United States
Washington, DC 20515

February 5, 2009

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

Dear Mr. Secretary,

We write in support of Dr. Solomon Passy's nomination for the position of Secretary General of the North Atlantic Treaty Organization (NATO). We respectfully request that the United States lend its support to Dr. Passy during the diplomatic discussions to select NATO's next Secretary General as the current term of Secretary General Japp de Hoop Scheffer expires later this year.

We are informed that Prime Minister Sergey Stanishev of Bulgaria proposed Dr. Passy as a candidate for the Secretary General position during a meeting with President Bush on June 18, 2008.

For nearly two decades, Dr. Passy has demonstrated a clear vision and solid leadership in international relations, particularly in regard to NATO. As a member of Bulgaria's parliament he authored legislation in 1990 to withdraw Bulgaria from the Warsaw Pact and to join NATO and the European Union. That year, Dr. Passy also founded the Atlantic Club of Bulgaria, an NGO in Bulgaria to strongly support NATO membership. Years later, Dr. Passy's vision was achieved when, while serving as Bulgaria's Foreign Minister, he negotiated and signed the two accession treaties that made Bulgaria a full Member of NATO in 2004 and the EU in 2005.

International circumstances present a window of opportunity for advances in both intra-European and transatlantic relations. We believe that the selection of a Secretary General from Bulgaria who is as superbly qualified as Dr. Passy, would strengthen ties between NATO and the United States as well as serve the important cause of continued European integration.

Thank you in advance for your kind consideration.

Sincerely,

HOUSE COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515–6035

ONE HUNDRED TENTH CONGRESS

February 11, 2009

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

Dear Secretary Gates:

The National Security Personnel System (NSPS) of the Department of Defense (DOD) made wholesale changes to the current federal employee system, resulting in widespread distrust and discontent within the ranks of the hundreds of thousands of dedicated DOD employees, both among those who have been converted and those who have not yet been converted to NSPS.

Recent reports from both the Government Accountability Office and the Congressional Budget Office highlight concerns over the cost of NSPS versus its benefits as well as the lack of transparency in the new system and the negative impact on employees. Questions also have arisen over the last minute issuance of regulations (in the final weeks of the Bush Administration) which go beyond the intent of Congress when it enacted revisions to NSPS in the National Defense Authorization Act for Fiscal Year 2008.

During the campaign, President Obama indicated that he would consider either a repeal of NSPS or its complete overhaul. Because it will take some time for a review and a determination of the best course of action to occur, we urge you to immediately halt the conversion of any additional employees to NSPS at any level or any location until the Administration and Congress can properly address the future of the Department's personnel system.

We request a prompt response to this letter.

Sincerely,

IKE SKELTON
Chairman
House Armed Services Committee

SOLOMON P. ORTIZ
Chairman
Readiness Subcommittee

IS: cg

OSD 01545-09

Congress of the United States
House of Representatives
Washington, DC 20515

February 11, 2009

The Honorable Donald C. Winter
Secretary of the Navy
1000 Navy Pentagon
Washington, D.C. 20350-1000

Dear Secretary Winter:

We write to express our concern regarding the significant cost overruns associated with the VH-71 Presidential Helicopter Replacement Program. As you know, the Department of Defense announced that the total acquisition cost is projected to increase from $6.5 billion to $11.2 billion, raising the cost per helicopter by 50 percent above the original estimate. We respectfully request detailed information on this recent Nunn-McCurdy breach, including various options to modify or re-open the contract for bidding, as mandated in the FY2009 National Defense Authorization Act (P.L. 110-417).

We are very supportive of the Defense Department's initiative to ensure that programs are held accountable to their projected budgets and timelines. Secretary Gates specifically mentioned the VH-71 as a "big ticket" item experiencing contract or program performance problems. Likewise, President Obama noted that the program's cost represents, "a lot of money, even for Washington," and promised to "take a close look at it," identifying this program as emblematic "of some of the systematic problems we have in Pentagon procurement."

As you know, Lockheed Martin was awarded the contract without any experience building helicopters, winning the contract over the incumbent contractor, Sikorsky. Sikorsky has manufactured Marine One since President Eisenhower first utilized helicopters for presidential transport in the 1950s. The company fulfilled these contracts without exceeding the projected budget or failing to meet required timelines and milestones. Sikorsky is a tested and proven prime contractor for the Marine One fleet. In addition, Sikorsky maintains the most stringent security requirements for its Marine One aircraft and facilities, with minimal reliance on foreign components and designs.

We therefore respectfully request a thorough report, coupled with a briefing, on the development plans for this program, including an analysis of the potential advantages of either re-opening the contract for bidding or requiring split-production between Lockheed Martin and the incumbent contractor. We believe that such an analysis of alternatives will present a clear option for the Department of Defense to eventually develop Marine One aircraft on time and on budget.

We thank you in advance for keeping us apprised of the Navy's decision-making process and look forward to receiving a detailed report, as well as a briefing on the matter, as soon as possible. Like you, we believe that there are few more sensitive and more important national security concerns than the safe transport of our nation's chief executive. When the President travels on this aircraft, it becomes a critical information node, with vital data coming in, and the most important decisions being meted out. We hope that you will provide us with a workable plan for delivering the highest quality aircraft with the highest security standards. Our President and our nation deserve no less.

If you have any questions regarding this or any other issue, please do not hesitate to contact us or our staff: Lindsay George of Senator Dodd's office at (202) 224-1730 or Dan Zeitlin of Representative DeLauro's office at (202) 225-3661. Thank you for your consideration.

Sincerely,

CHRISTOPHER J. DODD
United States Senator

ROSA L. DeLAURO
United States Representative

JOHN B. LARSON
United States Representative

JOE COURTNEY
United States Representative

CHRISTOPHER S. MURPHY
United States Representative

JAMES A. HIMES
United States Representative

Cc: The Honorable Robert M. Gates
Secretary of Defense

The Honorable John Young
Under Secretary of Defense for Acquisition, Technology and Logistics

Mr. Sean J. Stackley
Assistant Secretary of the Navy for Research, Development & Acquisition

LINCOLN DAVIS
4TH DISTRICT, TENNESSEE

SENIOR WHIP

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SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

Congress of the United States
House of Representatives
Washington, DC 20515–4204

February 12, 2009

The Honorable Robert Gates
Secretary
Department of Defense
1400 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Gates:

First, let me congratulate you on the continuation of your service under the new administration. I believe it to be a testament to your exceptional competence, common-sense approach, and devotion to protecting and preserving the United States of America. At a time when we face a variety of foreign and domestic challenges and threats, we are fortunate to have someone of your skill at the helm of the Department of Defense.

I write today to respectfully request an update on implementation of funds already authorized under H.R. 2638, the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, which was passed in the 110th Congress. Specifically, Section 8116 appropriates funds for the use of special pay for members of the armed forces whose period of obligated service is extended, or whose eligibility for retirement is suspended, due to the President's authority to extend such service or suspend such retirement. This is commonly referred to as stop-loss authority and the increase is capped at five-hundred dollars per month. Under H.R. 2638, no funds are to be allocated until the Secretary of Defense submits a provisional plan for the distribution of such payments to the Committee on Appropriations. It has recently been called to my attention by a constituent that these funds have not yet been allocated to this group of soldiers.

As you know better than most, our soldiers and their families are making enormous sacrifices as they continue to perform admirably. The toll of service is particularly difficult on the families of those whose service is extended. I feel that the modest increase in pay for this group of dedicated service men and women is just and equitable. Fully understanding the enormity of your responsibilities, I respectfully urge your attention to this matter. Thank you for any updates you may provide and for your commitment to this great nation.

Sincerely,

Lincoln Davis
Member of Congress

LD:TG

OSD 01636-09

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www.house.gov/lincolndavis

Congress of the United States
Washington, DC 20515

February 11, 2009

The Honorable Robert Gates
Secretary
Department of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Dr. Gates:

We are writing to express our strong support for the E-2D Advanced Hawkeye program and request your consideration of a reprogramming of funds for Fiscal Year 2009. We are aware of significant undesired consequences for the E-2D program as a result of the enacted funding levels for Fiscal Year 2009, and we urge your personal attention to this issue.

As you know, the E-2D Advanced Hawkeye program continues to perform satisfactorily on both cost and schedule. Since enactment of the appropriations bill, an Operational Assessment has been completed and the program remains on track to receive Milestone C approval in Spring 2009. After reviewing the final appropriated levels for this program in Fiscal Year 2009, however, we are concerned that current funding will be inadequate to sustain this program in transition from development to low rate production. We believe there are negative impacts to both the cost and delivery schedule of these aircraft.

Therefore, we request that you reprogram funds in Fiscal Year 2009 to support the procurement of the third Low Rate Initial Production (LRIP) Lot I aircraft in Fiscal Year 2009, and provide advance procurement for the third Lot II aircraft in Fiscal Year 2010. Furthermore, we urge you to ensure that the Fiscal Year 2010 request includes procurement funding for all three LRIP Lot II aircraft.

We thank you for your consideration of this request, and we look forward to your strong support for prioritizing reprogramming of Fiscal Year 2009 funding for the E-2D program.

Sincerely,

PETER T. KING
Member of Congress

STEVE ISRAEL
Member of Congress

CAROLYN McCARTHY
Member of Congress

GARY L. ACKERMAN
Member of Congress

TIMOTHY H. BISHOP
Member of Congress

MICHAEL A. ARCURI
Member of Congress

cc: The Honorable Donald Winter, Secretary of the Navy
ADM Gary Roughead, Chief of Naval Operations

Congress of the United States
Washington, DC 20515

February 23, 2009

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

Dear Mr. Secretary:

We are writing to request that you promptly and fully distribute authorized compensation to members of our Armed Forces whose service has been extended by the Department of Defense's stop loss policy.

Over the past seven years, over 160,000 military personnel have had their service-duty contracts extended due to stop loss orders. Today, there are over 12,000 soldiers in the active Army, Army Reserve and Army National Guard who remain on active duty beyond their scheduled separation date as a result of stop loss. This policy especially impacts the National Guard and Reservists, many of whom have already been deployed much longer than they expected. This is why we introduced legislation in the 110th Congress to provide payments to service members for each month they are extended as a result of stop loss.

On September 30, 2008, the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 was signed into law (P.L. 110-329). The bill provided that all military personnel that have had their service duty contracts involuntarily extended due to stop loss orders, during Fiscal Year 2009 will receive compensation. The bill also allocated $72 million for the compensation, thus providing enough to compensate each soldier with the full $500 amount.

It has been nearly five months since the bill was signed into law and stop loss compensation payments have yet to be distributed. We urge you to work with the House and Senate Appropriations Defense Subcommittees to develop a thorough and appropriate disbursement plan as quickly as possible to fulfill the Department's obligations under P.L. 110-329. Our soldiers are heroically and bravely defending our country abroad, and they are awaiting the much-deserved recognition and compensation for the unforeseen sacrifice so many have been called on to perform.

Thank you for your prompt attention and your consideration of this important request.

Sincerely,

Betty Sutton
Betty Sutton

Frank R. Lautenberg
Frank Lautenberg

OSD 01931-09

CAROL SHEA-PORTER
FIRST DISTRICT, NEW HAMPSHIRE

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Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEE ON ARMED SERVICES
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PUBLIC LANDS

www.shea-porter.house.gov

February 17, 2009

The Honorable Robert M. Gates
Secretary of Defense
The Pentagon
Washington, D.C. 20301-1000

Dear Mr. Secretary:

We are writing to express our concern about recent reports that the Department of Defense has awarded KBR a $35.4 million contract that includes major electrical projects and request that you review the contract award and report to us explaining why the contract award was made to KBR, given its long record of deficient electrical work in Iraq.

As you are aware, KBR has held a contract for building maintenance for U.S. military facilities in Iraq since 2003. During this time, there have been numerous investigations into the dangers KBR's faulty electrical work is creating for our military personnel. The Department of Defense Inspector General is currently investigating the electrocution deaths of 18 Americans (16 soldiers and 2 contractors) in KBR-maintained facilities. KBR is under criminal investigation for the electrocution deaths of several U.S. soldiers in Iraq. The House Committee on Oversight and Government Reform conducted an in-depth investigation into the problem of electrocutions in U.S. facilities in Iraq and the death of Staff Sgt. Ryan Maseth, 24, a decorated Green Beret electrocuted in his shower on January 2, 2008. The Committee's investigation showed that KBR was alerted to the deficiencies in this and other cases, but failed to take corrective action. In 2008, the Defense Contract Management Agency (DCMA) issued a "Level III Corrective Action Request" to KBR, indicating that the contractor was in "serious non-compliance." This action request, the final warning before a contract is terminated, points to KBR's continuing failure to ensure electrical safety for our troops. With this history, it is not surprising that Capt. David J. Graff, commander of the DCMA's International Division, was quoted in an Associated Press article, stating that "many within DOD have lost or are losing all remaining confidence in KBR's ability to successfully and repeatedly perform the required electrical support services mission in Iraq."

Despite these serious, ongoing concerns, the Department of Defense has awarded KBR a new contract that includes the type of work that KBR failed to perform adequately for years. Threats to the safety and lives of soldiers or others because of known hazards and negligent performance of work are not acceptable.

We would therefore appreciate a thorough review of the recent contract award to KBR. At the very least, when our soldiers put their lives on the line for us in a war zone, we not only owe them the assurance that they will not be electrocuted in the shower on their return from a mission, but also that those who provide them with services put our soldiers' safety ahead of their profits.

Thank you for your consideration, and we look forward to your response.

Sincerely,

Jan Schakenbach

Eric Jansen

Betty McCollum

Phyllis Kahn

John B Larsen

Congress of the United States
Washington, DC 20510

March 6, 2009

The Honorable Robert Gates

Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1300

Dear Secretary Gates,

We write today concerning Section 256 of the FY 2009 National Defense Authorization Act (PL 110-417). As you know, this section requires the establishment of an executive agent to oversee Department of Defense (DOD) activities related to printed circuit board technologies. We would like to request that the DOD comply with the law and provide a brief at your earliest convenience on department planning and implementation of executive agent requirements.

Specifically, we are interested in learning about how the DOD plans to go through the executive agent selection process, as well as where and when its office will be established. What authorities, resources and responsibilities in addition to what the legislation prescribes will the executive agent have? How and when will the office be funded and fully operational? By statute, designation was to have occurred by Jan 12. Why was that delayed?

It is our understanding that the National Research Council's Board on Manufacturing and Engineering Design studied the issue of DOD access to legacy and future generations of printed circuit board technologies to support defense and other missions. The resulting 2005 report made a series of recommendations designed to ensure continued DOD access to printed circuit board technology and enable the development of new capabilities needed to support emerging requirements.

In March 2008, a Principal Response Team convened by the Navy and Defense Logistics Agency, and consisting of membership from the Office of the Secretary of Defense, the National Security Agency, the military services, and the Departments of State and Energy, reported to Congress that 'DOD concurs with comments on all NRC recommendations,' and identified current and potential actions to address each one.

Therefore, we believe that it is critical that an executive agent be established quickly to monitor and protect issues related to the U.S. printed circuit board industry. Safeguarding the technology and manufacturing capabilities of printed circuit boards will protect our national interests today and in the future. We strongly urge you to ensure that this office

have access to start up funding in FY09 so that it can be fully operational as soon as possible.

We also encourage you to use the expertise already in place at Naval Surface Warfare Center (NSWC), Crane Division when you designate the executive agent for printed circuit board technologies. As you know, NSWC Crane has a long history of success in the printed circuit board field. It is one of the few facilities in the country that has printed circuit board engineering and manufacturing capabilities. Crane's state-of-the-art manufacturing ability is supported by a superb technical staff that supports advanced manufacturing and emerging technology development. Crane also serves as the DOD executor to the Emerging/Critical Interconnection Technology (E/CIT) program for the advancement of printed circuit board technology and processes.

We have long supported this project and urge you to tap into this wealth of experience and knowledge as you select the executive agent and develop this office.

Please do not hesitate to contact Jon Davey of Senator Bayh's staff (202-224-8726), Joe O'Donnell of Senator Lugar's staff (202-224-0898), or Jed D'Ercole of Congressman Ellsworth's staff (202-225-4638) if you have any questions or concerns.

Thank you for your continued service. We look forward to your response.

Sincerely,

Evan Bayh

United States Senator

Richard Lugar

United States Senator

Brad Ellsworth

United States Representative

1000598

BOB FILNER
51ST DISTRICT, CALIFORNIA

VETERANS' AFFAIRS COMMITTEE
CHAIRMAN

TRANSPORTATION AND INFRASTRUCTURE
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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

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January 22, 2009

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Ave NW
Washington, DC 20500

Dear Mr. President:

I am writing regarding the Iraqi plans to shut down Camp Ashraf in Iraq's Diyala Province. The closing of this camp is a blatant violation of the rights of the residents of Ashraf.

Many distinguished scholars of International Humanitarian Law, United Nations High Commissioner for Refugees, Office of the United High Commissioner for Human Rights, International Committee of the Red Cross, Amnesty International, the European Parliament and the Parliamentary Assembly of the Council of Europe have time and again underscored that regardless of the status of the United States forces in Iraq, the residents of Ashraf must continue to receive the protection of the US forces so long as they remain in Iraq.

I respectfully urge intervention to ensure that the Multi-National Forces and Iraq continue to protect Camp Ashraf as they have done consistent with their obligations under international law.

I appreciate your attention to this important matter.

Sincerely,

BOB FILNER
Member of Congress

BF/sm
2503721

Congress of the United States
Washington, DC 20515

March 12, 2009

Dr. Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Gates:

We are acutely aware that the US Transportation Command and the US Air Force place a very high priority on recapitalizing the fleet of KC-135 Refueling Tankers. We agree with this priority. Unfortunately, as the Government Accountability Office concluded last year, the previous source selection process for the KC-X Tanker was deeply flawed. We write to you today to highlight several key points that we believe must guide a future source selection process if it is to be successful.

First and foremost a future competitive source selection must be fair to all parties while delivering the best value solution for the warfighter at a reasonable cost for the taxpayer. In the previous source selection, the competition was not conducted fairly on several levels. The Department of Defense (DOD) must not repeat past mistakes:

- Do not allow "competition at all costs" to distort the KC-X solicitation and source selection process. In the months leading up to the release of the final Request for Proposals (RFP) for the previous KC-X solicitation, the Air Force bent to the combination of external pressure for "competition at all costs" coupled with refusal by one potential offeror to compete unless the RFP was changed to its satisfaction. This led to last minute changes in key elements of the Combined Mating and Ranging Planning System (CMARPS) evaluation tool for the sole purpose of qualifying one offeror's proposal.

- Conduct the competition on a level playing field for all parties. In the previous KC-X competition, the Northrop Grumman/EADS team benefited from unfair advantages that derive from illegal government subsidies and waivers of regulations that apply to products produced in the United States. Specifically, the United States government has a complaint pending before the World Trade Organization (WTO) stating that the A-330 aircraft produced by EADS/Airbus benefitted from $5 billion in illegal government subsidies. Note that Section 886 of the FY2009 National Defense Authorization Act requires DOD to conduct a review of the impacts of subsidies on the aerial refueling tanker competition upon completion of the proceedings of the WTO. The KC-X competition also has highlighted the unequal treatment that American producers face when competing with products from several allied nations. Our American producers must abide by many regulations (Berry Amendment, Buy America Act, International Traffic in Arms Regulations, Foreign Corrupt Practices Act, and cost accounting

standards) that add cost for domestic products but are waived for items produced in other countries.

➢ Take into account full and accurate life-cycle costs for proposals. According to Defense Acquisition University studies, Operation and Support (O&S) costs constitute approximately 72 percent of total weapon system costs. It is imperative that these costs be a significant factor in source selection decisions, and that they be estimated properly. DOD made a serious error in the previous KC-X Tanker source selection analysis when it based estimates of Most Probable Life-Cycle Cost (MPLCC) on a 25-year interval rather than the 40-year interval that was stipulated (and approved by the JROC) as the required service life of the aircraft. Furthermore, GAO recommended that a future source selection give greater attention to the impact of fuel costs in its life-cycle cost analysis. GAO concluded that "even a small increase in the amount of fuel that is burned per hour by a particular aircraft would have a dramatic impact on the overall fuel costs." Well established commercial data shows that the Airbus A-330 aircraft consumes 24% more fuel per flight hour than does a Boeing 767 aircraft. This would result in very significant differences in operating costs.

➢ Insist that proposals fully comply with all key requirements of the solicitation. In the previous KC-X Tanker source selection evaluation, GAO concluded that in two instances the Air Force disregarded the fact that the Northrop Grumman/EADS proposal failed to comply with requirements of the solicitation. Specifically, GAO found that the Air Force "improperly made award" when it "unreasonably determined that the awardee's refusal to agree to the specific solicitation requirement that it plan and support the agency to achieve organic depot-level maintenance." GAO also concluded that "the record does not demonstrate the reasonableness of the agency's determination that the awardee's proposed aerial refueling tanker could refuel all current Air Force fixed-wing tanker-compatible receiver aircraft in accordance with current Air Force procedures, as required by the solicitation."

➢ Insist that source selection evaluation be accomplished in accordance with the evaluation plan that is established for the solicitation. GAO found that the Air Force "did not assess the relative merits of the proposals in accordance with the evaluation criteria identified in the solicitation, which provided for a relative order of importance for the various technical requirements, and where the agency did not take into account the fact that one of the proposals offered to satisfy more "trade space" technical requirements than the other proposal, even though the solicitation expressly requested offerors to satisfy as many of these technical requirements as possible." Furthermore, GAO concluded that the Air Force "violated the solicitation's evaluation provision that "no consideration will be provided for exceeding [key performance parameter] KPP objectives" when it recognized as a key discriminator the fact that the awardee proposed to exceed a KPP objective relating to aerial refueling to a greater degree than the protester."

➢ Carefully consider national security impacts and industrial base impacts. Given the crucial role that air refueling plays in providing global reach for our military, DOD must carefully weigh the importance of preserving domestic design knowledge and production expertise. Furthermore, industrial base impacts must be assessed given the fragile economic conditions and weak domestic employment environment. Federal code

(10 U.S.C. 2440) requires evaluation of technology and industrial base impacts in conjunction with major defense acquisitions.

We also think that it is important to the successful progress of the KC-X Tanker acquisition that DOD commence discussions with the potential offerors. Our understanding is that for the last several months DOD has resisted discussions that would help the government and industry exchange information, ideas and perspectives. If this program is to move forward and yield a positive outcome, we recommend that DOD engage with industry.

Finally, we urge you to take the necessary time to allow the new Administration team to thoroughly consider the framework for the next source selection process. As much as the Air Force needs to begin recapitalizing the KC-135 fleet, we think it is essential that the solicitation requirements and acquisition strategy have the input and support of the new DOD leadership team that will be responsible for conducting the source selection and getting the program under way.

Thank you for your attention.

Sincerely,

NORM DICKS
Member of Congress

TODD TIAHRT
Member of Congress

Congress of the United States
Washington, DC 20515

March 20, 2009

The Honorable Robert Gates
Secretary of Defense
3E880 The Pentagon
Washington, DC 20301

The Honorable Dennis C. Blair
Director of National Intelligence
Office of the Director of National Intelligence
Washington, DC 20511

Dear Secretary Gates and Director Blair:

We are writing to urge you to suspend implementation of the ~~Defense Civilian Intelligence~~ Personnel System (DCIPS) and include this program in the Administration's review of the National Security Personnel System (NSPS).

We have consistently expressed concerns about the implementation of pay-for-performance systems, which would impose wholesale changes to the current federal employee system. We are deeply concerned that these systems undermine collaboration, lack transparency, do not ensure fairness, and may have an adverse impact on minorities. The implementation of these systems has caused widespread distrust and anxiety across the federal government and, in particular, among Intelligence Community employees. We note with some alarm that human resources personnel and supervisors in converting units have not received adequate training for conversions planned within the next six months.

During the campaign, President Obama indicated that he would consider either a repeal or complete overhaul of pay-for-performance systems in the Department of Defense (DOD), and this week, DOD and the Office of Personnel Management (OPM) announced that it would suspend further implementation of NSPS, pending review of this system. This review may take some time, and until it is complete, the implementation of such pay-for-performance systems like DCIPS would be premature.

We hope that you would suspend implementation of DCIPS until the Administration and Congress can properly address the future of the intelligence community's personnel systems.

We request a prompt response to this letter.

Sincerely,

Silvestre Reyes
Chairman
House Permanent Select Committee
on Intelligence

Ike Skelton
Chairman
House Armed Services Committee

United States Senate

WASHINGTON, DC 20510

March 20, 2009

The Honorable Robert C. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Gates,

As you know, last year's Department of Defense Appropriations Act provided partial funding for the third DDG-1000 and directed the Navy to budget for the remaining funding requirement in FY10. Congress expects the Navy to adhere to this direction; therefore, we write to urge your support for full funding of the DDG-1000 program in the FY10 President's budget, and request that you continue a thorough and transparent review and evaluation of the Navy's proposal to truncate the DDG-1000 program and restart DDG-51 production.

We remain very concerned about the Navy's long-term shipbuilding plan. Despite several months of Congressional and Department of Defense requests for further analysis, the Navy has yet to provide sufficient justification in support of the proposal to truncate the DDG-1000 program and restart DDG-51 production. We continue to await an in-depth comparative analysis of the DDG-51 and DDG-1000. The Navy's failure to provide such a detailed cost analysis strongly implies a lack of supporting documentation of the Navy's position and undermines our confidence in the merits of the Navy's plan to truncate the DDG-1000 program. Congress must have this information before acquiescing to a change of this magnitude.

Supporting the DDG-1000 program will enable the Navy to leverage $11 billion in already invested research and development funding. The ship has been designed with significant growth margins including power, cooling, space, and weight to enable rapid enhancements to meet evolving threats in the existing hull. We believe that continued production and delivery of DDG-1000 class destroyers is essential to the long-term stability of our shipbuilding program and the timely delivery of needed capabilities to the Navy.

With respect and appreciation, and thank you for considering this request.

Sincerely,

Edward M. Kennedy

Jack Reed

John F. Kerry

Sheldon Whitehouse

OSD 03125-09

Niki Tsongas
Member of Congress

Patrick Kennedy
Member of Congress

Michael Capuano
Member of Congress

James McGovern
Member of Congress

Michael Michaud
Member of Congress

Paul Hodes
Member of Congress

Richard Neal
Member of Congress

James Langevin
Member of Congress

Stephen Lynch
Member of Congress

Congress of the United States

House of Representatives

Washington, DC 20515

March 18, 2009

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

Dear Secretary Gates:

We urge you to cancel the OMB Circular A-76 privatization review of public works at the United States Army Garrison, West Point.

The A-76 program was shut down by Congress in the Omnibus Appropriations Act that the president signed into law earlier this month because of longstanding concerns. Two Government Accountability Office (GAO) reports issued last year detail how poor guidance from the Office of Management and Budget (OMB) had resulted in systematically overstated savings and understated costs as well as a disproportionately adverse impact on older, female and African-American civil servants. As GAO noted, even after eight years, A-76 proponents are still unable to "reliably assess whether competitive sourcing truly provides the best deal for the taxpayer."

Moreover, the A-76 program raises concerns about compliance with the law. The Defense Appropriations bill for fiscal year 2009 limits multifunction OMB Circular A-76 privatization reviews, like the one of public works at West Point, to no longer than 30 months. The West Point A-76 privatization review was formally announced in September 2006, 30 months ago. However, an A-76 privatization review starts not at formal announcement -- but when preliminary planning begins, when money is first spent on hiring consultants and reassigning civil servants from their usual jobs. Indeed, this preliminary planning is actually required by the OMB Circular A-76. We understand that preliminary planning for the West Point public works privatization review actually began over seven years ago in 2002 and included at least five full-time civil servants.

We are also concerned about compliance with the provision in the fiscal year 2008 Defense Authorization bill, which forbids the Department of Defense from carrying out competitive sourcing-related direction from OMB. Less than two months after enactment, West Point tried to utilize the prohibition by petitioning the Army for relief from carrying out the public works privatization review. In its March 19, 2008 letter, the installation discussed a detailed plan for internal reengineering of its public works functions that would be "less disruptive" than the A-76 privatization review, but yet "yield efficiency and real savings," and thus be "a win-win for West Point and the West Point community." Nevertheless, this petition was rejected. Even OMB during

the previous administration acknowledged that the A-76 process should not be considered the exclusive process for generating efficiencies when officials in July 2008 renamed competitive sourcing, calling it "commercial management," and emphasized business process reengineering instead of contracting out.

This privatization review is already well past the 30 month limitation imposed in law, which means that the actual costs likely exceed any savings. In addition, West Point is prepared to achieve a satisfactory resolution that benefits taxpayers and the West Point community. We in Congress have already recognized the failure of OMB Circular A-76 privatization reviews by eliminating them. Today, we strongly urge you to cancel the West Point public works OMB Circular A-76 privatization review.

Sincerely,

MAURICE HINCHEY
Member of Congress

JOHN HALL
Member of Congress

RON PAUL
14TH DISTRICT, TEXAS

FINANCIAL SERVICES COMMITTEE
SUBCOMMITTEES:
RANKING MEMBER
DOMESTIC AND INTERNATIONAL MONETARY POLICY, TRADE, AND TECHNOLOGY
OVERSIGHT AND INVESTIGATIONS

FOREIGN AFFAIRS COMMITTEE
SUBCOMMITTEES:
INTERNATIONAL ORGANIZATIONS, HUMAN RIGHTS, AND OVERSIGHT
WESTERN HEMISPHERE

JOINT ECONOMIC COMMITTEE

Congress of the United States
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Washington, DC 20515–4314

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601 25th STREET
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JS

President Barack Obama
The White House
Washington, D.C. 20500

March 16, 2009

Dear Mr. President:

We have noted with some concern your announcement that an additional 17,000 US troops would be sent to Afghanistan. As the goals of our seven year military involvement remain troublingly unclear, we urge you to reconsider such a military escalation.

If the intent is to leave behind a stable Afghanistan capable of governing itself, this military escalation may well be counterproductive. A recent study by the Carnegie Endowment has concluded that "the only meaningful way to halt the insurgency's momentum is to start withdrawing troops. The presence of foreign troops is the most important element driving the resurgence of the Taliban."

The 2001 authorization to use military force in Afghanistan allowed military action "to prevent any future acts of international terrorism against the United States." Continuing to fight a counterinsurgency war in Afghanistan does not appear to us to be in keeping with these directives and an escalation may actually harm US security.

In a tape released in 2004, Osama bin Laden stated that al Qaeda's goal was to "bleed…America to the point of bankruptcy" in Afghanistan. He continued, "All that we have to do is to send two mujahedeen to the furthest point east to raise a piece of cloth on which is written al Qaeda, in order to make generals race there to cause America to suffer human, economic and political losses without their achieving anything of note…." We would do well to pay attention to these threats and to avoid falling into any such trap through escalation of our military presence in Afghanistan.

We are also concerned that any perceived military success in Afghanistan might create pressure to increase military activity in Pakistan. This could very well lead to dangerous destabilization in the region and would increase hostility toward the United States.

Mr. President, in reviewing the past history of Afghanistan and the nations that have failed to conquer it -- Russia spent nine years in Afghanistan and lost many billions of dollars and more than 15,000 Russian soldiers-- we urge you to reconsider the decision to send an additional 17,000 troops and to resist pressure to escalate even further.

Sincerely,

Ron Paul
Rep. Ron Paul, M.D.

Walter B. Jones
Rep. Walter B. Jones

Ed Whitfield

Neil Abercrombie

Dennis J. Kucinich

Roscoe Bartlett

Bob Filner

Steve Kagen MD

Joe Sarbanes Jr.

Mary Fallin

John McHugh

Howard Coble

Jim Oberstar

Michael McNulty

HOUSE COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515–6035

ONE HUNDRED ELEVENTH CONGRESS

March 26, 2009

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

Dear Secretary Gates:

Since the Eisenhower Administration, it has been the policy of the government that it should not compete with its citizens. That policy is outlined in the Office of Management and Budget Circular A-76, which governs all public-private competitions to potentially outsource work to the private sector. Originally, the A-76 process was intended to be used as a tool to determine the most competitive and efficient source for performing "commercial" work – either in the public or private sector. However, it became almost a mandate in recent years for pushing more and more work into the private sector, even work that is closely associated with inherently governmental functions, in order to meet arbitrary competition goals.

The House Armed Services Committee has taken several steps to mitigate the undue burdens on the Department of Defense. In response to a congressional mandate, the Department of Defense Inspector General reviewed the military services' A-76 programs. In its interim report (April 22, 2008) the DOD Inspector General noted that:

- *The Army is undergoing many efforts that impact competitive sourcing planning, such as Base Realignment and closure, growing the Army, and the war.*
- *The Air Force feels "pressure in the budget to conduct" privatization studies.*

These findings were reaffirmed in the final report of December 15, 2008.

Furthermore, The Fiscal Year 2009 Omnibus Appropriations Act includes a one year government-wide moratorium (section 737) on beginning or announcing any A-76 studies.

Many of the Department's A-76 studies have dragged on far beyond the time limits authorized in the 2003 revised Circular A-76, as well as those imposed by statute. This creates an unfair strain on the federal employees whose jobs are being competed, as well as the contractors who have submitted bids for the work. In many cases, an individual service has requested a cancellation – either because the installation is seeking an alternative approach or because the original study was not appropriate – only to be denied by the Department.

We are aware that the Deputy Undersecretary of Defense (Installations and Environment) in a letter to many members of Congress, reaffirmed the competitive sourcing policy that was set in place by the 2001 President's Management Agenda; this is the same official who advocated so strongly for competitive sourcing within the Department during the Bush Administration.

In light of the President's memo (dated March 4, 2009), as well as concerns raised by the military services, we urge you to immediately halt any pending A-76 studies as well as the initiation or announcement of any A-76 study, and to rescind the 2008 competitive sourcing policy memo. This will allow the Administration and Congress time to conduct a comprehensive review of the Department's A-76 program and to determine the best course for moving forward with a sound competitive sourcing policy.

We request a prompt response to this letter.

Sincerely,

IKE SKELTON
Chairman
House Armed Services Committee

SOLOMON P. ORTIZ
Chairman
Readiness Subcommittee

IS: cg

Congress of the United States
House of Representatives
Washington, DC 20515

March 23, 2009

The Honorable Robert Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Gates:

We are greatly concerned by reports that the Airborne Laser (ABL) program is facing severe budget cuts or even termination in the Fiscal Year 2010 Budget proposal. The ABL is America's premier directed energy effort and represents not only a tremendous potential for our nation's warfighters, but also for maintaining America's technological edge. It is critical to the future of our national security capabilities. For these reasons, we urgently request the ABL remain a robustly funded program.

According to the Missile Defense Agency, the ABL provides a unique capability *"to detect, track, target, and destroy ballistic missiles shortly after launch during the boost-phase. Its revolutionary use of directed energy makes it unique among the United States' airborne weapon systems, with a potential to attack multiple targets at the speed of light with a range of hundreds of kilometers."*

Our military warfighters agree that the ABL is essential for addressing many of the challenges facing our nation. General B.B. Bell, the former Commander of the United States Forces Korea, wrote in 2007, *"...from a warfighter's perspective, the ABL will be an important ingredient in our much needed and required layered missile defense capability for the Korean Peninsula."* This is a legitimate capability our nation needs.

As you know, the Airborne Laser began during the Clinton administration in the face of an increasing ballistic missile threat. Since that time, the proliferation of ballistic missiles has only grown. Today, outside of Russia, China and our Western allies, there are 3,000 ballistic missiles around the world. That number is continuing to grow every year. As threats proliferate around the globe, the relevance and importance of the ABL as the nation's only fully designed boost-phase missile defense system will continue to increase.

The ABL is performing well and is scheduled to shoot down a boosting ballistic missile by the end of the year. Should the ABL be severely under-funded or canceled, the promise of speed-of-light and extreme precision in the hands of the warfighter will disappear, as will the fragile industrial base that supports it. In short, we will have wasted the resources that have been well invested since the Clinton administration.

Again, we respectfully request your support for the Airborne Laser program.

Sincerely,

Norm Dicks
Member of Congress

Todd Tiahrt
Member of Congress

Trent Franks
Member of Congress

Martin Heinrich
Member of Congress

Todd Akin
Member of Congress

Buck McKeon
Member of Congress

Kevin McCarthy
Member of Congress

Congress of the United States
Washington, DC 20515

March 25, 2009

The Honorable Robert Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Secretary Gates:

In deciding how to allocate the American Recovery and Reinvestment Act's funding, please give consideration to the research conducted by Bell BioEnergy, Inc of Tifton, Georgia, which is studying how to use bioengineered bacteria to convert biomass to biofuels.

Bell BioEnergy is producing renewable, domestically-produced, high-quality transportation fuels. The process it has developed will enhance America's independence from foreign oil in an environmentally sound manner through the successful conversion of non-food biomass to biofuels. Such efforts will also result in the creation of a significant number of new, green jobs.

Bell BioEnergy is presently conducting research through pilot projects conducted in collaboration with the Department of Defense (DOD) and the Defense Energy Support Center (DESC) at seven military installations around the nation. The projects are located at Fort Benning, Fort Stewart, Fort Bragg, Fort Lewis, Fort Drum, Fort A.P. Hill, and the DESC facility at San Pedro, California. At each site, Bell BioEnergy is working to:

1) Perfect the waste biomass to hydrocarbon fuels process;

2) Further refine the unique bacteria used in the process;

3) Produce sufficient amounts of usable hydrocarbon fuels (natural gas, gasoline, diesel and jet) for laboratory testing;

4) Test and certify the fuels generated by the process as a "drop in fuel" that is fit for its intended purpose; and

5) Gather the engineering and scientific data necessary to design full scale production facilities.

Bell BioEnergy is seeking additional funding to complete these pilot projects. The funds would be used to 1) complete construction of the seven pilot projects, 2) perform university-level research to determine the most viable bacteria for converting biomass to hydrocarbon fuels, and 3) construct the first research laboratory dedicated to the segregation and propagation of the bacteria required to convert non-food waste biomass to biofuels.

Re: Bell BioEnergy Funding
March 25, 2009

It is estimated that each test facility will employ five technicians. The research laboratory would employ 25 to 50 scientists and technicians, with secondary employment of up to 400 people. These efforts would support the underlying goals of the American Recovery and Reinvestment Act, which is to create jobs and help transition our economy toward clean, renewable energy.

We thank you for your consideration of our request.

Sincerely,

Lynn A. Westmoreland
Member of Congress

Jim Marshall
Member of Congress

Jack Kingston
Member of Congress

Sanford Bishop
Member of Congress

John Lewis
Member of Congress

Congress of the United States

Washington, DC 20515

March 9, 2009

The Honorable Robert Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-10000

Admiral Michael Mullen
Chairman of the Joint Chiefs of Staff
9999 Joint Staff Pentagon
Washington, DC 20318-9999

Dear Secretary Gates and Admiral Mullen:

We understand that the Air Force will be deciding soon where to base the new Global Strike Command headquarters, and we know that you have been monitoring the decision process since it began last fall. As part of our effort to inform senior defense leaders, it is our pleasure to provide you with this copy of "Why Minot," a comprehensive description of how Minot, North Dakota, meets or exceeds all Air Force Global Strike Command headquarters basing criteria. We have also sent this material to Secretary Donley, General Schwartz and General Corley.

"Why Minot" showcases the full array of benefits that the base and the city have to offer. We want to stress in particular how Minot is the only location that offers the ability to bring direct oversight to every aspect of the operational nuclear mission. Minot possesses the complete range of Air Force operational nuclear expertise – a nuclear bomber wing, an ICBM wing, and a nuclear weapons storage area. A major lesson of the past two years is that the Air Force must increase command supervision at the operational level. Standing up a new major command without doing so would be a major missed opportunity.

We also want to stress the incredible support the community of Minot offers the Air Force. Strong support by the community will pay dividends for the Air Force by helping to ease issues like the environmental assessment process and base expansion. When combined with our delegation's commitment to assisting the Air Force in its mission to restore confidence in nuclear surety and regain its reputation as the world's best nuclear steward, this support is unparalleled.

After reviewing "Why Minot," we believe you too will agree that Minot is indeed the best location for Global Strike Command! Thank you as always for your service.

Sincerely,

KENT CONRAD
U.S. Senate

BYRON DORGAN
U.S. Senate

EARL POMEROY
U.S. House of Representatives

HOUSE COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515–6035

ONE HUNDRED TENTH CONGRESS

April 3, 2009

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

Dear Secretary Gates,

Given the Department's experience with the initial F-15 and F-16 engine program beginning in the late 1970s, early on in the Joint Strike Fighter (JSF) program, beginning in 1996, Congress directed that an alternate engine be included within the JSF program.

The Department supported and budgeted for the alternate engine program within the JSF program through fiscal year 2006. Because of internal budget pressures due to cost overruns within other elements of JSF, the Department did not and has not subsequently included the alternate engine in the annual JSF budget request after fiscal year 2006.

However, in fiscal years 2007-2009, Congress added funding to continue the alternate engine. And the Department has obligated all of the alternate engine funding provided by Congress, until this year.

Given the likely future expenditure of over $100 billion in procurement and sustainment funding for JSF engines over the life of the JSF program, Congress continues to believe that competition will provide a net benefit over a single-source procurement and sustainment model. Studies done in 2007 by GAO and the Institute for Defense Analyses also support the competitive model as being a net benefit to the JSF program.

In a hearing on this issue before our Subcommittee on March 11, 2008, Undersecretary Young made the following statement concerning the execution of funds for the continued development and procurement of an alternate JSF engine: "If Congress authorizes and appropriates funds in fiscal year 2009, we will continue to execute the second source...the law requires us to obligate and expend funds, and we will certainly obey the law." Yet, the Department's Comptroller, Robert Hale, is now withholding $35 million in advance procurement funding for the alternate

engine that needs to be released in the April-May period to avoid impacting the alternate engine schedule.

Section 213 of the fiscal year 2008 National Defense Authorization Act (NDAA) states that "the Secretary of Defense shall ensure the obligation and expenditure in each such fiscal year of sufficient annual amounts for the continued development and procurement of two options for the propulsion system for the Joint Strike Fighter in order to ensure the development and competitive procurement for the propulsion system for the Joint Strike Fighter." Some inside the Department have contended that funds cannot be obligated because there is no procurement for alternate engine program programmed for fiscal year 2010. Continuing to withhold funding that was authorized and appropriated for alternate engine advance procurement is unjustified. Section 213 of the fiscal year 2008 NDAA requires obligation and expenditure of alternate engine funds. And the Department's obligation of funds for F-22 advance procurement, belies any contention that obligation of funds expressly authorized by Congress is inappropriate based on what may, or may not, be in the fiscal 2010 budget request.

Commitments made to Congress by the Undersecretary for Acquisition, Technology and Logistics should not be allowed to be subsequently reversed by another Undersecretary. Furthermore, we request that you direct the release of the $35 million in advance procurement funding for the alternate engine.

Sincerely,

Neil Abercrombie
Chairman,
Air and Land Forces
Subcommittee

Roscoe Bartlett
Ranking Member,
Air and Land Forces
Subcommittee

E. BENJAMIN NELSON
NEBRASKA

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United States Senate

April 3, 2009

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

Dear Secretary Gates:

On April 2, 2009, the U.S. Air Force announced that it had chosen Barksdale Air Force Base in Louisiana as the location of the new Global Strike Command to oversee the Air Force's nuclear operations. In press reports announcing this decision, I was greatly concerned to see allegations by a member of the Nebraska Congressional delegation that military commanders have asserted that politics play a role in the decision of the location of major new commands.

Yet the *Omaha World-Herald* reported on April 3, 2009, that "Rep. Lee Terry said that while military commanders maintain publicly that politics are not involved in such decisions, they concede in private that politics do play a role. Terry said those politics occur primarily at the Senate level." This is a very serious allegation which I believe merits serious consideration and a response by the U.S. Department of Defense (DoD). I am greatly concerned by any accusation that DoD chose Barksdale Air Force Base as the location of the Global Strike Command based on political considerations, particularly those in the Senate, rather than an objective evaluation of the qualifications of the bases. Such allegations, if left unaddressed, seriously undermine the credibility and integrity of our armed services and the men and women who serve to keep our nation secure.

I ask you to immediately investigate and report on the allegations by Congressman Terry as reported in the *Omaha World-Herald* that military commanders are basing their decisions on politics, in part in or in whole, rather than the interests of DoD and the security of our nation.

Since Congressman Terry provided no specifics to back up his allegations, some could choose to discount them as baseless. However, since Offutt Air Force Base scored highest overall of all the bases under consideration in the criteria used, and rated the highest or tied for the highest in all six individual subcategories, it is difficult to explain why Offutt was not selected and to argue that politics was not the basis for this decision.

The longer such an allegation goes unaddressed, the greater the appearance of plausibility becomes. Therefore, I am requesting an immediate and thorough investigation of this matter and look forward to your response.

Sincerely,

E. Benjamin Nelson
United States Senator

EBN:ceg

cc: The Honorable Barack Obama

OSD 03788-09

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Congress of the United States
Washington, DC 20515

The Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301

March 30, 2009

Dear Secretary Gates:

We are concerned that veterans who served in Iraq and Afghanistan may be ill, and some may have actually died, as a result of exposure to dangerous toxins produced by burn pits used to destroy waste. The *Military Times* reports that scores of returning veterans who were exposed to burn pits display similar symptoms: chronic bronchitis, asthma, sleep apnea, chronic coughs, and allergy-like symptoms. Several also have cited heart problems, lymphoma, and leukemia. We write to request that you direct relevant DoD personnel to fully comply with the VA's requests for information needed to study the impact of these potential environmental exposures.

Our experience with treating illnesses caused by Agent Orange and Gulf War Illness taught us that we must be vigilant in monitoring and treating our veterans long after they have returned from the battlefield. Although the Department of Defense currently maintains that there are no health dangers to troops from exposure to burn pits, we believe it is premature to dismiss concerns raised about burn pits after only a few years.

As you know, a joint study of the burn pit at Balad Air Base found that toxins were present, including carcinogens such as dioxin, but that they did not exceed military exposure guidelines for those exposed to the fumes for one year. The Defense Health Board reviewed the study last year. While the Board found that the study was generally adequate, it identified several weaknesses in the study, including the lack of a comprehensive analysis of the interaction of various toxins and the failure to conduct a valid study of relevant health records. It identified several ways in which the Army could improve its examination of dioxin serum sampling and analysis of respiratory illnesses.

Independent scientists who have reviewed the joint study of the Balad Air Base have informed us that there is a significant danger that veterans may become ill as a result of exposure to fumes emanating from such burn pits. They also noted that the underlying data supporting the study was not included and that it will be difficult to ascertain the potential health care implications of exposure to the fumes without this data.

For this reason, we request that you make this underlying data available to our staff and to the Government Accountability Office for its review, in a classified setting if required.

Meanwhile, the real indicators of the dangers to veterans are the long-term health measures of those exposed rather than less reliable environmental reports. Therefore, the study of those known to be exposed by burn pits should be the primary focus.

Responding to a recent Congressional request along these lines, Veterans Affairs Secretary Shinseki gave assurance that he is taking seriously our concerns about the dangers of burn pits. In the enclosed message, Secretary Shinseki committed to take the following actions which relate to the Department of Defense:

1. VA scientists have begun health studies on veterans of the current conflicts in Iraq and Afghanistan, including requesting assistance from the Department of Defense (DoD) for troop exposure and location data.
2. VA is working with DoD to obtain all relevant exposure data with the goal of establishing potential correlations with health problems among affected veterans. To this end, VA has established a data sharing agreement with DoD that grants access to this data for separated veterans. VA scientists will also review data gathered from DoD's Post Deployment Health Assessment (PDHA) surveys, which ask about exposures to smoke from burn pits, subsequent symptoms, and a variety of other health related questions.

Since time is of the essence and the lives of our troops and veterans are at stake, we are requesting your expressed commitment that the Pentagon will fully cooperate with the VA in this matter so that these analyses can be completed as quickly and accurately as possible. We also request that you direct the relevant Department of Defense offices to fully cooperate with the VA's studies.

Thank you for your attention and assistance in this matter.

Senator Russ Feingold

Senator Evan Bayh

Senator Ron Wyden

Representative Tim Bishop

Representative Steve Cohen

Representative John Hall

Representative Maurice Hinchey

Representative Carol Shea-Porter

Congress of the United States

Washington, DC 20515

100351

March 3, 2009

President Barack Obama
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear President Obama:

In two weeks the United States will mark the sixth anniversary of the launch of the preemptive war and occupation of Iraq. Like you, we, the undersigned Members of Congress, opposed the war and occupation from the start and have spent the last several years working to extricate the United States from this quagmire. We believe that ending the war and occupation in Iraq means redeploying all troops and all military contractors out of Iraq. It also means leaving behind no permanent bases and renouncing any claims upon Iraqi oil.

The policy you announced last week in your speech at Camp Lejeune regarding the redeployment of U.S. troops from Iraq is a hopeful sign that the end of the war and occupation in Iraq is in sight. We believe, however, that even more can and should be done to hasten the day when all U.S. troops and military contractors are redeployed out of Iraq and reunited with their families and loved ones.

Specifically, while we welcome your embrace of a withdrawal timeline and your commitment to the American people that all combat troops will be withdrawn from Iraq by August 31, 2010, we are concerned that the plan you announced contemplates leaving up to 50,000 U.S. troops in Iraq- nearly as large as the force deployed in South Korea during the height of the cold war.

Accordingly, it would be extremely helpful to us, other members of Congress, and the public if you would address the following questions:

1. What factors will be used to determine the size of the reserve force to be left in Iraq?
2. What role do you envision for the United States after combat forces are redeployed that requires nearly 50,000 U.S. troops to implement?
3. What actions have the Administration taken, or contemplates taking, to comply with the congressional prohibition against the establishment or maintenance of permanent bases in Iraq?
4. Will the role of the "transition force" be changed if violence flares back up in Iraq?
5. How does the plan address the estimated 190,000 American contractors currently stationed in Iraq?

We believe that our nation's interests in Iraq and the region will be best advanced by reducing the size of the military footprint and making greater use of our other assets of national power, including diplomacy, reconciliation, commerce, development assistance, and humanitarian aid. We are heartened that you consider the deployment of these national assets central to a viable Iraq strategy.

We look forward to continuing our dialogue and strengthening our partnership in the pursuit of our mutual goal: ending the war and occupation and redeploying all American troops and military contractors out of Iraq and reuniting them with their families and loved ones.

Sincerely,

BARBARA LEE	LYNN WOOLSEY	MAXINE WATERS
Member of Congress	Member of Congress	Member of Congress

1003376

Congress of the United States
Washington, DC 20515

March 11, 2009

President Barack Obama
The White House
1600 Pennsylvania Ave, NW
Washington, D.C. 20500

Dear President Obama:

We are writing to express our strong support for resuming Operation Jump Start.

As you know, this effort deployed National Guard troops to meet our Southwest border security needs. Operation Jump Start was a tremendous success. Guardsmen built 37 miles of fence, repaired 700 miles of roadway, assisted in confiscating over 298,000 pounds of drugs, offered support in over 166,000 arrests and helped in 100 rescues. They were vital in securing the border, enhancing border infrastructure, and improving border security and agent safety.

The main reason why the National Guard was deployed under Operation Jump Start was that there were not enough resources on the border for effective security – both in the number of "eyes and ears" on the ground as well as infrastructure being built. The mission ended in July 2008.

As you know, the Mexican military's crackdown on drug cartels and corruption has increased violence and decreased stability in the region. Last year, more than 6,000 people and this year more than 1,000 have died as a result. On February 20, the State Department issued a travel alert as drug cartels are engaged in an increasingly violent conflict among themselves and the Mexican government for control of trafficking routes along the U.S.-Mexico border.

Due to the current situation in Mexico, we believe that more resources are needed to ensure additional border security. There are still significant security and infrastructure needs on the border and the National Guard should be used as an asset in this regard.

At a time when drug violence from Mexico threatens to spill over the border and expose our communities and families to the consequences, we strongly encourage you to resume Operation Jump Start. We look forward to working with you to ensure the security of our borders.

Sincerely,

Ed Royce

Brian P. Bilbray

Sam Johnson

Howard Coble

Todd Tiahrt

Trent Franks

Gary G. Miller

Dana Rohrabacher

Bill Posey

Ken Marchant

Rodney Alexander

Sue Myrick

Cc: DHS Secretary Janet Napolitano

Signed by Representatives:

Ed Royce
Brian Bilbray
Howard Coble
Sam Johnson
Gary Miller
Trent Franks
Todd Tiahrt
Kenny Marchant
Sue Myrick
Rodney Alexander
Bill Posey
Dana Rohrabacher

Congress of the United States
Washington, DC 20515

April 14, 2009

The Honorable Robert M. Gates
Secretary, Department of Defense
1400 Defense Pentagon
Washington DC 20301-1400

Dear Secretary Gates:

We write regarding the U.S. Government Accountability Office (GAO) report addressing the listing and oversight of Superfund sites at DOD facilities, Superfund: Greater EPA Enforcement and Reporting are Needed to Enhance Cleanup at DOD Sites (GAO-09-278), urging you to rapidly take all steps necessary to remediate contaminated DOD sites.

The GAO report reached several disturbing conclusions:

- While the number of DOD sites considered for placement into the Superfund program has declined over the past decade, DOD sites still account for 9 percent of all Superfund sites.
- Despite years of negotiations, DOD and EPA have not finalized Interagency Agreements setting out the terms for clean-up of 11 of the 140 DOD Superfund sites, despite the statutory requirement to do so, reportedly because DOD disagreed with the terms contained in the Agreement documents and simply refused to sign the documents. These sites include (1) Air Force Plant 44 (Tucson, AZ) (2) Andrews Air Force Base (MD) (3) Brandywine Defense Reutilization and Marketing Office (MD) (4) Fort Meade (MD) (5) Hanscom Field (Bedford, MA) (6) Langley Air Force Base (VA) (7) McGuire Air Force Base (Trenton, NJ) (8) Naval Air Station Whiting Field (Milton, FL) (9) Naval Computer Telecommunication Area Administrative Master Station (Wahiawa, HI) (10) Redstone Arsenal (Huntsville, AL) and (11) Tyndall Air Force Base (Panama City, FL).
- Despite the requirement for Interagency Agreements to be signed at all federal Superfund sites, the Superfund statute (Section 120 of CERCLA) contains no enforcement mechanism that could be used if a federal agency refuses to do so. Although EPA may initiate administrative enforcement actions under other laws (such as the Resource Conservation and Recovery Act and the Safe Drinking Water Act) to compel DOD to clean up contaminated sites, EPA chose not to pursue enforcement actions until 2007, more than 10 years after these sites were first placed into the Superfund Program. Currently, there are EPA Administrative orders in place at 4 sites: Fort Meade (MD), McGuire Air Force Base (Trenton, NJ), Tyndall Air Force Base (Panama City, FL), and Air Force Plant 44 (Tucson, AZ).

We believe that the Department should immediately enter into the appropriate Interagency Agreements and expedite the cleanup of these sites. We request that you provide us with a detailed description of your plans to do so, including:

- Specific timeframes for when Interagency Agreements will be signed at each of the DOD Superfund sites currently lacking them, and the status of any negotiations regarding their text, including who is participating in these negotiations.
- Milestones agreed to by EPA and DOD that are expected for inclusion in Site Management Plans for the cleanup of each of these sites;
- Any outstanding issues that may impact these schedules and milestones.

Thank you very much for your attention to this important matter. Please provide your response no later than close of business on Friday May 1, 2009. If you have any questions or concerns, please have your staff contact Michal Freedhoff (Rep. Markey, 52836), or Derrick Ramos (Rep. Green, 51688).

Sincerely,

Rep. Edward J. Markey

Rep. Gene Green

Congress of the United States

Washington, DC 20515

April 14, 2009

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

Dear Mr. Secretary,

As you know, the United States is currently facing a number of daunting national security challenges. With our ongoing involvement in Iraq and Afghanistan, as well as our efforts to combat terrorism, the need to recruit and retain qualified men and women for military service is greater than ever. We are writing to request that the Defense Advisory Committee on Women in the Services (DACOWITS) be restored as a meaningful advisory body with authority to independently advise the Secretary of Defense on issues concerning military women. Doing so would be a highly effective way to quickly identify and address the obstacles to women choosing long-term careers in the armed forces, and would ensure that the U.S. military is well prepared for today's wartime realities.

DACOWITS was established in 1951 as a civilian board of individuals appointed by the Secretary of Defense for the purpose of providing advice and recommendations on matters affecting women in the armed services. For half a century, the Committee served as a vital link between the Department of Defense and the civilian community and gained a reputation for conducting valuable and highly respected analysis on integrating women into the military, making the armed services more effective overall.

Many in the security community were surprised and dismayed when the Bush administration failed to renew the Committee's charter shortly after taking office. In its place, then Secretary of Defense Donald Rumsfeld introduced a new mandate for DACOWITS which cut members, staff, and funding, revoked the Committee's autonomy, and diluted attention to women's issues. In addition, former Secretary Rumsfeld imposed restrictions which made the Committee's military installation visits less frequent and less effective, and reduced its diversity and transparency in terms of membership selection and policies. The broader effect of these actions has been to sideline serious study of women in the military, and depriving our armed forces of an untold number of skilled and capable leaders.

Former Under Secretary of Defense for Personnel and Readiness Dr. David Chu publicly stated his belief that DACOWITS' work to increase the proportion of women in the

military had "probably reached its natural limits."[1] This statement does not mesh with the abundance of studies and reports indicating that many women in the armed forces feel they are coming up against a "brass ceiling" as they struggle to rise through the ranks and demonstrate their leadership. Under its original charter, DACOWITS worked to address women's specific needs as they entered the armed forces in increasing numbers. Some of the progressive changes made as a result of DACOWITS' work include coed bootcamps, the gender "norming" of fitness standards, programs to address sexual harassment, and family friendly work policies. These institutional changes benefit both men and women, and help the U.S. military maintain its reputation as the best in the world. Whoever is appointed as the next Under Secretary of Defense for Personnel and Readiness should have an in depth understanding of the need to consider the differing needs of servicemen and women, and should appreciate the demonstrated benefits of reducing gender based discrimination in the armed forces.

We believe that DACOWITS must be re-established under the Federal Advisory Committee Act with the mission to advise the Secretary of Defense on a broad range of matters relating to women in the military. Additionally, it must be restored to its former status through an increase in its membership to at least 25, to be chosen from diverse backgrounds, and this Committee should be supported with an adequate budget to carry out the analysis and data collection which has proven so valuable in the past. We are confident in your dedication to creating an enabling and supportive environment, so that our servicemen and women can reach their full potential and contribute the best of their skills and abilities to the protection of our country. The revitalization of DACOWITS would greatly facilitate this goal. Thank you for your attention to this important issue.

Sincerely,

CAROLYN B. MALONEY
Member of Congress

ERIC MASSA
Member of Congress

[1] Stone, Andrea. "Women Warriors Play an Essential Role in Military." *USA TODAY*. 11 January 2002. http://www.usatoday.com/news/sep11/2002/01/10/warriors.htm. (Accessed 31 March 2009).

Congress of the United States
Washington, DC 20515

April 24, 2009

The Honorable Dr. Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Gates:

This letter is to respectfully request your assistance in reinstating the National Guard Joint Counterdrug Task Force's *Port and Highway Interdiction* mission. This tasking was terminated nearly 8 years ago and removed from the responsibilities of the National Guard Counterdrug Task Force. We are confident this mission set is both immensely important to the national security of our country and provides outstanding training for our soldiers and airmen.

As you know, the Drug Trafficking Organizations (DTO) along the US-Mexico border have become an increased threat to our country. These criminal and terrorist organizations control the avenues of approach to the U.S. and utilize these avenues to smuggle humans and illegal narcotics. These same organizations then use the lack of oversight on southbound cargo to transport money and weapons to the cartels- thus fueling the violence and destruction.

During the period of National Guard support to *Port and Highway Interdiction*, Texas guardsmen were credited with well over $1 billion dollars in drug seizures per year. Texas also laid claim to well over $27 million in cash seizures in one year alone. These statistics prove the viability and importance of having Guard men and women working the secondary search areas along the border- freeing uniformed officers to be out in front of the public.

The threat to Texas and the United States by drug trafficking organizations is clear. A holistic approach must be taken to quell the violence, death and destruction caused by these narco-terrorist organizations. Port and Highway interdiction is a critical aspect of this approach and must be reinstated immediately.

Sincerely,

Rep. John Carter (TX-31)

Rep. Sam Johnson (TX-03)

Rep. Ralph Hall (TX-04)

Rep. Joe Barton (TX-06)

Rep. Kay Granger (TX-12)

Rep. Lamar Smith (TX-21)

Rep. John Culberson (TX-07)

Rep. Kevin Brady (TX-08)

Rep. Kenny Marchant (TX-24)

Rep. Michael McCaul (TX-10)

Rep. Michael Conaway (TX-11)

Rep. Ted Poe (TX-02)

Rep. Louie Gohmert (TX-01)

Rep. Pete Olson (TX-22)

Congress of the United States
Washington, DC 20515

April 9, 2009

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Re: Funding for the Purchase of F-22s in the FY2010 Department of Defense Budget

Dear President Obama:

We are gravely concerned regarding recently announced plans to cap production of the F-22A Raptor at 187 aircraft. Simply put, this number is insufficient to meet potential threats to America and to guarantee our nation's air superiority decades into the future. Over 30 air campaign studies completed over the last 15 years have validated a requirement for far more than 187 F-22 Raptors to replace the original force of 800 F-15 A-D Eagles. The decision announced by Secretary Gates not only ignores these facts, but also the validated requirement of our very own Air Force.

Secretary Gates indicated his commitment to the F-35 Joint Strike Fighter as America's 5th generation fighter jet. While the JSF is a very capable platform, it is designed for multi-role strike missions and not optimized for the air dominance missions of the F-22. Moreover, it is several years away from full scale production.

As discussed in the January 21 letter to you signed by 194 House Members, the F-22 program annually provides over $12 billion of economic activity to the national economy. As we face one of the most trying economic times in recent history it is imperative to preserve existing high paying, specialized jobs that are critical to our nation's defense. Over 25,000 Americans work for the 1,000+ suppliers in 44 states that manufacture this aircraft. Moreover, it is estimated that another 70,000 additional Americans indirectly owe their jobs to this program.

Mr. President, in light of these concerns and in consideration of the importance of the F-22 program to both American national and economic security, we strongly urge you to reconsider this decision and to certify that continued production of this vital asset is indeed in the national interest of the United States.

Sincerely,

David Scott
Member of Congress

Phil Gingrey
Member of Congress

Sanford Bishop
Member of Congress

Hank Johnson
Member of Congress

Jack Kingston
Member of Congress

Jim Marshall
Member of Congress

Tom Price
Member of Congress

Lynn Westmoreland
Member of Congress

Rob Bishop
Member of Congress

Dan Boren
Member of Congress

Allen Boyd
Member of Congress

Michael Burgess
Member of Congress

John Carter
Member of Congress

Elijah Cummings
Member of Congress

Ralph Hall
Member of Congress

Dean Heller
Member of Congress

Sam Johnson
Member of Congress

Michael T. McCaul
Member of Congress

Re: Funding for the Purchase of F-22s in the FY2010 Department of Defense Budget

Patrick McHenry
Member of Congress

Kenny Marchant
Member of Congress

Kendrick Meek
Member of Congress

Richard Neal
Member of Congress

Carol Shea-Porter
Member of Congress

Bill Shuster
Member of Congress

Don Young
Member of Congress

Paul Broun
Member of Congress

Howard "Buck" McKeon
Member of Congress

Gabrielle Giffords
Member of Congress

HOUSE COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515–6035

ONE HUNDRED ELEVENTH CONGRESS

April 29, 2009

The Honorable Robert M. Gates
Secretary of Defense
Department of Defense
Washington DC 20301-1000

Dear Secretary Gates:

We wish to make you aware of an intelligence, surveillance, and reconnaissance (ISR) program in which over $250 million has been invested, and was called an "unprecedented capability," only last October in a letter to our Chairman, by the Under Secretary of Defense for Intelligence, but yet appears to have been orphaned by the Department of Defense.

The Air Force developed and the Marine Corps employed a turbo-prop based wide area, day-only, electro-optical surveillance system called "Angel Fire" in Iraq from September 2007 until March 2009. Four King Air 90 aircraft were used in Anbar Province. Five additional aircraft ("spiral two"), with infra-red night capability, have been funded and are planned to be delivered from July through November of this year.

Responses to inquiries from mid -- March through yesterday to the Commander, Central Command; Commander, Multi-National Forces- Iraq; Commander, International Security Assistance Force; Central Command staff; the Joint Staff; the Under Secretary of Defense for Intelligence; the ISR Task Force; the Air Force; the Army; the Marines and your office indicate a lack of awareness of the capability of the system; its status; and/or who has the responsibility to ultimately determine the disposition or use of the assets.

As an example, General Petraeus, signed a letter dated 17 April 2009, in response to inquiry from another Member of Congress, which indicated: "The Angel Fire system you mentioned, which was used by the Marines in Anbar Province in Iraq, was redeployed back to the States and is currently being reviewed for possible deployment to Afghanistan." In reality, well prior to 17 April, the contractor had been directed to dismantle the podded-capability on the "Angel Fire" system contract aircraft, which was "used by the Marines in Anbar Province." The first aircraft had its sensors removed last week; the second aircraft is scheduled for this week; with the remaining two aircraft to follow in the subsequent two weeks. Further, the Air Force indicated earlier this week that there is no funding or plan to use the spiral one or two "Angel Fire" assets in overseas contingency operations.

Given your priority on making ISR available to support our troops in overseas contingency operations, the "unprecedented capability" provided by "Angel Fire" and "Angel Fire's" capability and earlier availability compared to similar systems like "Constant Hawk," which are being fully supported by the Department, the continued dismantlement of the spiral one capability and no plan for use of the spiral two capability is inexplicable.

While "Angel Fire" has operational limitations for some areas of Afghanistan, over sixty percent of recent IED activity has taken place in southern Afghanistan, where terrain elevations allow "Angel Fire" operations, as well as in most areas in Iraq.

We recommend that your Programs, Analysis, and Evaluation office examine the "Angel Fire" and "Constant Hawk" programs and provide you with a briefing, at your earliest convenience. We would appreciate your views on "Angel Fire" and the planned use and disposition of the assets of the program.

Sincerely,

Neil Abercrombie
Chairman,
Air and Land Forces
Subcommittee

Roscoe Bartlett
Ranking Member,
Air and Land Forces
Subcommittee

NA/RB: bg

Congress of the United States
Washington, DC 20515

April 27, 2009

The Honorable Robert Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Gates:

We commend you for prioritizing the development and purchase of new airborne intelligence, surveillance and reconnaissance (ISR) assets and light attack aircraft. We agree with you that our warfighters in Afghanistan and Iraq require a robust mix of manned and unmanned platforms to accomplish their counterinsurgency and counterterrorism missions. Given the relevance these capabilities have across the services – as well as the continued development of your Project Liberty initiative – we hope you will organize and resource additional airborne ISR and light attack aircraft programs on a joint basis.

The urgent need to provide these capabilities to our warfighters has spawned a number of separate development efforts inside the Department of Defense. For example, for more than a year, the Navy has been assessing the capabilities of small light attack aircraft with significant ISR capabilities. The Air Force recently studied the need for a similar capability. Based on input from our commanders in the field, that study may grow into stated requirements for new assets.

Moreover, the Air National Guard (ANG) is preparing to demonstrate the capabilities of the AT-6B later this year. We have strongly supported the AT-6B research and development effort inside the ANG for the past few years, and we hope that the Navy and Air Force will reap some of the benefits of a project that appears to be maturing just at the moment such capabilities are most needed.

Based on conversations with the Navy, Air Force and Air National Guard, however, we remain concerned that efforts to develop a light attack and ISR platform remain uncoordinated. We believe DoD should develop light attack aircraft capabilities on a joint basis. Only when the services are working in a coordinated fashion can we expect to get this important capability to our warfighters efficiently and expeditiously.

We hope you agree with our recommendation, and we stand ready to work with you to fund a joint light attack aircraft program that draws together DoD's multiple and ongoing programs.

Sincerely,

Sam Brownback

Todd Tiahrt

HOUSE COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515–6035

ONE HUNDRED ELEVENTH CONGRESS

April 28, 2009

The Honorable Robert Gates
Secretary of Defense
1400 Defense Pentagon
Washington, DC 20301-1400

Dear Mr. Secretary,

I am writing you today to express my concern with the cost growth and schedule delays of the Navy Electromagnetic Aircraft Launch System (EMALs) program. The EMALs system is designed to replace the aircraft launching steam catapults in USS Ford class aircraft carriers with the advantages of increased catapult capacity and lower overall maintenance life cycle costs.

It is apparent that the Navy did not aggressively manage this program over the last few years. It was not until recently when the senior Navy acquisition official directed a complete program review that the full scope of the cost increases and schedule delays became known. I understand this program review evaluated alternatives, including cancelling EMALs and reverting to steam catapults for USS Ford. Such change would require a significant redesign effort for areas of the ship already designed and would delay delivery of the carrier for a least a year and perhaps as long as a year and a half. Conversely, the decision to stay with the EMALs system also contains significant technical risk and has the potential to delay carrier delivery. Testing of the fully integrated EMALs system will not begin until early this summer, yet production of the operational system must begin immediately to meet construction schedules. Any significant issues discovered during test will of necessity delay the construction of the carrier and undoubtedly cause significant cost growth.

Because the implications of the failure of this system to deliver on time are so great, and the associated cost impact to the CVN-78 contract could range in the billions of dollars, I believe this program needs additional and targeted oversight on an hour-by-hour and day-by-day basis. I also believe this additional oversight will be required for a significant period of time, perhaps as long as five years, while this system is tested, produced, delivered to the construction yard, installed, and verified.

In addition, I encourage the Navy to maintain transparent reporting to Congress on the status of EMALs. For example, although EMALs does not meet the requirements for designation

as a major subprogram of the CVN-78 program, the Navy should consider reporting separately on EMALs in selected acquisition reports, unit cost reports, and program baselines.

It is my intention to hold an oversight hearing on this program in July. I intend to call Navy acquisition officials for this hearing but extend to you the invitation to provide a senior official from your staff to discuss risk management as this program moves forward. The focus of the hearing will be to understand what process is in place to maximize the chances of success and to alert, at the earliest time possible, the risk of failure.

Thank you for your continued service to the country.

Sincerely,

Gene Taylor

GENE TAYLOR
Chairman,
Subcommittee on Seapower
and Expeditionary Forces

cc: Admiral Michael Mullen, Chairman, Joint Chiefs of Staff
Admiral Gary Roughead, Chief of Naval Operations
Honorable Sean Stackley, Assistant Secretary of the Navy, Research Development and Acquisition

Congress of the United States
Washington, DC 20515

May 1, 2009

The Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Gates,

We write to express our deep concern about recent media reports on the Joint Cargo Aircraft (JCA) program. An article in The Hill, published on April 21, 2009, indicated that the JCA program will be cut in half and the remaining planes allocated to the United States Air Force in the Department of Defense's proposed Fiscal Year 2010 budget. We believe that, if implemented, such cuts would be impede the ability of the United States Army, specifically the Army National Guard, to meet intra-theater lift requirements for the "last tactical mile" as well as severely constrain the Army and Air National Guard's ability to respond to a domestic disaster.

The current intra-theatre airlift capability in the U.S. Army is insufficient to meet the demands of the wars in Iraq and Afghanistan. The Army has relied on the C-23 Sherpa, an un-pressurized aircraft that cannot perform medical evacuation missions nor transport modern cargo pallets. The lack of robust airlift over the "last tactical mile" has also forced the Army to press its Chinook helicopters, themselves aging and in need of replacement, into missions the helicopter was never designed for. The 2009 Quadrennial Roles and Missions Review Report (QRM) assessed these concerns and concluded that "the option that provided the most value to the joint force was to assign the C-27J to both the Air Force and Army." The Pentagon's proposed cuts and program changes are in direct contradiction to the findings from this congressionally authorized report. The JCA will allow for more rapid delivery of larger cargo loads to shorter and more remote airstrips and help fill the logistical needs of the war fighter on the modern battlefield.

The Air National Guard also has an urgent need for the JCA to fulfill homeland security missions. The termination of the National Guard's portion of the JCA program will eliminate a critical capability in many Air National Guard units across the country that lost their flying missions during BRAC 2005. Without an adequate replacement aircraft, the Air National Guard in several states will be unable to retain personnel and skills that have taken years to cultivate. The National Guard Bureau has a promised beddown plan for the JCA in states affected by BRAC and the elimination of the program casts doubt about the future of these units. This would harm the Air National Guard's ability to respond to a domestic crisis. Whether the disaster is a hurricane or large scale terrorist attack, the JCA would allow the Air National Guard to deliver supplies to areas that would otherwise be inaccessible to fixed-wing aircraft. The National Guard has been asked to play a larger role in homeland defense and disaster recovery in recent years and the JCA will be a critical tool for the Guard in fulfilling these missions. The JCA is designed for the needs of the servicemen and women fighting on asymmetric

battlefields and is one of the few DoD programs that is running on budget and on time. Any changes to the JCA program will risk the readiness of our Army, Air Force and National Guard to respond to the full spectrum of threats and requirements. We strongly urge you to continue with the program of record for the Joint Cargo Aircraft Program.

Thank you for your time and consideration of this very important issue.

Sincerely,

Cliff Stearns
United States Representative

Madeleine Bordallo
United States Representative

Ander Crenshaw
United States Representative

Ralph Hall
United States Representative

Corrine Brown
United States Representative

Ginny Brown-Waite
United States Representative

Chet Edwards
United States Representative

Dan Burton
United States Representative

Roscoe Bartlett
United States Representative

Jim Jordan
United States Representative

Jeff Miller
United States Representative

John Mica
United States Representative

Gene Taylor

Gene Taylor
United States Representative

1004159

APR-15-2009 09:52 REP MIKE COFFMAN 202 226 4623 P.01

MIKE COFFMAN
5TH DISTRICT, COLORADO

ARMED SERVICES COMMITTEE

NATURAL RESOURCES COMMITTEE

SMALL BUSINESS COMMITTEE

1508 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-7882

DISTRICT OFFICE:
9220 KIMMER DRIVE
SUITE 220
LONE TREE, CO 80124
(720) 283-6972

Congress of the United States

House of Representatives

Washington, DC 20515-0605

April 15, 2009

President Barack Obama
1600 Pennsylvania Avenue
Washington, DC

President Obama,

As you are well aware, piracy has become a serious threat to both American and international shipping. The majority of these pirate attacks have taken place along the coastline of Somalia – a coastline the same length as the United States eastern seaboard – and in the Gulf of Aden north of Somalia.

The recent kidnapping of Captain Richard Phillips following a raid on his commercial ship, the Maersk Alabama, by Somali pirates proves more aggressive action is needed to combat piracy. The incident involving the Maersk Alabama was a spectacular show of courage, good luck, the extraordinary military skill of U.S. Special Forces and the smart decision-making by the Captain of the USS Bainbridge, Commander Frank Castellano. Unfortunately, in the future, the pirates may be unwilling to take a ship's Captain hostage to protect the safety of the crew or the crew of a merchant vessel may be unable to fight back. They were very lucky that the U.S. Navy arrived before the pirates were able to make it back to land which would have made it extremely difficult to track them down.

The piracy problem is not a law enforcement challenge because the pirates have unrestricted access to Somali port facilities and land bases that are sanctioned by the governing institutions of Somalia irrespective of how dysfunctional they are. This is a military problem and these attacks on U.S. merchant ships constitute an act of war on the United States.

A new course of action should be reviewed. Sending U.S. Warships to patrol these waters isn't enough to protect U.S. flagged merchant ships. This is an area that is 1.1 million square miles and the U.S. Navy, or any navy, has their hands full trying to protect this vital shipping lane. The placement of small detachments of U.S. Marines or sailors aboard U.S. flagged merchant ships would help bring an end to the piracy problem off of the coast of Somalia for U.S. commercial shipping. This would be a much more cost effective way of ending any advantage that the pirates have. New rules of engagement should give U.S. military personnel, assigned to U.S. merchant ships, the authority to engage any small boat if it demonstrates hostile intent when approaching a U.S. merchant ship.

There is a precedent for using U.S. military personnel on U.S. flagged merchant vessels. During WWII, U.S. military personnel were deployed on U.S. flagged ships to provide protection. These detachments were called "The Naval Armed Guard," and were established after the 1941 repeal of the "Neutrality Act of 1936," which had outlawed the arming o U.S. merchant vessels.

It isn't necessary to talk about military operations against the pirates along the Somali coastline when we have the option to put small military detachments on board U.S. commercial ships. These raids would not only put members of our military unnecessarily at risk but there would always be the potential for collateral damage causing harm to the innocent hostages and civilians in the target areas.

Mr. President, how many sailors and Marines are available for such actions and are you willing to temporarily station military detachment on U.S. flagged merchant ships?

Thank you for your time and I look forward to your response.

Sincerely,

Mike Coffman

Mike Coffman, M.C.

CC: The Honorable Robert Gates

1002970

Congress of the United States
Washington, DC 20515

March 26, 2009

President Barack Obama
The White House
1600 Pennsylvania Ave
Washington, DC 20500

Dear Mr. President:

As co-chairs of the 52-member bipartisan U.S.-China Working Group, we are writing in regard to recent developments within the bilateral U.S.-China relationship.

Last week, the Working Group hosted Deputy Assistant Secretary of Defense David Sedney for an update on U.S.-China military-to-military relations. We are supportive of your efforts to protect U.S. Navy reconnaissance vessels and your decision to send a destroyer escort to the South China Sea. The harassment of U.S. interests by Chinese ships is a violation of international law and we applaud your decisive response.

Additionally, we urge your continued support of increased U.S. - China military-military relations. In our view, the U.S.-China diplomatic relationship will be the most important of the 21st century. Strong military-to-military connections remain instrumental in expanding and improving that relationship.

Thank you for your leadership on this issue. We look forward to working with your Administration to advance U.S.-China relations.

Sincerely,

Rick Larsen
Member of Congress

Mark Kirk
Member of Congress

Congress of the United States

Washington, DC 20515

May 5, 2009

The Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Secretary Gates:

Your internal budget process consists of serious deliberation on threat analysis, risk assessment and cost benefit tradeoffs in regard to budgetary decisions. This information is critical for Members of Congress and the public to know, and for this reason I am concerned about a disturbing trend of restricting budget and inspection information within the Department of Defense.

I understand that you recently asked senior officials in the Department to sign a Non-disclosure Agreement as it relates to the President's FY10 Budget proposal. While I fully understand that some of these discussions must be kept confidential, I am concerned that 1) this agreement is not strictly limited to predecisional discussions, and 2) that Congress may be excluded from oversight and engagement due to the restrictions put in place by this agreement.

Specifically, the Agreement states that, budget-related information restricted includes "[information,] **predecisional or otherwise**, concerning the Administration's deliberation of the nature and amounts of the President's budget for Fiscal Year 2010, and any supplemental budget request submitted during the current fiscal year." Can I expect a candid answer from a senior military official when I ask them about the process used to establish priorities, either now, or after the President's detailed Budget is released to the public? Members of Congress deserve candid answers from senior military officers that are not suppressed or censored--either directly, or implicitly via a culture of regulations that muzzles their independent professional judgment.

We are well aware that only the President and his staff see the full revenues and resource requirements of the United States Government, and members of his Administration are expected to implement his guidance. However, the Constitution charges Congress, not the Executive, with the mandate to raise and support armies and navies, and it grants authority to Congress to fund the budget for our defense and the other constitutional responsibilities. I am concerned that these restrictions on the deliberation of these tradeoffs are reflected in the President's Budget this year and future years severely and unnecessarily limits the Congress in these constitutional duties.

The Congress, and the Nation as a whole, can ill-afford our Nation's senior military leadership to be forced to equivocate or be pedantic in so far as their professional opinion is concerned, particularly as it relates to risk calculation and threat analysis associated with the priorities of the Department of Defense and the allocation of taxpayer dollars.

Furthermore, I am concerned to learn that previously unclassified INSURV inspections will now be classified. It is sometimes only through the media and public awareness, as was this case with the inspections of the *USS Stout* and *USS Chosin*, that we learn of the urgent need to address some of the shortfalls the military has, including the $417 million shortfall in ship depot maintenance for this year alone. If these reports are classified, we are unable to communicate these needs to the public.

Lastly, senior Army officials abruptly withdrew from a recent hearing before the House Armed Services Air and Land Forces Subcommittee on Future Combat System. This hearing was to focus on the status of the FCS program in light of a recent GAO report that made recommendations on this system. These actions continue to contribute to the perception that the Department in not interested in engaging with Congress to determine the best possible solution. The classification of inspections and excluding Congress from budgetary discussion serve as an impediment for Congress to fulfill its constitutional responsibility to provide the necessary resources to support our national security strategy and the rest of the federal government.

More than ever, our budget needs a close look. In fact, President Obama indicated in one of his first Executive Orders concerning the Freedom of Information Act, that "A democracy requires accountability, and accountability requires transparency. As Justice Louis Brandeis wrote, 'sunlight is said to be the best of disinfectants.'" We understand that most budget documents are not subject to FOIA under 5 USC 552(b)(5), and it may be timely to reconsider this exemption.

There is no more serious responsibility that President Obama, you, or we have than to ensure the security of this great Nation. We remain strong supporters of your efforts and of the candor with which you have testified before Congress. We look forward to working with you to ensure our Nation has the defense it needs. Thanks you for your assistance.

Sincerely,

Jack A. LaBounty

Howard O. Buckingham

Joe Wilson

Congress of the United States

Washington, DC 20510

May 6, 2009

The Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Gates,

As Congress awaits the submission of the President's Fiscal Year 2010 budget request for the Department of Defense, we write to share our strong and unwavering support for the Air National Guard (ANG) units in our states that lost their flying missions through BRAC 2005.

As you know, the last BRAC round made significant changes to the lay down of aircraft within the ANG. In our six states, many units lost their flying missions – ranging from A-10s, C-130Js, and F-16s – with some losing the only flying mission stationed permanently in their state. The loss of a flying mission is a direct threat to the manpower, readiness and relevance of our ANG units and their continued ability to meet their state and federal duties.

The ANG not only serves our nation as we ask them to support operations in Iraq and Afghanistan and around the world, but they also serve the local state missions. Without a permanent flying mission within the state, the ANG may lose the valuable expertise and experience our airmen provide. With the immense capability the ANG provides to our nation, we must not jeopardize the investment we've made in the ANG personnel forces.

According to the 2008 Air Force Weapon Systems Roadmap, as well as subsequent planning by the Air Force and National Guard Bureau, our six states are each expected to receive the C-27J Joint Cargo Aircraft (JCA). While we welcome the assignment of a permanent flying mission to our states, we are concerned that continued debate about the organization and control of the JCA program could place the future of our ANG units at risk. We believe it is important to firmly resolve the "roles and missions" debate with regards to intra-theater lift, and move forward with a program that meets the needs of ANG states impacted in BRAC while also addressing the capability gap faced by our warfighters.

This is a pivotal year for our Air National Guard. **To this end, we look forward to the Department's strong support for the allocation of permanent flying missions to our states as part of the upcoming submission of the 2010 defense budget.**

As always, we thank you for your service to our nation and look forward to continuing to work with you to support our men and women in uniform.

Sincerely,

Christopher Dodd
United States Senator

Joseph Lieberman
United States Senator

John Larson
United States Representative

Joseph Courtney
United States Representative

Barbara Mikulski
United States Senator

Benjamin Cardin
United States Senator

Steny Hoyer
United States Representative

Roscoe Bartlett
United States Representative

Elijah Cummings
United States Representative

Dutch Ruppersberger
United States Representative

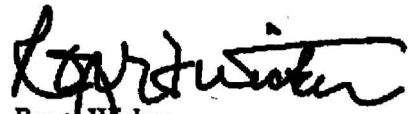
Donna Edwards
United States Representative

Frank Kratovil
United States Representative

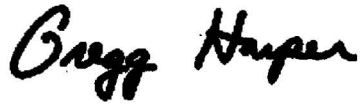
Carl Levin
United States Senator

Debbie Stabenow
United States Senator

Mark Schauer
United States Representative



Roger Wicker
United States Senator



Gregg Harper
United States Representative

Kent Conrad
United States Senator

Byron Dorgan
United States Senator

Earl Pomeroy
United States Representative

George Voinovich
United States Senator

Sherrod Brown
United States Senator

Marcy Kaptur
United States Representative

Tim Ryan
United States Representative

Jim Jordan
United States Representative

DUNCAN HUNTER
52D DISTRICT, CALIFORNIA

COMMITTEE ON ARMED SERVICES

COMMITTEE ON
EDUCATION AND LABOR

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1002592

U.S. House of Representatives
Washington, DC 20515-0552

January 29, 2009

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

I am writing to express my grave concern regarding the Medal of Honor review process and the apparent lack of living award recipients. Since you, as President of the United States, are responsible for presenting the Medal of Honor on behalf of the U.S. Congress, I respectfully request that your Administration conduct a review of this matter.

Since World War I, there have been 3,462 Medal of Honors awarded to our soldiers and sailors for distinguishing themselves "conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty." In World War I, 27% of Medal of Honors were awarded posthumously, in World War II, 57% and in Vietnam, 38% were posthumous awards. In Operation Iraqi Freedom and Operation Enduring Freedom (OIF/OEF), 100% of all Medal of Honor awards have been posthumous. I am concerned that either knowingly or inadvertently, the Medal of Honor awards process is becoming biased to only acts of valor that result in the death of the service member.

Mr. President, only 99 Medal of Honor winners are living: 25 from World War II, 14 from Korea, and 60 from Vietnam. The last Medal of Honor awarded to a living recipient was to Michael E. Thornton for his heroic actions in Vietnam on October 31, 1972. Their stories inspire our country and provide the military services with their heritage and traditions. Having Audie Murphy, Pappy Boyington and San Diego's own John Finn living amongst us has motivated generations to greater achievements. While the integrity of the award must be preserved, the Department of Defense should also not be applying a different standard to OIF/OEF that essentially precludes the award of the Medal of Honor to living recipients.

In addition, the recent downgrading of the Medal of Honor for Marine Sgt. Rafael Peralta to the Navy Cross raises similar concerns. Despite the fact that Sgt. Peralta was nominated for the Medal of Honor by Marine Corps leadership, the award was downgraded by a panel comprised primarily of civilians that included a neurosurgeon and two pathologists. I am very

concerned that the criteria for awarding the Medal of Honor, which has been historically awarded based on eyewitness accounts, has now been replaced by modern forensic science. I firmly believe that the eyewitness accounts of the event should take precedent through the entire chain of command review process because heroic actions in combat cannot always be explained by science alone.

Again, I hope your Administration will do a thorough examination of the issues surrounding the process for awarding the Medal of Honor. The selflessness and combat heroism that is represented by the Medal of Honor must be preserved for future generations.

Sincerely,

Duncan Hunter
Member of Congress

DH/vm

1004865

TOM HARKIN
IOWA

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COMMITTEES:
AGRICULTURE
APPROPRIATIONS
HEALTH, EDUCATION, LABOR, AND PENSIONS
SMALL BUSINESS

United States Senate

WASHINGTON, DC 20510–1502

February 5, 2009

President Barack Obama
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear President Obama;

One of the great many reasons we are so thankful that you have now been sworn into office is our shared commitment to suicide prevention for veterans and those still serving in our nation's armed services. You were a true leader on the Armed Forces Suicide Prevention Act, and your leadership and help from your staff was invaluable in gaining co-sponsorship and advancing the issue in the 110th Congress.

It was truly disappointing that the Harkin/Obama amendment, based on the Armed Forces Suicide Prevention Act which we respectively authored in the Senate and House, was not included in the National Defense Authorization Act of 2009. As you may remember, one of the major obstacles to its inclusion was the formal comment we received from the Department of Defense opposing the legislation "because it would establish a legislative mandate for programs already ongoing or within the Secretary's authority to establish." The comment letter went on to say "However, the administration supports the goals of the legislation and we look forward to working with Congress to address these concerns."

We were deeply disturbed last week to receive the attached letter from the Department of Defense stating that there were 128 suicides among active duty Army soldiers in 2008, with another 15 cases pending investigation, while the total for 2007 was 115. This is the fourth year in a row that has seen a similarly dramatic increase. Clearly, the Department of Defense should have done a better job to protect the health and lives of the brave men and women who serve in our military.

We know you share our concern about our military's commitment to its personnel, and would find these needless deaths to be a senseless tragedy that could have been prevented. In order for

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us to be able to continue to work together to improve mental health screenings and treatment, and to reduce the stigma of accessing such treatment, it would be helpful for you to initiate an assessment of the programs currently in place in each branch of the armed forces. It would be helpful to know more about what services are currently available, are being accessed, and what resources and structural improvements are needed to reduce the toll of suicide on active duty service members. It would be especially helpful to examine all of the reasons, both structural and situational, that the suicide rate in the Army is so much higher than that in the other branches.

As sponsors of the Joshua Omvig Veterans Suicide Prevention Act, which was signed into law on November 5, 2007, we are pleased with recent reports from the Department of Veterans Affairs that the Omvig legislation is being fully implemented and to date the Suicide Hotline has received over 101.00 calls and has been credited with over 2,600 rescues. It is now time to ensure that our service members of the Armed Forces have similar protections.

Thank you for your partnership on this critically important issue. We look forward to working with you on this in the future, and hope that we can improve on the dismal record of the past administration in this regard.

Sincerely,

Tom Harkin
United States Senator

Leonard Boswell
Member of Congress

1004899

Congress of the United States
Washington, DC 20515

April 23, 2009

President Barack Obama
The White House
1600 Pennsylvania Ave
Washington, D.C. 20500

Dear Mr. President:

We request that you include funding for the Joint Strike Fighter alternate engine in your budget for fiscal year 2010. Competition within any market is understood to yield products of a higher quality at a lower price. With the continued development of the Joint Strike Fighter (JSF) as our nation's sole air superiority aircraft, it is essential that the components used within the platform are highly reliable. It is with the spirit of competition that we request full funding for the research, development, testing, evaluation and procurement of an alternate engine that may be interchanged with the currently contracted propulsion system.

Strong bipartisan support within Congress has invested approximately $2.5 billion since fiscal year 1995 into an alternate engine for the JSF. Since 2006, the Department of Defense (DOD) has repeatedly attempted to cancel funding for the JSF alternate engine program, contrary to both congressional intent and enacted legislation. The shortsightedness of the budgetary requests by the DOD, fail to recognize the long-term benefits and cost savings that are widely projected with the development of a competitive propulsion system. Following the "Great Engine War," the United States Air Force continues to use engines for the F-16 Falcon that have been built and perfected through direct competition by both Pratt and Whitney and General Electric.

It would be prudent for the DOD to revisit the current contract for the JSF propulsion system to address questions of operational risk, cost savings, responsible government action, and relations with key allies. This is especially true now that General Electric and Rolls-Royce have offered to negotiate the remaining development and future production of the alternate engine on fixed price terms.

Unlike other recent attempts to renegotiate defense contracts, it is proposed that a new agreement be settled to develop and then fund engines for the JSF by both Pratt and Whitney and the General Electric/Rolls-Royce team. As the DOD continues to perfect its acquisition and contracting procedures, we strongly urge that you include funding for the JSF alternate propulsion system within the Presidential Budget request to the Congress.

Sincerely,

Representative Steve Driehaus, (OH-01)

Representative John Boehner, (OH-08)

Representative Jean Schmidt, (OH-02)

Representative Steven LaTourette, (OH-14)

Representative Geoff Davis, (KY-04)

Representative Robert Latta, (OH-05)

Representative Marcia L. Fudge (OH-11)

Representative Steve Austria, (OH-07)

Representative Tim Ryan (OH-17)

Representative Charles Wilson (OH-06)

Representative Marcy Kaptur, (OH-09)

Representative Michael Turner, (OH-03)

Representative Mary Jo Kilroy, (OH-15)

Representative Betty Sutton, (OH-13)

Representative Brad Ellsworth, (IN-08)

Representative Zachary Space, (OH-08)

Representative Mary Fallin, (OK-05)

Representative Bobby Scott, (VA-03)

Representative Joe Wilson, (SC-02)

Representative Jim Jordan, (OH-04)

Representative André Carson, (IN-07)

Representative Steven Rothman, (NJ-09)

Representative John Boccieri, (OH-16)

Representative Steve Buyer, (IN-04)

1004362

BILL SHUSTER
9TH DISTRICT, PENNSYLVANIA

DEPUTY REPUBLICAN WHIP

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
SUBCOMMITTEES:
RANKING MEMBER
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WATER RESOURCES AND ENVIRONMENT
ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS AND EMERGENCY MANAGEMENT

Congress of the United States
House of Representatives
Washington, DC 20515–3809

COMMITTEE ON ARMED SERVICES
SUBCOMMITTEES:
SEAPOWER AND EXPEDITIONARY FORCES
TERRORISM AND UNCONVENTIONAL THREATS AND CAPABILITIES

COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE:
ENERGY AND MINERAL RESOURCES

COMMITTEE ON SMALL BUSINESS

CONGRESSIONAL RURAL CAUCUS

RURAL HEALTH CARE COALITION

CONGRESSIONAL SPORTSMEN'S CAUCUS

April 7, 2009

President Barack Obama
1600 Pennsylvania Avenue, NW
Washington, DC 20500

President Obama,

Following the testimony of General Duncan J. McNabb, USAF, Commander of the United States Transportation Command before the Senate Armed Services Committee on March 17, 2009, I urge you to carefully consider the strategic use of Azerbaijan, and specifically the airfield at Baku, as a staging point for United States distribution, cargo handling, and refueling services.

As the Co-Chairman of the Azerbaijan Caucus, my colleagues and I have spent a great deal of time building ties with Azerbaijan, and I believe Azerbaijan offers a safe, secure and strategically valuable alternative to support our movements into Afghanistan. Azerbaijan has been a coalition partner in our efforts in Iraq and Afghanistan, has supported our requests for assistance, and has been a strong partner in the war on terrorism.

From an ease of operations standpoint, Azerbaijan offers a large state-of-the-art handling facility in Baku with significant available capacity and an air route across the Caspian Sea and Turkmenistan's airspace directly into Afghanistan. Utilizing this corridor avoids Iranian airspace all together and offers a very short flight time into Afghanistan.

Currently, I understand problems have emerged shipping cargo through Dubai and throughout other hubs in the region. With an influx of cargo and personnel needed to support efforts in Afghanistan, I also understand that Azerbaijan may offer better flight times, the Baku airfield may offer greater command and control, is less congested allowing cargo to get into Theatre more quickly, offers competitive pricing, and has a domestic commercial fleet of aircraft to supplement our efforts.

I urge you to work with the Department of Defense and the State Department to fully examine the benefits operations in Azerbaijan would have as we increase our focus on Afghanistan.

Sincerely,

Bill Shuster

Bill Shuster
Member of Congress

cc: Secretary of State Hillary Clinton
Secretary of Defense Robert Gates
General Duncan McNabb, USAF, United States Transportation Command

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1003646

Congress of the United States
Washington, DC 20515

March 10, 2009

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Re: Urge Expeditious Replacement of Aged Aerial Refueling Tanker Fleet

Dear President Obama:

We write to urge that there be no further delays in moving forward with a new fleet of aerial refueling tankers. The KC-135 aircraft fleet, which performs the critical air refueling mission around the world, has been in service since the late 1950s. The old, outdated KC-135 fleet costs taxpayers an enormous amount in ongoing maintenance costs. Such older aircraft, with the attendant safety and efficiency issues, complicate the mission of the brave men and women devoted to air refueling.

MacDill Air Force Base is a mainstay of both our congressional districts. It is home to the 6th Air Mobility Wing (AMW) and a tanker fleet that provides refueling power around the world for our military. However, the men and women making this task look easy are doing so with these KC-135 aircraft which range in age from the late 1950s to the mid 1960s. While the 6th Maintenance Group is doing great work keeping 50- year-old tankers in the air, we are concerned that the age of the tankers adversely impacts the nation's security interests, is a growing safety concern for service members on refueling missions, and is costing taxpayers money due to continued and extensive maintenance.

We understand that the Department of Defense is currently weighing the options for budget offsets as it crafts the 2010 Defense budget request. However, we respectfully urge that you not delay replacement of the tanker fleet. It already has been delayed long enough. The men and women who fly these aircraft, their families and those who rely upon the refueling mission support depend upon our leadership in providing safe and modern equipment.

We look forward to working with you on this issue, and are confident that you and your staff will work to identify a workable solution for tanker procurement.

Sincerely,

C.W. Bill Young
Member of Congress

Kathy Castor
Kathy Castor
Member of Congress

cc: Col. Lawrence Martin, Commander, 6th AMW
Gen. Arthur Lichte, Commander, Air Mobility Command

Congress of the United States
Washington, DC 20515

May 14, 2009

The Honorable Robert Gates
Secretary of Defense
U.S. Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000

Dear Secretary Gates:

It has recently come to our attention that service members returning from deployment have indicated they were allocated only two liters of bottled drinking water per day, and were forced to find additional water for themselves. It is our understanding that this was not an isolated event and service members stationed across Iraq during various phases of the war have reported the problems.

The Army minimum to avoid dehydration can reach as high as 15 liters per day to prevent heat casualties in desert climates. As a result of the bottled water drinking shortages, these same service members indicate at other times they were forced to "improvise" to avoid dehydration by drinking potable and nonpotable bulk water. As you know, questions on the quality of bulk water still remain, and it is not authorized for drinking in Iraq. However, the soldiers indicate consumption of this water was necessary to avoid dehydration and are now experiencing short term and long term health effects of illnesses associated with drinking unclean water.

Many of us have visited Iraq and we are all well aware of the extreme conditions our troops stationed there face. We are dismayed to hear these accounts and believe the health and safety of our service members must be a priority and taken seriously. Therefore, we respectfully request that you investigate these water shortage claims immediately and provide the finding to our staff for review.

Sincerely,

Gene Green
Member of Congress

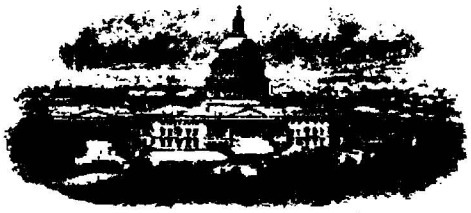
Solomon Ortiz
Member of Congress

Ralph Hall
Member of Congress

Al Green
Member of Congress

Ron Paul
Member of Congress

DON YOUNG
CONGRESSMAN FOR ALL ALASKA
WASHINGTON OFFICE
2111 RAYBURN BUILDING
TELEPHONE 202-225-5765



Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEE ON RESOURCES

COMMITTEE ON TRANSPORTATION

REPUBLICAN POLICY COMMITTEE

May 12, 2009

Honorable Robert M. Gates
Secretary of Defense
US Department of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Gates:

A recent Federal Circuit Court decision in Rothe Development Corp. v. U.S. Department of Justice held that 10 U.S.C. 2323 is unconstitutional on its face, resulting in a complete injunction of that statute, which provides certain Department of Defense contracting preferences for small disadvantaged businesses. This judicial action is clearly limited to 10 U.S.C. 2323, but some agencies appear to believe that the Rothe case may affect small business programs and activities under other Federal statutes like the Small Business Act.

Thus we are writing to urge that the Department of Defense issue immediate clarifying guidance to all of its agencies involved in contracting with the private sector. While the Office of the Under Secretary of Defense issued an interim guidance memorandum on March 10, 2009 concerning the application of the Rothe case, the memorandum failed to explicitly address the applicability to small business programs and activities that are carried out under Federal statutes other than 10 U.S.C. 2323.

In our view, the guidance should be explicit with respect to these other programs and activities. This approach was taken by the Army Corps of Engineers in a March 9, 2009 communication to contracting personnel, stating that its Rothe guidance to cease contract activities that rely exclusively on the authority of 10 U.S.C. 2323 "DOES NOT apply to small business set-asides, HUBZone small business set-asides, 8a set-asides, service disabled veteran owned small business set-asides or Alaska Native Corporations (ANC) as these categories are governed by separate statutes that were not impacted by the [Rothe] ruling." This is precisely the kind of guidance that should be sent out deparment-wide as soon as possible.

Please let us know as soon as possible if and when the Department of Defense plans on issuing clarifying guidance that expressly addresses the small business programs and activities that are not affected by the ruling. Thank you.

OSD 05662-09

VISIT OUR WEBSITE
HTTP://DONYOUNG.HOUSE.GOV

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ANCHORAGE, AK 99501
907-271-5978

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612 W. WILLOUGHBY AVENUE, SUITE B
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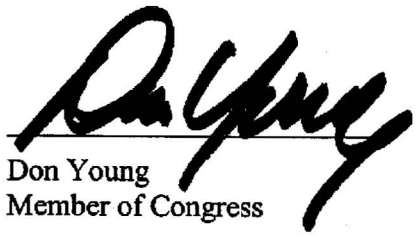
JUNEAU, ALASKA 99802
907-586-7400

CALL TOLL-FREE
1-866-990-5979

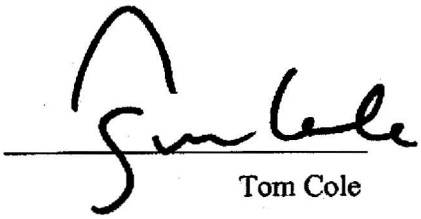
Sincerely,



Don Young
Member of Congress

Neil Abercrombie
Member of Congress

Dale Kildee
Member of Congress



Tom Cole
Member of Congress

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Parker Griffith, M.D.
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The Bevill Center
1011 George Wallace Boulevard
Tuscumbia, Alabama 35674
256-381-3450

http://griffith.house.gov

May 15, 2009

Dr. Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Gates:

We have serious objections to the stop work order issued May 11, 2009 for the Kinetic Energy Interceptors (KEI) program. This decision is without justification.

Overall, we are concerned with the handling of the May 7, 2009 Kinetic Energy Interceptor termination announcement. KEI was noticeably absent in an April press conference that outlined Department of Defense program cancellations and restructures. However, it was rolled out as a cancellation during the May 7, 2009 FY10 President's Budget briefing and quickly followed by a Missile Defense Agency stop work on May 11, 2009, with the goal of de-staffing the program by the end of June. This surprise announcement and immediate stop work notice has precluded any meaningful discussion between the Congress and the Department on the merits of the cancellation and the resulting impacts to the nation.

In partnership with the Department of Defense, Congress has supported the requested budgets for the KEI program. In past years, Congress went beyond what was requested, and provided the Department with additional dollars to accelerate this critical boost phase capability. In total, the Department has expended more than one billion dollars toward this effort to date, in providing the nation with a technically viable solution for boost and ascent engagement of a ballistic missile targeting our nation, deployed forces, and allies. Six years of development and testing, with most of the more than one billion of funding spent to date, was to culminate in the first booster flight in the fall of 2009 – less than five months from now. With the issuance of the stop work, the Department is walking away from this investment without the benefit of knowing what this technology has to offer.

The FY09 appropriated budget and accompanying language for the KEI program not only fully supported the requests but went further to encourage the Department to accelerate the development of this capability for the war fighter. The FY09 appropriations specifically funded continued KEI development, static tests, and the first booster flight in 2009.

We strongly urge you to rescind the KEI stop work order and to continue toward culmination of the 2009 booster flight. We look forward to working with the Department in the FY10 budget cycle to best determine the way ahead for this vital boost and early engagement capability resident in the KEI program.

Thank you for your attention to this critical matter and we look forward to your prompt response and a positive resolution.

Sincerely,

Congressman Parker Griffith

Congressman Rob Bishop

Congressman Ed Pastor

Congressman Lincoln Davis

Congressman Trent Franks

Congressman Jerry Lewis

THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

JUN 22 2009

The Honorable John P. Murtha
Chairman, Subcommittee on Defense
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your letter of May 20, 2009, regarding cancellation of the Presidential Helicopter Replacement Program (VH-71). We appreciate your concerns regarding the decision to cancel the VH-71 program. On January 28, 2009, the Secretary of the Navy notified Congress that the cost growth in the VH-71 Presidential Helicopter program had breached the critical Nunn-McCurdy threshold. As a result of this, as well as the subsequent review of the program in building the President's FY 2010 budget submission, the decision was made to cancel the VH-71 program.

The VH-71 Increment 1 aircraft lacks the inherent capability necessary to meet the full operational requirements of Presidential Helicopter Replacement Program, and does not offer a cost effective long-term solution to meet the requirements of the Presidential helicopter mission.

The President's FY 2010 Budget requests funding to extend the service lives of the VH-3D and VH-60N. In total, the service life extension is currently estimated to cost about $500M over the life of the program. The cost of terminating the VH-71 prime contract is being developed by the VH-71 prime contractor and will be negotiated with the contracting officer over the coming year. This total is significantly less than the amount that would have been needed to complete development of Increment 1, procure additional Increment 1 aircraft and logistics support, and develop configuration improvements required for long term operation. Accordingly, the contracting officer has prudently implemented the cancellation decision by issuing a notice of termination.

Because there remains the need to replace the current fleet of Presidential helicopters, the Navy is preparing a plan to develop options for a Presidential helicopter replacement program. Part of that plan will include evaluation of technologies developed under the VH-71 program to identify potential benefit to other programs. If I can be of further assistance, please let me know.

Sincerely,

cc:
The Honorable C. W. Bill Young
Ranking Member

OSD 05679-09

to begin in fiscal year 2011 will only disguise the immediate need, and significantly delay development. The options for potential competitors will remain much the same in 2011.

Additionally, the Administration, in its fiscal year 2010 budget request only asked for $85 million in program termination costs. The Navy, by its own admission has stated that it expects cancellation costs to approach $555 million, and would require an additional $4.4 billion to extend the life of the current aging fleet. Given these estimates, it would appear that poor business decisions are being made regarding this replacement program and that determinations are being made based on public perception.

In light of these concerns, we urge you to reconsider your decision, and commit to a Presidential helicopter fleet consisting of the currently developed Increment I aircraft.

Thank you for your attention to this matter, and for your continued dedicated work for our nation's defense.

Sincerely,

John P. Murtha
Chairman
Defense Subcommittee

1005743

Congress of the United States
Washington, DC 20515

April 30, 2009

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20502

Dear Mr. President:

As your Administration considers its detailed Fiscal Year 2010 budget priorities, we write to express our strong support for fully funding the Delaware River Mainstem Channel Deepening Project in the U.S. Army Corps of Engineers' budget.

Authorized by Congress in 1992, this project will deepen the Delaware River's main shipping channel from 40 feet to 45 feet. Deepening the main channel will make transportation more efficient and reduce costs, thus creating additional business opportunities and growing employment at the port communities along the Delaware River.

This project is both economically justified and environmentally sound. Following recommendations made by the U.S. Government Accountability Office in 2002, the Army Corps conducted a comprehensive economic reanalysis of the project which indicated that it would yield a net benefit of $1.15 for every dollar spent. An economic update in 2008 indicated a net benefit of $1.25 for every dollar spent.

Following execution of a Project Partnership Agreement in June 2008, the Army Corps performed an additional environmental assessment of existing and new information generated since the project's 1997 Supplemental Environmental Impact Statement. This environmental assessment, published in April 2009, concluded that changes to the project or project conditions since the 1997 SEIS will not have a significant adverse effect on the environment.

Accordingly, we strongly support this project and respectfully request that you prioritize it in the Fiscal Year 2010 budget for the Army Corps of Engineers. Thank you for your attention to this matter.

Sincerely,

Arlen Specter

Robert P. Casey, Jr.

Robert A. Brady

Chaka Fattah

Allyson Y. Schwartz

Patrick J. Murphy

Joe Sestak

Congress of the United States
Washington, DC 20515

May 20, 2009

The Honorable Robert Gates
The Office of Secretary of Defense
1155 Defense Pentagon Way
Room 3D921
Washington, DC 20301

We are writing to convey our support for the Army plan to assign an additional Brigade Combat Team (BCT) to the 3rd Infantry Division at Fort Stewart and Hunter Army Air Field, Georgia. We share your expressed concern for the great hardship endured by the soldiers and their families and agree with your guiding principle to prevent the under-manning of units for combat while changing the policy on stop-loss. We believe the plan to bring the 5th BCT to Fort Stewart is in concert with the guiding principle of your statement on April 6th and will continue the progress made in revitalizing our armed forces.

Unquestionably, Fort Stewart is, for numerous strategic reasons, an ideal location for the Army to grow. But just as important it is imperative that the Army and the Department of Defense not lose sight of the issue of reliance—that state and local governments and the civic and business leaders relied on the request of the Army and the Department to be ready to accommodate these soldiers and their families. Accordingly, they have already invested about $450 million dollars in anticipation of the arrival of the BCT.

While we recognize the extensive military analysis and fiscal constraints required in determining the location of a BCT, we firmly believe that it is in the best interest of the Department of Defense to take into full account the investment at Fort Stewart and Hunter Army Air Field made by local communities long ago. The communities made these decisions by taking to heart the clear assurance from Department leaders that the BCT was coming. They responded to the Department's requests to provide the essential private sector support in advance of the arrival of the Brigade. In deciding this issue, we believe the Army and the Department must consider the extensive, good faith reliance of its partner community. The Department must live up to its commitments. It must not break its word.

The City of Hinesville, the surrounding communities, and the State of Georgia have demonstrated unwavering support for soldiers and families over many years. The area now is clearly recognized as one of the most Army-friendly installation in the U.S. Community

leaders have faithfully and diligently worked with the Department and the private sector to ensure that the facilities and infrastructure is ready to receive the additional brigade. To date the community's investment of about $450 million in preparation for the expected growth to include $72 million in public school projects and other public sector infrastructure investment. The State of Georgia has again expanded its acclaimed HOPE Scholarship program to further extend the access to military families for full tuition, room and board to any Georgia public college or university for students who graduate from high school with a B average.

We believe adding the 46th BCT in the Army to Fort Stewart would enhance the immediate operational effectiveness of the 3rd Infantry Division at the Fort Stewart and Hunter Army Air Field. When taking into consideration the emerging Center of Maneuver Excellence at Fort Benning and the growing presence of the BCTs at Fort Stewart, the Army has an exceptional home base in the state of Georgia to meet all mission challenges for our nation's defense. Resources are already either in place or pending final construction to swiftly accommodate the arrival of the new Brigade and their families. No other U.S installation can so effectively and quickly meet these needs. Commanders would have an Army unit with maximum adaptability and capability to meet combat requirements. Soldiers would be able to focus on their training, knowing that their families are settling into an installation and community that continues to welcome and accommodate them.

Fort Stewart's strategic location in southeast Georgia makes it easily accessible by road, rail and sea. Hunter Army Air Field provides a strategic Airborne Point of Entry for unit deployment. Movement to ports takes place in hours vice days and weeks. At 280,000 acres, Fort Stewart is the largest military installation east of the Mississippi River. The Army has invested some $670 million at Fort Stewart and Hunter Army Air Field in the past three years making it one of the most modern and efficient installations in the nation with additional construction pending for increased capacity. Training is efficient and cost effective due to the installation's digital multipurpose range training complex and other facilities located within minutes of the cantonment areas. Fort Stewart and Hunter Army Air Field also has no significant environmental impact or encroachment issues. Just this month Fort Stewart and Hunter Army Air Field won its fourth Army Community of Excellence installation award.

Accordingly, it is our request that the Department continue as originally planned to expand growth at Fort Stewart through the assignment of the additional BCT without adversely affecting the alignment of the current forces stationed at Fort Stewart and Fort Benning. We urge you to meet with Fort Stewart community leaders in the near future and permit them the opportunity to directly share their views and additional information on this issue.

Thank you for your distinguished service to our nation and thank you for your consideration of this letter.

Sincerely,

John Barrow

Jack Kingston

Sanford Bishop

Paul Broun

Hank Johnson

Nathan Deal

John Lewis

Phil Gingrey

Jim Marshall

John Linder

David Scott

Tom Price

Lynn Westmoreland

CHARLES B. RANGEL
15TH CONGRESSIONAL DISTRICT
NEW YORK

COMMITTEE:
WAYS AND MEANS
JOINT COMMITTEE
ON TAXATION
CHAIRMAN

GEORGE A. DALLEY
CHIEF OF STAFF

JAMES E. CAPEL
DISTRICT DIRECTOR

Congress of the United States
House of Representatives

May 14, 2009

Honorable Robert M. Gates
Secretary of Defense
1400 Defense Pentagon
Washington DC 20301-1400

Dear Secretary Gates:

I commend your decision to investigate the recent fatal shooting of five service members at Camp Liberty in Iraq in order to identify shortcomings in mental health care for troops deployed in war zones.

This incident highlights not only the inherent danger to our deployed troops, even on their own bases, but the potential psychological consequences of combat stress and repeated deployments. The incident at Camp Liberty, as well as the growing incidences of suicide in the ranks, make it clear that more must be done to address the mental and psychological well-being of our men and women in uniform. The number of cases of suicide in the military has increased dramatically since the Vietnam War, reaching an all-time high of 128 cases in 2008.

I am horrified at the thought that the terrible slaughter in Iraq could easily have occurred in hometown, U.S.A. I agree with the calls for expansion of psychological testing during deployments in war zones. But I believe it is equally important to provide for intensive mandatory psychological evaluations of members of the armed forces immediately prior to separation as a precautionary step in the transition to civilian life.

As a veteran of the Korean War, I have experienced the difficulty of transitioning to the real world after a stint in combat. The situation is worse today. That is why I have introduced legislation (H.R. 1963) which would require all those separating from active duty to receive counseling in how to repackage their military skills, where and how to find employment, along with physical and psychological testing. The growing incidences of post-separation domestic violence, PTSD and suicide, demands that we do more for those who have contributed so much to our country.

I strongly urge you to expand your Camp Liberty investigation in order to determine the need for this universal mandatory approach. It seems clear to me that dealing with the difficulties of earning a living in a shrinking economy is increasingly fraught with uncertainty and stress, such as we've never seen before.

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WASHINGTON, DC 20515-3215
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FAX: (202) 225-0816

PLEASE RESPOND TO OFFICE CHECKED

DISTRICT OFFICE
163 WEST 125TH STREET
NEW YORK, NY 10027
TELEPHONE: (212) 663-3900
FAX: (212) 663-4277

Mr. Secretary, with full appreciation for your commitment to the welfare of our troops, I am prepared to work with you, Chairman Ike Skelton, and Chairman John Murtha to find ways to address these issues.

Thank you for your consideration, and I look forward to working with you.

Sincerely,

CHARLES B. RANGEL
Chairman, Committee on Ways & Means

CBR/krj
Enclosure:
cc: Hon. Ike Skelton, Chairman, Armed Service Committee
Hon. John Murtha, Chairman, Appropriations Subcommittee on Defense

Great dinner meeting. Call me if I can be of any help

HOUSE COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515–6035

ONE HUNDRED ELEVENTH CONGRESS

May 21, 2009

Hon. Robert M. Gates
Secretary of Defense
Washington, D.C. 20301

Dear Mr. Secretary:

We are writing to express our concern about the Department of Defense Health Information Technology (Health IT) systems. The committee has long expressed concern about how the department has managed its Health IT systems, and recent events have only deepened those fears.

A joint hearing on the Department of Defense Health IT systems was held on March 24, 2009, by the subcommittee on Military Personnel, with oversight responsibility for the Military Health System, and the subcommittee on Terrorism and Unconventional Threats and Capabilities, with oversight responsibility for Department of Defense Information Technology programs. At that hearing, we heard from the military services about the difficulties they have encountered with Health IT systems, specifically problems with the system known as AHLTA. We were encouraged that the Assistant Secretary of Defense for Health Affairs and his staff agreed that there are serious problems with the Health IT systems. We were further encouraged when they presented what appeared to be an ambitious and comprehensive plan to overhaul the system that would address all of the issues raised by the services and would provide the best Health IT system possible for the department's beneficiaries.

At that hearing, we were assured that the Department was committed to moving forward with their proposed solution, but that cost details could not be discussed because both the Fiscal Year 2009 supplemental request and the Fiscal Year 2010 budget request were still in preparation.

During our review of the Fiscal Year 2010 budget justification materials, we were surprised to find no mention of the plan referenced by Health Affairs during the March hearing. Further, a review of the Fiscal Year 2009 supplemental request did not turn up any mention of the proposed solution. Most recently, in testimony during the May 15, 2009, hearing on the

Defense Health Program budget, the Acting Principle Deputy Assistant Secretary of Defense for Health Affairs and the Chief Information Officer failed to provide any additional insight into the cost of the proposed solution.

We find this troubling. It calls into question the ability of the department to deliver on the commitments made by Health Affairs during the March hearing, as well as the promise of a Joint Virtual Lifetime Electronic Record recently announced by you and Secretary Shinseki, at least for health information. We therefore respectfully request that you look into the situation and report back to the committee with the actual status and content of any plan or strategy to improve the Department of Defense Health IT systems, as well as projected costs and a budget submission schedule. We look forward to discussing your findings.

Very truly yours,

Susan Davis
Chairwoman
Subcommittee on Military Personnel

Joe Wilson
Ranking Member

Adam Smith
Chairman
Subcommittee on Terrorism
Unconventional Threats and Capabilities

Jeff Miller
Ranking Member

SD/AS/JW/JM:dk

CLERK AND STAFF DIRECTOR
BEVERLY PHETO

TELEPHONE:
(202) 225-2771

Congress of the United States

House of Representatives
Committee on Appropriations
Washington, DC 20515-6015

June 9, 2009

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

Dear Secretary Gates:

On March 23rd, I wrote to you asking you to review your Department's policy on outsourcing and suggesting that you halt A-76 studies pending the Office of Management and Budget's (OMB's) review of the A-76 program pending the Office of Management and Budget's review of the A-76 program. I requested a prompt reply.

I was disappointed with the response that I received on April 28th, from your former Undersecretary for Acquisition, Technology and Logistics which largely restated the facts contained in my letter to you. The response also stated that the "Department is reviewing the current (A-76) program". This response appears to misstate what is indeed occurring within the Defense Department and does not address my concerns.

Originally, the OMB Circular A-76 process was to be used as a tool to determine the most efficient source for performing "commercial" work – either in the public or private sector. The use of the OMB Circular A-76 process was extensively criticized by the Government Accountability Office (GAO) in two 2008 reports. According to GAO, the OMB guidance for the A-76 process was flawed. As a result, there may have been inadequate tracking of costs and savings but moreover, there are serious concerns that agencies, particularly DoD, had started privatization studies in response to arbitrary targets. Moreover, the DoD Inspector General has found that an OMB error in the A-76 calculation of

"overhead" could wrongly and unfairly result in the outsourcing of workload. However, DoD has recently used OMB A-76 to push more and more work into the private sector. Indeed, in fiscal year 2008, DoD more than doubled spending for contractor provided services compared to the amount it spent a decade ago but your Department has been unable to answer basic questions such as how many contractors and subcontractors there are and their average salaries.

To halt the continued conversion of functions to contractor performance until the Administration could conduct a thorough review of its a-76 policy, the Fiscal Year 2009 Omnibus Appropriations Act includes a government-wide moratorium on beginning or announcing any A-76 studies. In addition, the President has announced a broader review of "...when governmental outsourcing for services is and is not appropriate..." Yet, the Defense Department is continuing to move forward with numerous public-private competition studies that were in progress before the moratorium took effect, and without further validation of estimated savings, to include converting government functions to contractors.

Therefore I once again, strongly this time, recommend that you immediately suspend all ongoing activities related to OMB Circular A-76 studies, including the conversion of functions performed by federal employees to contractor performance and I recommend that you do so for the remainder of Fiscal Year 2009.

I once again request a prompt response from you to this letter.

Respectfully,

John P. Murtha
Chairman
Defense Subcommittee

Unlike some of my Republican colleagues, I have the utmost confidence in the men and women of our armed forces to securely detain these prisoners anywhere in the nation. But I am sure you agree that Level II or Level III facilities such as Fort Leavenworth, Kansas, WPNSTA, Charleston, SC, or Fort Knox, KY are better equipped to house these prisoners. Ideally, the Guantanamo detainees will be held in appropriate locations overseas. But if that is not possible, they should be held in Level II or Level III secure facilities with excess capacity and a history of performing this kind of mission. MCB Quantico does not fit those criteria.

Sincerely,

Gerald E. Connolly
Member of Congress
11th District, Virginia

GC/HA
cc: Secretary Robert Gates
Attorney General Eric Holder, Jr.

1006533

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APPROPRIATIONS

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Congress of the United States
House of Representatives

STEVE ISRAEL
Second District, New York

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May 11, 2009

President Barack Obama
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Mr. President,

I am writing to ask that you consider immediately issuing an Executive Order barring investigations under Don't Ask Don't Tell (DADT) given the growing support in Congress for an outright repeal of this prejudicial law.

As you know, since DADT was implemented in 1994 more than 12,500 men and women have been discharged from military service. According to 2005 information from the Government Accountability Office, roughly 800 of those discharged were 'mission-critical' specialists, which would include intelligence analysts and linguists. Just last week, U.S. Army Lt. Dan Choi, a West Point graduate who served in the New York National Guard and is fluent in Arabic, was dismissed under DADT.

DADT is a discriminatory policy that has deprived our military of badly needed skills, talent, and experience. While our overextended military bravely fights battles on numerous fronts, we cannot afford to endure a prejudicial law that results in the dismissal of some of our best and brightest and leaves certain units shorthanded. We are critically short personnel in some of these areas.

It's also worth noting that DADT is fiscally irresponsible -- a Blue Ribbon Commission Report noted that the cost to replace and train those service members discharged between 1994 through 2003 was nearly $363 million. Twenty-six other countries, including Great Britain and Israel, have lifted their bans. It's time for the United States to do the same.

A bill to overturn DADT has been introduced in congress, and currently has 140 bipartisan cosponsors. It would replace Don't Ask Don't Tell with a policy of nondiscrimination. Because this is a sign that Congress will eventually act to overturn DADT, and because of our critical and immediate military needs, this issue should not

need to wait for an Act of Congress. Please consider issuing an Executive Order for the sake of our nation, for our military, and for those that seek to fight for our country.

Thank you for your consideration of this request.

Sincerely,

Steve Israel

Steve Israel

Congress of the United States
Washington, DC 20515

June 23, 2009

The Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Gates,

We write to respectfully request your attention to and engagement on a long-standing issue that relates to the unequal treatment of the U.S. territories due to a regulatory exclusion of Invitational Travel Orders (ITOs) to the territories by the services. The source of this discriminatory policy is Department of Defense Directive number 4515.12 section 5.2.3 which stipulates that "The Secretaries of the Military Departments are delegated the authority unilaterally to extend invitations for sponsored non-reimbursable non-multi-departmental travel within the 50 United States to members (other than newly elected) and employees of the Congress...". Despite the strategic importance and contribution to National Security and a significant military presence in the U.S. territories, the aforementioned directive excludes ITOs to the territories.

In the past, the Office of the Secretary of Defense has favorably resolved restrictions on non-committee Congressional staff traveling to the territories by issuing special exemptions that allowed for ITOs to the territories. The following Congressional Staff Delegations occurred as a result of this type of special exemption: U.S. Marine Corps House Liaison-organized STAFFDEL to Guam, Saipan, and Tinian in February 2002, Navy OLA-organized STAFFDEL to Guam and Hawaii in April 2003, U.S. Pacific Command-organized STAFFDEL to Guam and Hawaii in August 2006, and most recently a Navy OLA-organized STAFFDEL to Guam in April 2007.

These staff delegations provided a venue for non-committee Congressional staff to learn about our nation's military operations in the territories in a comprehensive and astute manner that would be impossible to replicate from a distance. However, several services have since requested STAFFDELs to the territories and were subsequently denied. We are concerned that current regulations are impeding the Services ability to execute and complete their missions in the territories by hindering their ability to fully inform non-committee Congressional staff.

We have attempted to work to resolve this issue with your predecessor; however, we were unable to get any traction and the discriminatory regulation remains. We hope that with your engagement and assistance, the regulatory exclusion of non-committee staff ITOs to the territories will be permanently lifted. Such a resolution would be non-discriminatory and would contribute to the Services ability to complete their missions in the territories.

We look forward to working with you and appreciate your attention to this issue.

Sincerely,

MADELEINE Z. BORDALLO
Member of Congress

SOLOMON P. ORTIZ
Member of Congress

NEIL ABERCROMBIE
Member of Congress

Congress of the United States
Washington, DC 20515

June 26, 2009

The Honorable Robert Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Secretary Gates:

Our ground forces in Iraq and Afghanistan have benefited from the development and fielding of flame resistant combat uniforms that are made of durable material that breathes well yet protects their skin from fire. In 2007, after a full competition, the Army's PEO-Soldier and USMC's PM-CIE chose a material named "Defender M" for the new uniforms. We applaud the military's efforts to challenge the US textile industry to upgrade the burn protection for soldiers to meet the threat of today's risks and environmental burdens in theater.

All of the manufacturing for the yarns, fabrics, and uniforms is done in the U.S. with over 10,000 jobs associated with making these valuable uniforms. This is a thriving U.S. manufacturing capability because of the ability to import the basic fibers not found or made here. The material's flame resistant and breathable properties offer superior protection and comfort, and they derive from imported flame resistant rayon (FR Rayon) fibers made in the EU with raw materials not found in the United States. Also, domestic rayon manufacturing is defunct, in part due to EPA regulations. Our troops, then, are benefiting from fibers that are, by necessity, imported.

Our ground forces have access to their protective uniform because of a Berry Amendment waiver allowing importation of these fibers for manufacturing into yarn, fabric and uniforms. The current five-year waiver was negotiated between the Congress and the last Administration and was included in the FY08 National Defense Authorization Act. We believe that this should be a permanent waiver, as a beneficial and life-saving material manufactured by a U.S. ally should be exempt from restrictions.

If in the future, a domestic substitute fiber that meets requirements is found, obtains permits for manufacturing, achieves sufficient capitalization for production, and is manufactured here, the companies making the material and the uniforms will quickly be able to migrate to the new fiber. Such a possibility is not foreseen in the reasonable future.

We seek your comments on the uniforms and their utility and on the merits of the waiver as we begin to deliberate a more enduring solution.

Sincerely,

Lynn A. Westmoreland
Member of Congress

Jo Bonner
Member of Congress

Sanford Bishop
Member of Congress

Paul Broun
Member of Congress

Nathan Deal
Member of Congress

David Scott
Member of Congress

Congress of the United States
Washington, DC 20515

July 10, 2009

Honorable Robert M. Gates
Secretary of Defense
U.S. Department of Defense
1400 Defense Pentagon
Washington, D.C. 20301

Dear Mr. Secretary:

We are requesting a briefing on the draft Request for Proposal (RFP) for the KC-X acquisition, prior to its release to industry.

As members of the United States House of Representatives, we are most interested in understanding the intended evaluation and criteria from the previous source selection and the rationale for those changes. In addition, we want to understand the steps the Department has taken to address the areas of concern indentified by the June 18, 2008, General Accountability Office KC-X ruling.

As you may recall, during your testimony before the U.S. Senate Appropriations Subcommittee on Defense on June 8, 2009, you stated that you would "share the draft RFP here in Congress as being a transparent process."

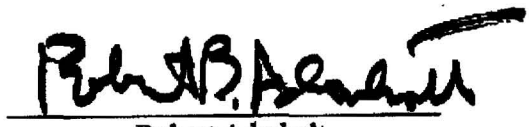
Mr. Secretary, we appreciate your stated commitment to move forward quickly in an open and transparent manner with this acquisition effort and look forward to your response to this request. To schedule this briefing, please contact Jon Hand with Congressman Jo Bonner at (202) 225-4931.

Sincerely,

Jo Bonner
United States Representative
First District – Alabama

Bobby Bright
United States Representative
Second District - Alabama

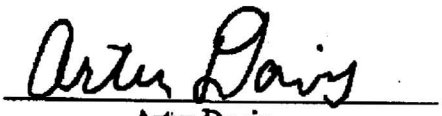
Mike Rogers
United States Representative
Third District – Alabama



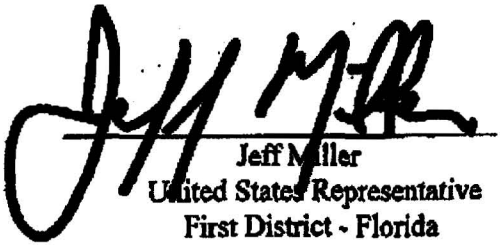
Robert Aderholt
United States Representative
Fourth District – Alabama

Parker Griffith
United States Representative
Fifth District – Alabama

Spencer Bachus
United States Representative
Sixth District - Alabama



Artur Davis
United States Representative
Seventh District – Alabama



Jeff Miller
United States Representative
First District - Florida

Congressional Black Caucus

OF THE 111TH UNITED STATES CONGRESS

2444 RAYBURN HOB • WASHINGTON, D.C. 20515 •
TEL (202) 226.9776 • FAX (202) 225-9817
www.thecongressionalblackcaucus.com

Change Course, Confront Crises, Continue the Legacy

June 29, 2009

The Honorable Robert Gates
Secretary of Defense
U.S. Department of Defense
The Pentagon
Washington, D.C. 20301

Dear Mr. Secretary:

As members of Congress, we are writing to express our concerns over the delay of the mandated Military Leadership Diversity Commission as well as the larger issue of diversity in the armed services' upper leadership.

This Commission is the fruit of numerous meetings between senior members of the armed services, the Pentagon and the Congressional Black Caucus dating back to 2007 and it remains a priority. And as you know, the 2008 National Defense Authorization Act created the Commission with the intent of having it begin its work no later than 120 days from the bill's passage. Understandably, with the change in Administration there has been some delay and only recently have certain appointments been made; however the comprehensive evaluation and assessment of the promotion, recruitment and retention policies that the Commission will undertake are of the utmost importance. As members of Congress we remain very interested in this Commission's work we ask to be kept abreast of the Commission's status as well as its findings.

In many ways the strength of our nation is in its diversity, and similarly we view diversity as an issue of national security. Diversity of experience, talents, backgrounds and capabilities provides our nation and our armed services with the widened aperture we need to deal with the many problems facing us in the future, and the Commission's work will give Congress a better idea of how to address the continuing issues hampering our senior military service members.

We do not need to tell you of the acute underrepresentation of minority officers at the General and Flag level and given that it takes more than 25 years to grow a General or Flag Officer, change will be a slow process. We remain very interested to hear what the Office of the Secretary of Defense is doing with regards to the recruitment and the retention of minority officers as our armed services of the future should look more like the America it represents among all of its ranks.

The U.S. military has long been at the forefront of maximizing diversity in our nation, but we must continue to build on past successes. We know that the effort to build upon that diversity is a goal that we share, and we look forward to continued partnership on these issues.

Sincerely,

Hon. Kendrick B. Meek
Member of Congress

Hon. Barbara Lee
Chairwoman
Congressional Black Caucus

Hon. James E. Clyburn
House Majority Whip

Hon. Bennie G. Thompson
Chairman
Committee on Homeland Security

HENRY A. WAXMAN, CALIFORNIA
CHAIRMAN

TOM DAVIS, VIRGINIA
RANKING MINORITY MEMBER

ONE HUNDRED TENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515–6143

Majority (202) 225–5051
Minority (202) 225–5074

November 19, 2008

The Honorable Robert Gates
Secretary of Defense
United States Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Gates:

We write to express concern about current implementation plans for the Defense Integrated Military Human Resources System (DIMHRS). We are very concerned this program has not taken into consideration all of the Army's requirements and specifically, the unique needs of the men and women of the National Guard.

Over the last few years, the Committee on Oversight and Government Reform has investigated and uncovered long standing problems resulting from numerous military service unique personnel and pay systems, including accurately paying military personnel on time and monitoring and tracking them to, from, and within their duty stations. In 2004, we held hearings focusing on Army Reserve and National Guard troops receiving inaccurate pay due to a lack of integration in Army personnel and pay systems, and exacerbated by the thousands of reservists deployed to Iraq and Afghanistan.

In 2005 and 2006, the Committee held hearings on the financial hardships created for injured Army National Guard and Reserve soldiers due to disjointed pay and personnel offices. More recently, during our 2007-2008 hearings on issues facing wounded soldiers, Defense Department officials testified that some of the administration challenges facing wounded soldiers would be addressed under DIMHRS. During all of these hearings, we were promised that most of the administrative problems would be solved when DIMHRS was adopted.

As you know, our wait for solutions promised with the deployment of DIMHRS continues. DOD has planned five DIMHRS deployment dates for the Army alone; from the first in April 2006, to the most recent in March 2009. In 2005, the Government Accountability Office (GAO) reported to our Committee that DOD was not managing the DIMHRS program effectively, including defining requirements needed by each military service.

This month, GAO reported that requirements difficulties remain, particularly with the communications between DOD and the Army. A September 12, 2008 memo from the Department of the Army, Enterprise Information Systems Program Executive Officer to Major General Darryl Scott at the Department of Defense Business Transformation Agency (BTA) lists "critical mission show stoppers" for the Army's deployment of DIMHRS and expresses concern about what will be done by BTA to "ensure a fully mission capable DIMHRS product."

On October 3, 2008, Lieutenant General Clyde A. Vaughn, Director of the Army National Guard issued a memo stating that the current development of DIMHRS "does not meet the Army National Guard's critical needs," and disappointment at a "significant lack of proven functionality to pay and account for soldiers."

Furthermore, the Adjutants General of the United States have also expressed serious concerns about major deficiencies that remain between the Army requirements and those requirements of the Army National Guard.

Unlike active duty personnel, a National Guard member can be carried in several pay categories with varying entitlements during one pay period. There also appears to be a lack of positive funds control inside and outside of the current DIMHRS configuration to account for these pay and allowances. The State Adjutants General also are worried about the transition of legacy system data into the new system that if not corrected before implementation in March 2009, would produce disastrous payment errors. The State Adjutants General also cite lack of accessibility, security, and training and support, as major issues that might prevent Army Guard soldiers from getting paid timely and accurately.

As our Committee hearings since 2003 have focused on the many problems that arise with paying Army Guard and Reserve soldiers under the old stove-piped, disjointed and paper intensive system, we are incredulous that DIMHRS does not address or solve these issues for the men and women of the National Guard.

We ask that you look into these unaddressed requirements immediately and look forward to working with you to see that these issues are addressed. The Government Accountability Office tells us that DOD estimates the cost of DIMHRS from FY98 through fiscal year FY 2009 to be approximately one billion dollars. It is imperative we get a system that addresses the needs of all our military members; not just a few.

Sincerely,

Rep. Tom Davis

Rep. Dennis Kucinich

Rep. Christopher Shays

Rep. Darrell Issa

Rep. Todd Platts

Congress of the United States

Washington, DC 20510

January 30, 2009

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

Dear Secretary Gates:

We write regarding the OMB Circular A-76 review of installation management functions under the Defense Logistics Agency Enterprise Support organization (DES). It is our understanding that the Department of Defense's Competitive Sourcing Official is disinclined to approve a request by the Defense Logistics Agency (DLA) to undertake an internal re-engineering effort as an alternative means of ensuring workplace efficiency and cost savings.

Upon reviewing the recent concerns raised by the General Accountability Office regarding the level of savings achieved under OMB Circular A-76, and the information provided to our offices regarding DLA's alternate approach, it appears the latter offers a viable alternative that would result in savings more quickly.

Given our mutual interest in ensuring the DES mission is accomplished in an efficient and cost-effective manner, we respectfully request the Department to give all due consideration to the internal re-engineering effort developed by DLA.

We look forward to your response.

Sincerely,

George V. Voinovich
Jim Webb
Sherrod Brown
Bob Casey, Jr.
Jon Tester
Mark R. Warner
Daniel K. Akaka
Susan M. Collins

OSD 01166-09

United States Senate

WASHINGTON, DC 20510

February 2, 2009

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

Admiral Mike Mullen
Chairman of the Joint Chiefs of Staff
9999 The Pentagon
Washington, DC 20318-9999

Dear Secretary Gates and Admiral Mullen:

We appreciate the directed focus you have brought to the National Guard and Reserves through recent directives, personnel decisions, and other actions. In our September 26, 2008 letter, we asked you to look at the issue of transparency and accountability in the purchase and distribution of equipment for the National Guard and Reserves. We would appreciate an update on the Department's efforts to resolve these challenges, which have prevented equipment slated for the reserve components from actually entering Guard and Reserves inventories.

We have received a number of interim responses, including letters that referred our inquiry to the Under Secretary of Defense (Comptroller) and, later, to the Under Secretary for Acquisition, Technology and Logistics. We look forward to a more detailed response on how the Department actually plans to account for the appropriated dollars provided for National Guard and Reserve equipment.

Given its constitutional authority and paramount responsibility to the American people, Congress has a deep interest in full financial transparency. Establishing a budget and execution plan that provides transparency and accountability of Guard and Reserve equipment funding is also a key recommendation of the Commission on the National Guard and Reserves. We understand that that the Department of Defense acknowledges the need for corrective action.

We would appreciate an update on the Department's plans to ensure greater accountability for National Guard and Reserve equipment. In particular, please advise on the status of evaluating the viability of such proposals as delineating Guard and Reserve funding requests within the Services' annual procurement requests or Congress creating a separate appropriation for National Guard and Reserve equipment requirements.

Thank you again for recognizing the importance of this issue and working with the Congress toward a sensible resolution.

Sincerely,

Patrick Leahy

PATRICK LEAHY
Co-Chair
U.S. Senate National Guard Caucus

Kit Bond

CHRISTOPHER S. BOND
Co-Chair
U.S. Senate National Guard Caucus

United States Senate
COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

February 2, 2009

The Honorable Robert Gates
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000

Dear Secretary Gates:

Thank you for your letter of January 27, regarding the Department's use of retired military officers as "surrogates" to make the former Administration's case in the media. As you indicate in your letter, the Inspector General found no improper or illegal activities on the part of the Department's Public Affairs personnel and concluded that information briefings provided to retired military officers did not violate legal prohibitions against the use of appropriated funds for publicity or propaganda purposes.

However, the Inspector General also found that the Department excluded a retired General from further participation in the program because of his comments critical of the conduct of the Iraq war. The report also confirms that a senior DOD Public Affairs official sent an e-mail urging the Department to cultivate a core group of "reliably friendly" retired military analysts "that we can count on to carry our water." I do not think it should be acceptable for DOD officials to cut off outside commentators who express critical opinions, or to use access to information to reward political allies in the press. If this conduct is not illegal or improper under existing law or regulations, I believe that those laws and regulations need to be changed. I would appreciate if you would review the applicable laws and regulations and get back to me with your views.

Also, while the report finds insufficient evidence to determine that any contractor received a competitive advantage as a result of its ties to retired military analysts, the report fails to assess whether the retired military analysts themselves obtained financial benefits from contractors as a result of their favorable access to DOD information and officials. The report also concludes that it was appropriate for the Department to employ a contractor to ensure that the commentary of retired

military analysts "reflected accurate information." However, the purpose of the contract, as detailed in the report, was not to determine whether the commentary was "accurate", but rather whether it was favorable – i.e., to determine "how coverage reflects or fails to reflect DoD stated policies or views (as expressed by its spokespeople and other representatives)." The report fails to assess whether it was appropriate to hire an outside contractor to determine which analysts were most supportive of Administration views.

I would appreciate if you would task the Inspector General to conduct an additional review and analysis to address these issues.

Thank you for your attention to this important matter.

Sincerely,

Carl Levin
Chairman

United States Senate

WASHINGTON, DC 20510

March 11, 2009

The Honorable William J. Lynn
Deputy Secretary
The Department of Defense
1100 Defense Pentagon
Washington, DC 20301-1100

by whom?

Dear Deputy Secretary Lynn:

Recently, we were informed that the Department of Defense is considering postponing again the acquisition of a new Air Force aerial refueling tanker. As the co-Chairmen of the Senate Tanker Caucus, we believe that any additional postponement of the tanker re-capitalization program will have a serious and unnecessary adverse effect on our service members' ability to carry out the National Military Strategy. Accordingly, we recommend that the Department recommence the aerial refueling tanker competition on an expedited basis.

As you know, the Senate Tanker Caucus is a bipartisan organization whose purpose is to assist the Department in efficiently procuring whichever aircraft best meets the requirements of our National Military Strategy and provides the best value to the taxpayer. The Caucus has not, and will not, take a position supporting any particular bidder in the competition for procurement of a replacement tanker. However, the failure of recent efforts to procure a new tanker has been disconcerting to members of the Caucus.

The ability of our nation to continue to project aerial power worldwide depends on our tanker fleet. The backbone of this fleet is the KC-135, which is rapidly approaching its 50th year in service. As I am sure you agree, continuing to rely upon these aircraft for decades to come poses an unacceptable risk not only to our nation's unique global reach capability, but to our most valuable asset, our men and women in uniform.

Therefore, we respectfully recommend that the Department resume the competition to select a new aerial refueling tanker as soon as possible. We also request that our respective staffs be briefed, in a timely manner, on the Department's plans.

Thank you for your attention to this matter.

Sincerely,

Kent Conrad
United States Senator

Orrin G. Hatch
United States Senator

United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

March 12, 2009

Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20310-1000

Dear Mr. Secretary:

A critical element of our strategy for success in Afghanistan must be enabling Afghan forces to take responsibility for the security of their own country. We applaud the decision to increase the size of the Afghan National Army (ANA) to 134,000 soldiers, though the force level may well require additional growth in order to meet Afghanistan's security needs over the long term.

The United States and its allies need to do all we can to accelerate as quickly as possible the training and equipping of the ANA and the Afghan National Police (ANP). General David McKiernan, Commander, NATO International Security Assistance Force, has said he needs more embedded trainers and funding to speed up building the capacity of the Afghan security forces.

We have also heard recently that the "long pole in the tent" for growing the ANA rapidly is getting these units the basic equipment they need – machine guns, radios, and vehicles – when they need it. At a hearing on February 26th, General David Barno, former Commander, Combined Forces Command Afghanistan, testified that the main problem is "a constipated, peace-time system" for equipping these forces which is not well suited to the demands of an ongoing conflict. As you recall, similar problems were encountered in delivering badly needed military equipment to Iraqi forces. In this regard, we hope the lessons learned in Iraq will be applied to our efforts in Afghanistan.

We request that you closely examine what is needed to expedite the training and equipping of the Afghan National Army and Afghan National Police and report to us on what more is needed, in terms of resources, personnel, or legislative relief.

We look forward to your prompt response and working with you on this matter.

Sincerely,

John McCain
Ranking Member

Carl Levin
Chairman

DAVID VITTER
LOUISIANA

DEPUTY WHIP

Commerce, Science, and Transportation

Environment and Public Works

Foreign Relations

Small Business and Entrepreneurship

Special Committee on Aging

United States Senate

WASHINGTON, DC 20510

January 23, 2009

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FAX: (225) 383-0952

Website with E-Mail Access:
vitter.senate.gov

The Honorable Barack H. Obama
President of the United States
The White House
Washington, DC 20500

The Honorable Daniel Inouye
Senate Appropriations Committee, Chairman
S-128, the Capitol
Washington DC, 20515

Dear Mr. President and Chairman Inouye:

I am writing to express the need for increased funding of several critical Corps of Engineers infrastructure projects in the state of Louisiana under the Economic Stimulus Plan. As you know, Corps funding has always been one of my top priorities and I believe we now have a full and unique opportunity. Not only will this funding help protect Louisiana's coastline and citizens, but it will also stimulate the economy as we currently have $6.2 billion in "shovel ready" projects.

With $6.2 billion in shovel-ready projects in Louisiana alone, I believe the current House stimulus funding for the Corps is woefully short, and I request increased funding for the Corps in the Senate version of the stimulus bill.

Hurricane protection systems continue to be particularly critical in our state, and I remain concerned about the slow pace of progress. Millions of citizens remain at risk from inadequate systems as we approach the fifth hurricane season since Katrina and Rita and less than a year since Hurricanes Gustav and Ike. Authorized levels of protection are needed in Terrebonne and Lafourche Parishes. Assistance to parishes around New Orleans is needed to storm-proof pump stations. Assistance is also needed by levee districts for levee certification to obtain flood insurance, and continue economic development.

Coastal Restoration in Louisiana continues to be urgently needed for both revitalization of natural wetlands and protection of inland communities from storm surge. I believe that use of dredged material, mostly from navigation projects, to regenerate barrier islands and wetland habitats is a critical building block for better hurricane protection. Additional funds should also be used to complete distribution pipelines, enabling the immediate application of such material with new and ongoing projects. Assistance is also sorely needed by several parishes for repair of environmental infrastructure and flood control projects.

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FAX: (337) 262-6373

CENTRAL LOUISIANA
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SUITE 4
ALEXANDRIA, LA 71301
(318) 448-0168
FAX: (318) 448-0189

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SOUTHEAST LOUISIANA
2800 VETERANS BOULEVARD
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METAIRIE, LA 70002
(504) 589-2753
FAX: (504) 589-2607

SOUTHWEST LOUISIANA
3221 RYAN STREET
SUITE E
LAKE CHARLES, LA 70601
(337) 436-0453
FAX: (337) 436-3163

These projects clearly align with the intent of the Stimulus Plan to revitalize critical infrastructure, provide economic benefit with new jobs and enable economic development in Louisiana. I am willing to help in any way possible and I appreciate your continued support and prompt consideration of this matter.

Sincerely,

David Vitter

David Vitter
United States Senator

Cc: General Robert Van Antwerp, U.S. Army Corps of Engineers

United States Senate

WASHINGTON, DC 20510

1000605

December 15, 2008

The Honorable Barack Obama
President-elect
Presidential Transition Team
451 6th St., NW
Washington, DC 20001

Dear Mr. President-elect:

We write to ask for your support of a robust shipbuilding budget and policies to support our Navy, Marine Corps, and Coast Guard and to enable commercial ship construction in the United States. Such policies and funding would create and sustain highly skilled jobs, strengthen our national and homeland security, and modernize and expand our domestic marine transportation highway.

The shipbuilding industry of the United States employs more than 400,000 people in 47 states. The industry consists of six major shipbuilding yards, several smaller ship construction and repair yards, and more than 4,000 major manufacturers of ship components and systems. Thousands of jobs would be created in the United States with a renewed commitment to shipbuilding that has been lacking in the past decade.

Military leaders have documented for several years a minimum national requirement for 313 ships to support our Navy and Marine Corps. The Chief of Naval Operations Admiral Gary Roughead testified last year at the Navy FY09 budget hearing that "[t]he rate at which we are growing our fleet will challenge our ability to fulfill the core capabilities of the maritime strategy." He is, "committed to taking the steps necessary to build the future fleet and re-establish the vital trust needed among the Department, Congress, and industry to get our Navy above a 313-ship floor." At the House Armed Services Committee hearing on March 6, 2008, Admiral Roughead said, "[t]hree hundred thirteen ships represent the minimum force necessary to provide the global reach, persistent presence, and strategic, operational, and tactical effects." He concluded by saying, "I support a stable shipbuilding plan that provides an affordable, balanced force and preserves our nation's industrial base. I intend to develop further our Navy's relationship with industry to reinforce our commitment to a stable shipbuilding plan."

Unfortunately, however, the Navy's fleet has declined to 284 ships. To attain the 313-ship Navy outlined by the CNO, 12 ships need to be budgeted annually.

While America's naval fleet is in decline, the Navies of potential adversaries are on the rise. Russia has made rebuilding its naval power a priority, and the Navy of China is expanding rapidly. By 2015 the Chinese Navy is projected to be larger than ours, and Russia has stated its intention to have the second largest Navy in the world by 2022. These countries may be building their naval forces to deny America access to critical regions and to limit America's influence around the world. Because more than 90 percent of global commerce is transported by sea, naval power is the key to accessing critical raw materials, to securing sea lanes of commerce for trade and energy, and to projecting power quickly when needed. Other nations are also placing a

premium on naval forces, and the instances of piracy on the world's oceans are increasing at an alarming rate. Terrorist attack from sea remains a high security threat.

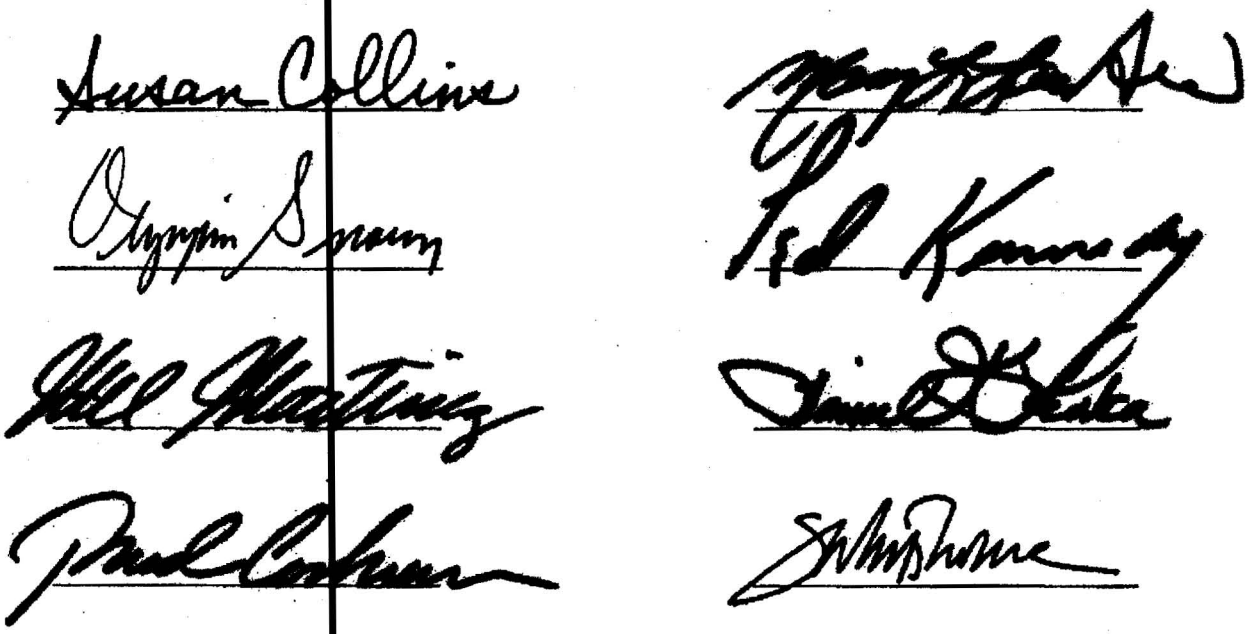
In addition to the Navy's priorities, the U.S. Coast Guard warrants your attention. The U.S. Coast Guard fleet is one of the oldest in the world. Your commitment to modernize the Coast Guard fleet with new improved cutters will be essential in defending our borders, improving search and rescue, stopping illegal trafficking, and giving the Coast Guard the tools it needs to perform its homeland security missions.

The crisis in financial markets makes it more vital than ever to budget $60 million annually for the Title XI Ship Loan Guarantee Program administered by the Maritime Administration. This program provides a government guarantee of 87.5 percent of a commercial bank loan over 25 years to ship owners for ship construction in the United States. Vessels financed by Title XI would enhance our domestic energy development and transportation capability for all forms of energy. The dry cargo ships currently serving American ports average more than their 20-year intended service lives.

More ships need to be built to meet our security, energy, and transportation needs. Building more ships would also build our economy and create and preserve thousands of engineering and production jobs in the United States. Your efforts to reverse years of inadequate funding for the Navy, Coast Guard, and commercial shipbuilding will provide many positive returns on a much needed investment.

Thank you for your consideration of this important national economic and security matter.

Sincerely,



Barbara A. Mikulski

Dave Vitter

Ben Cardin

Jon Kyl

Bill Nelson

J. L. F. King

Roger Wicker

CC: Mr. Peter Orszag
Director-Designate
Office of Management and Budget
451 6th Street, NW
Washington, DC 20270

United States Senate

WASHINGTON, DC 20510

March 20, 2009

The Honorable Robert C. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Gates,

As you know, last year's Department of Defense Appropriations Act provided partial funding for the third DDG-1000 and directed the Navy to budget for the remaining funding requirement in FY10. Congress expects the Navy to adhere to this direction; therefore, we write to urge your support for full funding of the DDG-1000 program in the FY10 President's budget, and request that you continue a thorough and transparent review and evaluation of the Navy's proposal to truncate the DDG-1000 program and restart DDG-51 production.

We remain very concerned about the Navy's long-term shipbuilding plan. Despite several months of Congressional and Department of Defense requests for further analysis, the Navy has yet to provide sufficient justification in support of the proposal to truncate the DDG-1000 program and restart DDG-51 production. We continue to await an in-depth comparative analysis of the DDG-51 and DDG-1000. The Navy's failure to provide such a detailed cost analysis strongly implies a lack of supporting documentation of the Navy's position and undermines our confidence in the merits of the Navy's plan to truncate the DDG-1000 program. Congress must have this information before acquiescing to a change of this magnitude.

Supporting the DDG-1000 program will enable the Navy to leverage $11 billion in already invested research and development funding. The ship has been designed with significant growth margins including power, cooling, space, and weight to enable rapid enhancements to meet evolving threats in the existing hull. We believe that continued production and delivery of DDG-1000 class destroyers is essential to the long-term stability of our shipbuilding program and the timely delivery of needed capabilities to the Navy.

With respect and appreciation, and thank you for considering this request.

Sincerely,

Edward M. Kennedy

Jack Reed

John F. Kerry

Sheldon Whitehouse

OSD 03125-09

Niki Tsongas
Member of Congress

Patrick Kennedy
Member of Congress

Michael Capuano
Member of Congress

James McGovern
Member of Congress

Michael Michaud
Member of Congress

Paul Hodes
Member of Congress

Richard Neal
Member of Congress

James Langevin
Member of Congress

Stephen Lynch
Member of Congress

United States Senate

WASHINGTON, DC 20510

March 25, 2009

The Honorable Robert Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Gates:

We write today to express serious concern about the administration's planned national defense spending in Fiscal Year 2010 and beyond, which appears to be insufficient to guarantee U.S. national security in the coming years. Based on the administration's budget documents submitted thus far, it appears that a marked decrease in overall defense spending is in store for our country. If recent press accounts are accurate, this will be accomplished by canceling or postponing the acquisition of numerous major weapon systems critical to our Armed Forces and necessary to ensure their future ability to defend our country.

As Congress begins the Fiscal Year 2010 (FY10) budget process, it is our view that we have too little information on hand, based solely on the President's incomplete budget submission, to thoroughly and responsibly make decisions about top-line figures for the country's core defense program. For example, it is widely reported that the administration intends to shift funding that is currently part of the supplemental budget process into the normal DoD appropriations request. But, to date, Congress has not been told exactly what amount will be transferred, nor has it been informed about which particular programs will be affected. This lack of information raises a number of important questions, with potentially troubling answers.

The President's plan to substantially increase U.S. military force levels in Afghanistan, while simultaneously withdrawing all U.S. combat forces from Iraq by August 2010, will require substantial funding. However, it is our understanding that the administration will be requesting far less this year and next in supplemental funding, which is cause for great concern. It is unclear how the administration, if it intends to cut supplemental funding, expects to maintain our military forces in the field and enable them to conduct their missions safely and effectively. We would appreciate an explanation on this issue.

To be clear, we fully support efforts to maximize transparency in the budget process by including all foreseeable DoD requirements in the normal DoD budget request; however, by shifting major expenses from the supplemental requests to the base budget, while simultaneously slashing the supplemental request, the net effect would be a decrease in overall spending on our national defense. Our concern is that, under the guise of an "honest budgeting" approach to national security spending, we would be locking in an overall cut in military spending that either puts our troops in jeopardy today or our

national security in jeopardy tomorrow as we restrict urgently needed capital investments in equipment such as planes, ships, and land vehicles.

As such, we request that your department provide us as soon as possible with more detailed information on what expenditures, and at what levels, you anticipate moving from the supplemental budget to the base defense budget for FY10 and what defense programs you anticipate eliminating or substantially reducing, in relation to the most recent Future Years Defense Program (FYDP). In addition, it is essential that we hear from our uniformed combatant commanders and the Chairman of the Joint Chiefs of Staff on the potential problems they will face in carrying out their responsibilities under the administration's proposed defense spending blueprints. Accordingly, we request that you provide us, as soon as possible, risk assessments by each combatant commander, evaluating to what extent the President's proposed defense spending levels will limit their ability to meet ongoing requirements over the lifetime of the FYDP. Finally, we request that the Chairman's risk assessment, which is statutorily required and is long overdue, be provided within 30 calendar days.

During the early part of this decade, it became clear that defense spending decisions made during the 1990s and the resulting military "procurement holiday" that our government had taken left our Armed Forces without the needed advanced equipment and superior capabilities to defend our nation. Today, in the middle of a global war on terror, we must not allow that to happen again. Now is not the time to attempt to cash in a "peace dividend," while thousands of our soldiers, sailors, airmen, and marines are serving in harm's way, engaged in military operations in two major theaters of conflict overseas, with other very real threats on the horizon.

We urge you to examine these issues carefully as the administration completes work on its FY10 DoD budget request. Thank you for your service to our nation and your tireless dedication to its Armed Forces.

Sincerely,

JOHN CORNYN
United States Senator

JON KYL
United States Senator

LISA MURKOWSKI
United States Senator

JAMES M. INHOFE
United States Senator

JOHN THUNE
United States Senator

JOHNNY ISAKSON
United States Senator

JIM DEMINT
United States Senator

SAXBY CHAMBLISS
United States Senator

ROGER F. WICKER
United States Senator

DAVID VITTER
United States Senator

ROBERT F. BENNETT
United States Senator

RICHARD BURR
United States Senator

JEFF SESSIONS
United States Senator

KAY BAILEY HUTCHISON
United States Senator

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United States Senate

April 16, 2009

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500-0005

Dear Mr. President:

As your Administration prepares the details of your Fiscal Year 2010 (FY10) defense budget, I am writing to request inclusion of a military construction project in my home state of Nebraska. The Army National Guard and Air National Guard have begun preparatory construction work on a Joint Force Headquarters, which I recommend be included in this defense budget to ensure timely and scheduled completion of the project.

The Army National Guard, Air National Guard, and Nebraska state government counterparts will be housed and will operate jointly in Lincoln, Nebraska, at this Joint Headquarters. The development and construction of this emergency operations center will facilitate a rapid, coordinated response to major emergency events; and therefore, I support the Army National Guard's request of $23.9 million and the Air National Guard's request of $3 million so that building construction for the headquarters can begin as planned in FY10.

Mr. President, I am requesting that this mission-critical headquarters be included in your FY10 defense budget. Thank you for your consideration of this request. If you or your staff needs additional information, please do not hesitate to contact me directly or have your staff contact Ann Premer of my staff at 202-224-6551.

Sincerely,

E. Benjamin Nelson
United States Senator

EBN:ajp

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United States Senate

WASHINGTON, DC 20510

April 6, 2009

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Obama:

We write to urge you not to allow deep cuts in U.S. missile defense programs that are critically important to protecting our homeland and our allies against the growing threat of ballistic missiles.

Secretary of Defense Robert Gates today announced plans to cancel or reduce such major programs as the Airborne Laser, Multiple Kill Vehicle, and the installation of additional Ground-Based Interceptor missiles in Alaska, and to cut the MDA's budget for Fiscal Year 2010 by $1.4 billion. Although we applaud Secretary Gates' commitment to such capabilities as THAAD and SM-3, these proposals would amount to almost a fifteen percent cut in the MDA budget and a major reduction in our missile defense portfolio—actions that we fear could undermine our emerging missile defense capabilities to protect the United States against a growing threat.

As you know, the threat from ballistic missiles is significant and on the rise. Lieutenant General Daniel Maples, the Director of the Defense Intelligence Agency, recently testified before the Senate Armed Services Committee that "the threat posed by ballistic missile delivery systems is likely to increase while growing more complex over the next decade." General Maples further warned that "adversary nations are increasingly adopting technical and operational countermeasures to defeat missile defenses." Ballistic missile technology has already proliferated worldwide and is a direct threat to both our allies and our homeland.

The threat posed by rogue states with ballistic missiles has been underscored by Iran and North Korea's recent missile tests. In early February, Iran launched a satellite atop a rocket that could be used as an intercontinental ballistic missile. Last weekend, North Korea tested the Taepo Dong-2, a long range missile that if successful, could have the range to strike Hawaii, Alaska, and possibly the West Coast of the United States.

Although these developments highlight the danger we face, they have also revealed the progress our national missile defense system has made. When recently asked before the Senate Armed Services Committee whether the United States could intercept a Taepo Dong-2 missile that targeted the American homeland, Admiral Timothy Keating, Commander of U.S. Pacific Command, and General Patrick Chilton, Commander of U.S. Strategic Command, assured that we can do so with high probability. This would not have been the case just a few years ago, and is only the case today because we have invested in a diverse set of missile defense capabilities.

Cooperation on ballistic missile defense is also essential to our most important alliances. In the Asia-Pacific region, Japan became the first among our allies to successfully intercept a ballistic missile with the Aegis defense system. In response to North Korea's growing arsenal of missiles, the Government of Japan decided six years ago to deploy a joint Aegis and Patriot PAC-3 missile defense and has already invested $7.9 billion of its own funds to build a new pillar of our alliance. India has likewise expressed strong interest in closer cooperation on missile defense systems, which promises to become an area of cooperation in our growing strategic partnership.

In the Middle East, we continue to develop missile defense technology in close partnership with Israel. As you know, the State of Israel faces a uniquely pressing threat due to Iran's ballistic missile program and pursuit of weapons of mass destruction. In response, we have long cooperated with Israel to develop the Arrow family of missile interceptors and are now working together on the David's Sling missile defense system to defeat medium range rockets. These are critical programs that should not be abandoned.

In Europe, NATO has also endorsed the importance of missile defense as a collaborative venture among its member states. At the Bucharest summit in April 2008, NATO formally declared that "ballistic missile proliferation poses an increasing threat to Allies' forces, territory, and populations. Missile defense forms part of a broader response to counter this threat." NATO further expressed "deep concern" over the proliferation activities of both Iran and North Korea, and urged the examination of a "comprehensive missile defense architecture to extend coverage to all Allied territory and populations."

In sum, cooperation on missile defense is now a critical component of many of our closest security partnerships around the world. We fear that cuts to the budget for missile defense could inadvertently undermine these relationships and foster the impression that the United States is an unreliable ally. Moreover, sharp cuts would leave us and our friends around the world less capable of responding to the growing ballistic missile threat.

The fact remains that our adversaries continue to invest large sums in the development of these weapons. The question is whether we respond by developing appropriate defenses against them. We therefore urge you to sustain the ability of the Missile Defense Agency and the military services to develop an integrated, layered defense against the threat of ballistic missiles to the United States, our deployed forces, and our allies.

We thank you for your consideration in this matter.

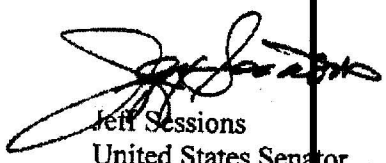
Sincerely,

Jon Kyl
United States Senator

Joseph I. Lieberman
United States Senator

Lisa Murkowski
United States Senator

Mark Begich
United States Senator



Jeff Sessions
United States Senator

James Inhofe
United States Senator

United States Senate

WASHINGTON, DC 20510

May 19, 2009

The Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000

Dear Secretary Gates:

We are writing to request that you establish a clear policy through which the Department of Defense (DOD) will encourage renewable energy development while maintaining necessary protections for military airspace.

As you know, DOD has an important voice in wind turbine siting decisions because wind turbines can impact DOD radar and airspace requirements. Unfortunately, to date the interaction between wind developers and the DOD has lacked consistency. For instance, in 2007 Travis Air Force Base objected to the 80 MW Montezuma Wind Energy Center very late in the permitting process. The proposed wind farm is surrounded by other wind farms, some of which were built after 2007, in Solano County California's Wind Resource Area, more than ten miles from the base. That project, and others nearby, remain in limbo today due to DOD concerns that are likely surmountable.

To facilitate the development of renewable energy projects consistent with national security needs, we encourage you to take the following steps that could improve the prospects for wind development in the United States.

- **Consolidate Decision Making:** Formally consolidate decision making regarding wind development in a single office, preferably within the Office of the Secretary of Defense. A single decision-maker, who operates under clear timelines and procedures by which he communicates DOD concerns regarding wind projects, would limit unnecessary conflict between DOD and renewable energy development.

- **Participate in FAA Review:** DOD should identify proposed wind farm impacts on airborne operations during the Federal Aviation Administration's (FAA) existing, formal wind farm screening and approval process, as well as provide initial feedback during any FAA early feasibility review. If DOD

objections are stated in as transparent a manner as national security concerns permit through the FAA process, renewable energy developers will not be surprised by DOD concerns expressed late in the permitting process.

- **Site Specific Evaluations:** The military has produced extremely useful maps of California, Arizona and Nevada that designate areas in which the military effectively opposes wind energy development (red), areas where the DOD might have some concerns (yellow), and areas where DOD has no military concerns (green). DOD's maps were assembled using data and assumptions that allow them to guide development, but they are not detailed enough to be the final decision making tool. I request that you clarify that DOD staff should evaluate site-specific technical analysis before opposing any wind proposal.

- **Airspace Height Restrictions:** Airspace height restrictions vary considerably across the West and limit wind energy development. If DOD evaluated whether it is reasonable and consistent with safety and national security needs to raise 200, 300 and 400 feet restrictions to 500 feet at sites where wind farms are proposed, DOD may be able to open a considerable amount of currently restricted land to wind energy development.

- **Mitigation Research and Development:** Technical mitigation measures may be able to reduce the impacts of wind turbines on radar. In September 2008, representatives from the DOD, the Federal Aviation Administration, the National Oceanic and Atmospheric Administration, and the wind industry agreed to develop a research and development roadmap, mirroring a similar effort between the British military and the British Wind Energy Association. DOD participation in this effort is important, and I encourage you to ensure that it continues.

- **Radar Upgrades:** DOD is in the process of replacing older analog radar systems with state-of-the-art radar through the National Airspace Modernization Program. I encourage you to request that DOD consider the wind energy potential of an area when prioritizing radar replacements. A report by the defense advisory firm JASON recently concluded, "Radars which don't have the capabilities to mitigate wind farm interference could simply be replaced...The new radar would incorporate multidimensional detection, with greatly enhanced processing, with pulse shapes designed to optimally distinguish between aircraft and wind farms."[1]

[1] *Wind Farms and Radar (JSR-08-125).* JASON. The MITRE Corporation. January 2008.

As you know, both global warming and our reliance on foreign sources of energy present economic and national security challenges to our country. Your Department rightfully focuses on its primary mission of protecting our national security, but we believe DOD could also play a more productive role. We very much look forward to working with you to ensure that renewable energy development proceeds where it is compatible with the military's mission.

We look forward to working with you on this matter.

Sincerely,

Dianne Feinstein
United States Senator

Charles Grassley
United States Senator

Ron Wyden
United States Senator

Jon Tester
United States Senator

Barbara Boxer
United States Senator

Richard J. Durbin
United States Senator

Tom Harkin
United States Senator

Max Baucus
United States Senator

Jeff Merkley
United States Senator

ORRIN G. HATCH
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United States Senate

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COMMITTEES:

FINANCE

JUDICIARY

HEALTH, EDUCATION, LABOR, AND PENSIONS

INTELLIGENCE

JOINT COMMITTEE ON TAXATION

June 8, 2009

The Honorable William J. Lynn
Deputy Secretary
The Department of Defense
1100 Defense Pentagon
Washington, DC 20301-1100

Dear Secretary Lynn:

Thank you for your May 28th letter. I appreciate learning the Department of Defense's ("Department") views on the subjects covered in the letter. In addition, I look forward to continuing to work with you on enhancing our nation's security.

I was delighted to learn of the Department's commitment to our depot maintenance system by "compl[ying] with the 50/50 and Core laws as currently written and interpreted." As you know, the Congress, on a bipartisan basis, has worked with the Department over the past several years to recapitalize our depot maintenance system. The warfighter has greatly benefited from this renewed investment through sustained on-time delivery rates of vital equipment.

Regarding the land-based solid rocket motor intercontinental ballistic missile industrial base, I deeply appreciate the Department and the Air Force's recognition of the merits of sustaining this vital national infrastructure. The Air Force's Fiscal Year 2010 budget request of $43 million is an important first step. However, your letter does not address if the Department will accede to the Secretary of the Air Force's request to reprogram sufficient Fiscal Year 2009 funds to maintain solid rocket production this fiscal year. Only a prompt transfer of these funds will prevent further interruptions in production, resulting in millions of dollars in unnecessary costs, and the stabilization of employment for the highly sought after engineers and technicians that manufacture solid rocket motors.

Therefore, I respectfully request the Department agree to Secretary Donley's request and reprogram, on an expedited basis, Fiscal Year 2009 funds to maintain our nation's land-based solid rocket motor intercontinental ballistic missile industrial base.

Thank you for your consideration of this matter.

Sincerely,

Orrin G. Hatch
United States Senator

JOSEPH I. LIEBERMAN
CONNECTICUT

COMMITTEES:
ARMED SERVICES
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
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United States Senate

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June 10, 2009

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

Dear Mr. Secretary,

I read with great interest your speech to the Association of American Universities on April 14, 2008. On that occasion you noted the potential of the records of Saddam Hussein's Ba'athist regime, captured by American forces in 2003, to provide us "unprecedented insights" into the workings of dictatorial third-world regimes. You rightly compared this collection of materials to the Smolensk archives, upon which scholars of the Soviet Union like Merle Fainsod based much of their research. You also announced that the Defense Department was funding an effort to open a Conflict Records Research Center at the National Defense University.

I strongly support your goal of making the records of Saddam Hussein's regime available to the broad scholarly community for research and study. However, I am concerned by the apparent slow pace of this valuable project. I note that the Defense Department has yet to establish a Conflict Records Research Center in the 15 months that have passed since your announcement, nor does the opening of such a center appear to be on the horizon.

I would therefore be grateful for a progress report on your efforts to establish a Conflict Records Research Center at the National Defense University, a timeline for its creation, as well as an estimate of the resources that the Defense Department will devote to the center over the long term.

Thank you for your attention to this matter and your commitment to this worthy and important endeavor.

Sincerely,

Joseph I. Lieberman
UNITED STATES SENATOR

OSD 06538-09

~~SECDEF~~	~~DEPSECDEF~~	~~EXECASST~~	~~EXECSEC~~	~~USDP~~
~~USDI~~	~~ESD~~	~~CSD~~	CBLCH	FILE

1 A /

JIM WEBB
VIRGINIA

COMMITTEE ON
ARMED SERVICES
COMMITTEE ON
FOREIGN RELATIONS
COMMITTEE ON
VETERANS' AFFAIRS
JOINT ECONOMIC COMMITTEE

WASHINGTON OFFICE:
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United States Senate

WASHINGTON, DC 20510-4605

June 10, 2009

The Honorable Robert M. Gates
Secretary of Defense
The Department of Defense
The Pentagon, Suite 319
Washington, DC 20301

Dear Secretary Gates:

The independent, bipartisan Commission on Wartime Contracting was created last year to evaluate and report on U.S. wartime contracting for logistics, reconstruction, and security. As original co-sponsors of the legislation leading to the establishment of this Commission, we are pleased to enclose a copy of its interim report. We believe that the Commission is making noteworthy contributions in documenting the extensive problems that continue to exist in wartime support contracting and what must be done to fix them.

The Commission's interim report identifies major areas of emphasis offering the greatest promise for significant reform. Moreover, the commissioners have identified a number of critical issues of more immediate concern that require prompt action by the Department of Defense to avoid undermining U.S. objectives in Iraq and Afghanistan and to prevent wasting more U.S. tax dollars. Of note, they report, in part:

- The drawdown of U.S. forces in Iraq risks incurring enormous waste, which could range from completion of work that may not need to be done, to poorly controlled handling and disposition of U.S. government property;
- There is a need for greater accountability in the use of foreign subcontractors who may not be accountable to U.S. governmental authority;
- The effectiveness of contractor support of expanded U.S. operations in Afghanistan is compromised by the failure to extract and apply lessons learned from Iraq, particularly those relating to poor interagency coordination;
- The Department of Defense should accelerate its plans to establish a contracting command in Afghanistan; and
- The Department of Defense should take immediate steps to ensure that contractors providing security for U.S. operating bases are well trained and equipped to provide strong force protection to our military.

During our interactions over the past year, you have responded very constructively when we have brought concerns to your attention. While some of the time-sensitive issues raised in the Commission's report are not new, it is telling that they continue to arise. We encourage you, or members of your staff, to meet with the Commission to obtain greater insights into these concerns and possible corrective actions. Additionally, we would appreciate receiving from you a description of what the Department is doing or plans to do to address them.

With this important interim report completed, we expect the Commission to enhance its body of work by assessing root causes and potential solutions to the systemic contracting problems in Iraq and Afghanistan through further original investigation and analysis. We appreciate your continued support of this endeavor and the attention you have brought to improve wartime contracting policies and practices.

Thank you for your consideration of this request.

Jim Webb
United States Senator

Claire McCaskill
United States Senator

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COMMITTEE ON THE BUDGET
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SELECT COMMITTEE ON INTELLIGENCE
DEMOCRATIC POLICY COMMITTEE

United States Senate

WASHINGTON, DC 20510–4904

May 15, 2009

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President,

I am writing to request that your administration, in close consultation with Congress, clarify and strengthen chief of mission authority. As you know, this authority is essential to ensure that our agencies and personnel overseas fully coordinate their operations, and that all elements of the United States government are working toward the same strategic objectives. It is particularly important that our military coordinates with civilian leadership, particularly the chiefs of mission who are your representatives overseas. A lack of such coordination and oversight can result in disjointed activities that undermine our ability to achieve our national security goals.

I am concerned that in the aftermath of 9/11, we have seen an erosion of chief of mission authority, in part because of the extended reach of the Department of Defense and its regional commands. I am troubled by reports that in some cases, chiefs of mission have not been consulted about or made even aware of U.S. military activities in their country. I have heard such accounts in my own travels overseas, and would be happy to discuss specific examples with your administration in a classified setting. In order to ensure our top diplomats can fully undertake their mission, greater clarity is needed with respect to a number of key issues relating to this authority.

For example, the previous administration claimed that chiefs of mission were always consulted prior to the issuance of an order to use military force, but it is unclear whether all ambassadors were kept fully informed of such activities, as required by law. This ambiguity is particularly troubling with regard to countries outside of Iraq and Afghanistan, which are official war zones. In light of this uncertainty, I sought information in 2008 related to press allegations that the Department of Defense, under President Bush, had authority to carry out operations in numerous countries around the world. To the extent that such orders exist, I ask that you fully inform Congress so that, among other things, any implications for chief of mission authority can be considered and addressed.

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As you know, previous administrations and Congresses have sought to clarify chief of mission authority. President Truman clarified the functions of the chief of mission in Executive Order 10338 in 1952. In 1955, President Eisenhower issued Executive Order 10608, which applied to the specific authority and functions of the chief of mission in Germany. Later, section 207 of the Foreign Service Act of 1980 enshrined the authority globally.

Your administration now has the opportunity to clarify current ambiguities about the authority of chiefs of mission over U.S. government personnel. With ongoing military operations in two official war zones - Iraq and Afghanistan – this clarification should include an overarching framework to guide the relationship between chiefs of mission and the U.S. military in official war zones. It is also important to clarify the authority of the chief of mission in other circumstances, including countries in which declared U.S. military operations are occurring but there is no host government, countries with which we have no diplomatic relationship or countries with which we have diplomatic ties but no on-the-ground diplomatic presence.

Given the ambiguities that have emerged in this area and their implications to our national security, I urge you to consider, in consultation with Secretary of State Clinton and others in your administration, a new executive order that would reaffirm chief of mission authority in relation to all military activities. I urge you to do so in close consultation with Congress, including the Foreign Relations, Armed Services, Intelligence and Judiciary Committees, and to inform Congress of any need for further legislative action that you may identify. Finally, I request that you undertake this effort as soon as possible. A strong signal that you stand behind the authorities of your ambassadors will not only make them more effective, but will allow them, in the context of their confirmations, to provide assurances that your policies will be implemented by all elements of the United States government.

I appreciate your consideration of my suggestions and welcome the opportunity to discuss these and related issues with representatives of your administration. I recognize that there are many urgent national security challenges that you must consider, but providing renewed guidance on chief of mission authority would greatly improve our capacity to effectively confront such challenges.

Sincerely,

Russell D. Feingold
United States Senator